

THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL

AN ORDINANCE

**AUTHORIZING A CPS ENERGY DRIVEN CHANGE ORDER IN THE INCREASED AMOUNT OF \$140,314.76 PAYABLE TO HARPER BROTHERS CONSTRUCTION AND FUNDS AVAILABLE FROM CPS ENERGY FOR THE CALLAGHAN ROAD PROJECT, A 2012-2017 GENERAL OBLIGATION AND FEDERALLY-FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 7.**

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**WHEREAS**, the 2012-2017 General Obligation Bond Program authorized \$6,630,000.00 for the city's share of funding for the Callaghan Road (Evers to Centerview) Project; and

**WHEREAS**, this Project provided for the reconstruction of the roadway, sidewalks, curbs, a shared use path and drainage from IH 410 to Spur 421 (Bandera Road); and

**WHEREAS**, on August 14, 2014, Council approved an amendment to the Advanced Funding Agreement with the Texas Department of Transportation to extend the Callaghan Road Project limits from IH 410 to Spur 421 (Bandera Road); and

**WHEREAS**, City Council previously authorized a construction contract to **Harper Brothers Construction, LLC** through Ordinance No. 2015-10-29-0915 in connection with the Callaghan Road - IH 410 to Spur 421 (Bandera Road) Project for an amount not to exceed \$15,385,582.53; and

**WHEREAS**, CPS Energy has requested a change order in the amount of \$140,314.76 in order to install an above ground regulator station at Callaghan Road and Evers Road intersection in order to eliminate two existing below ground stations in vaults and such regulator installation will require the upsizing of a proposed 12 inch steel gas main to a 16 inch steel gas main and reconfiguring the installation of gas main tie-in location; and

**WHEREAS**, the increase in pipe diameter and the proposed regulator station are required due to the increase demand and low pressure issues in the vicinity of the project; and

**WHEREAS**, this Ordinance authorizes an increase of \$140,314.76 to the construction contract with **Harper Brothers Construction, LLC** for a CPS Energy change order for work on the Callaghan Road Project; and

**WHEREAS**, this change order will not result in a change to City cost, but will be paid by CPS Energy in the amount of \$140,314.76; this is a 2012-2017 General Obligation Bond Project which is included in the 2018-2023 Capital Improvements Program Budget; **NOW THEREFORE**,

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

**SECTION 1.** The Change Order in the amount of \$140,314.76 for the install an above ground regulator station at Callaghan Road and Evers Road intersection for the Callaghan Road - IH 410 to Spur 421 (Bandera Road) Project is hereby approved.

**SECTION 2.** The City Manager or her designee is hereby authorized to execute a Utility Related Change Order to the Contract with **Harper Brothers Construction, LLC** in the amount of \$140,314.76.

**SECTION 3.** Funds are authorized to be **received from CPS Energy** to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00292, Callaghan Rd (Loop 410 to Bandera Road), and the budget shall be revised by **increasing** WBS element 40-00292-90-09, CPS Contribution and SAP General Ledger 4502280, Contribution from Other Agencies, in the amount of \$140,314.76.

**SECTION 4.** The amount of \$140,314.76 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00292, Callaghan Rd (Loop 410 to Bandera Road), SAP WBS Element 40-00292-05-02-06, entitled Construction-CPS, SAP GL Account 5201245, and is authorized to be encumbered and made payable to Harper Brothers Construction., for a CPS Energy change order for work on the Callaghan Road Project.

**SECTION 5.** 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 6.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this   **th**   day of **October**, 2017.

**M     A     Y     O     R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM:**

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**Leticia M. Vacek, City Clerk**

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**Andrew Segovia, City Attorney**