

AN ORDINANCE 2017-08-31-0602

AUTHORIZING AN AMENDMENT IN THE AMOUNT NOT TO EXCEED \$1,977,990.00 TO A CONSTRUCTION MANAGER AT RISK AGREEMENT WITH TURNER CONSTRUCTION COMPANY AND APPROPRIATING \$907,008.00 FOR ADDITIONAL SPECIALIZED THIRD PARTY INSPECTION SERVICES, UNANTICIPATED COSTS OF IT NETWORK UPGRADES AND SYSTEM INTEGRATIONS, UTILITY IMPACT FEES AND OTHER PROJECT SUPPORT SERVICES FOR THE CONSOLIDATED RENT A CAR FACILITY PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT.

* * * * *

WHEREAS, in May 2013 City Council approved a Construction Manager at Risk (CMR) contract with Turner Construction Company in the amount of \$105,000,000.00 for the construction of a Consolidated Rent A Car (CONRAC) facility; and

WHEREAS, this Ordinance authorizes an amendment, in an amount not to exceed \$1,977,990.00, for repairing the height of a beam between levels 0 and 1 of the public parking garage, upgrading the tunnel walkway between the public parking garage and the terminals, improving the exterior walkway between the public parking garage and the terminals, and other costs to include, but not limited to, additional way finding, additional concrete, waterproofing at soffit panels, and vehicle barriers at rental agency garage levels; and

WHEREAS, payment of the additional amounts reflected in the aforementioned amendment is contingent upon obtaining additional funding through Interim Airport Financing, which currently is expected to be presented to City Council for approval in September 2017; and

WHEREAS, this Ordinance further allocates \$907,008.00 for additional specialized third party inspection services, unanticipated costs of IT network upgrades and system integrations, utility impact fees and other project support services for the CONRAC project;
NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or her designee, is hereby authorized to execute an amendment in an amount not to exceed \$1,977,990.00 to the Construction Manager at Risk Agreement with Turner Construction Company, a copy of which is set out in **Exhibit 1**, and appropriating \$907,008.00 for additional specialized third party inspection services, unanticipated costs of IT network upgrades and system integrations, utility impact fees and other project support services for the CONRAC project.

SECTION 2. The amount of \$2,884,998.00 is appropriated in SAP Fund XXXXXXXX, Airport Funding, SAP “**Interim Airport Financing**”, SAP GL account 6102100 - Interfund Transfer out entitled Transfer to 33-00079-90-10-01. The amount of \$2,884,998.00 is authorized to be transferred to SAP Fund 51099000.

SECTION 3. The budget in SAP Fund 51099000, Airport Capital Project, SAP Project Definition 33-00079, Consolidated Rental Car Facility, shall be revised by increasing SAP WBS element 33-00079-90-10-01 entitled Transfer from “**Interim Airport Financing**”, SAP GL account 6101100 - Interfund Transfer In, by the amount \$2,884,998.00.

SECTION 4. The amount of \$2,884,998.00 is appropriated in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00079, Consolidated Rental Car Facility, and the budget shall be revised by decreasing/increasing SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	PLAN VERSION 0 REVISION/ Appropriation
33-00079-02-02	City Contract	5201140	Construction Cost	423,675.00
33-00079-05-02-01	City Funds	5201040	Fees to Prof Contr	125,000.00
33-00079-05-02-01	City Funds	5201140	Construction Cost	1,977,990.00
33-00079-05-07-01	Parking Revenue Control	5202020	Contractual Services	25,000.00
33-00079-05-07-02	Construction Other	5202020	Contractual Services	198,333.00
33-00079-05-09	Inspection Services	5201040	Fees to Prof Contr	135,000.00
			TOTALS	\$ 2,884,998.00

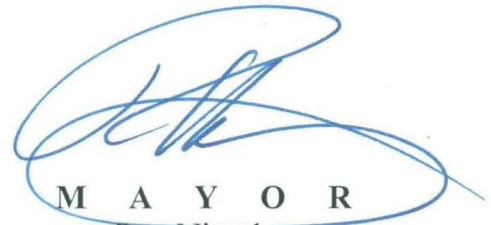
SECTION 5. Payment in the amount not to exceed \$1,977,990.00 in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00079, Consolidated Rental Car Facility, is authorized to be encumbered and made payable to Turner Construction Company, for additional Construction Manager at Risk (CMR) contract services. **Payments for services are contingent upon the availability of funds and upon the receipt of funds through the Interim Airport Financing in accordance with the adopted capital budget.** Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

SECTION 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 7. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.


KRH
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PASSED and APPROVED this 31st day of August, 2017.



M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

Agenda Item:	9						
Date:	08/31/2017						
Time:	09:44:23 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing an amendment to the existing contract with Turner Construction increasing the contract amount by \$1,977,990.00 for a revised total contract value not to exceed \$142,592,316.00 and appropriating \$907,008.00 for additional specialized third party inspection services, unanticipated costs of IT network upgrades and system integrations, utility impact fees and other project support services for the CONRAC project. [Carlos Contreras, Assistant City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x			x	
Clayton H. Perry	District 10		x				

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Exhibit 1

**AMENDMENT 3
TO THE
CONSTRUCTION MANAGER AT RISK CONTRACT
FOR THE
CONSOLIDATED RENTAL CAR FACILITY/OTHER LANDSIDE FACILITIES
AT SAN ANTONIO INTERNATIONAL AIRPORT
(AIRPORT TRANSIT CENTER)

(PROJECT NUMBER 33-00039)**

This Amendment (herein called the "Amendment") to the Construction Manager at Risk Contract for the Consolidated Rental Car Facility/Other Landside Facilities at San Antonio International Airport (Airport Transit Center) is entered into by and between the City of San Antonio (herein called "the City"), a Texas municipal corporation, acting by and through its City Manager and Turner Construction Company (herein called "CM@Risk" or "Construction Manager"), acting by and through its duly authorized corporate representative, as set out below.

WITNESSETH:

WHEREAS, in May 2013 the City and CM@Risk entered into the Construction Manager at Risk Contract for the Consolidated Rental Car Facility/Other Landside Facilities at San Antonio International Airport (herein called "the Agreement") pursuant to Ordinance No. 2013-5-30-0352; and

WHEREAS, this amendment increases the contract amount by \$1,977,990.00 for a revised total contract value of \$142,592,316.00 for repairing the height of a beam between levels 0 and 1 of the public parking garage, upgrading the tunnel walkway between the public parking garage and Terminals A and B, improving the exterior walkway between the public parking garage and Terminal A and B, and other costs to include, but not limited to, additional way-finding, additional concrete, waterproofing at soffit panels, and vehicle barriers at rental agency garage levels for the Consolidated Rent a Car Facility project at the San Antonio International Airport; and

WHEREAS, payment of the additional amounts reflected in the aforementioned amendment is contingent upon obtaining additional funding through Interim Airport Financing, which currently is expected to be presented to City Council for approval in September 2017;

NOW THEREFORE, in consideration of the terms, covenants, agreements and demises herein contained each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Agreement, as previously amended, entered into by and between the City and the CM@Risk, is amended as follows:

1. Contingent upon the subsequent approval by the San Antonio City Council of Interim Airport Financing to compensate CM@Risk, the total adjusted contract value is hereby increased by \$1,977,990.00 to the amount of \$142,592,316.00.

Except as amended hereby, all other provisions of the Agreement are hereby retained in their entirety and remain unchanged.

EXECUTED AND AGREED TO this _____ day of _____, 2017.

CITY OF SAN ANTONIO

TURNER CONSTRUCTION
COMPANY

By: _____
Sheryl L. Sculley
City Manager

By:
Signature

Printed Name & Title
VICE PRESIDENT / OFFICER

APPROVED:

By: _____
City Attorney