

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

ORDINANCE

**AWARDING A CONSTRUCTION CONTRACT, INCLUDING TWO
ADDITIVE ALTERNATES, TO HARPER BROTHERS CONSTRUCTION
LLC FOR THE WEST COMMERCE STREET (FRIO STREET TO
COLORADO STREET) PROJECT IN AN AMOUNT NOT TO EXCEED
\$10,384,984.94, OF WHICH \$1,417,706.50 WILL BE REIMBURSED BY
SAN ANTONIO WATER SYSTEM (SAWS) AND \$538,868.00 WILL BE
REIMBURSED BY CPS ENERGY.**

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WHEREAS, on May 6, 2017, voters approved the 2017 Bond Program which authorized \$10,000,000.00 for street and drainage work in relation to the West Commerce Street (Frio Street to Colorado Street) project located in Council District 5; and

WHEREAS, the design for this project was developed in coordination with Council District 5, Public Art San Antonio, the San Antonio River Authority, Union Pacific Railroad and an extensive public engagement process with the surrounding community; and

WHEREAS, this project provides for the reconstruction of West Commerce Street from Frio Street to Colorado Street to include the addition of bike facilities, pedestrian lighting, landscaping, and drainage improvements to Alazan Creek; and

WHEREAS, this project will also include joint-bid utility work and structural bridge improvements to the Commerce Street, Buena Vista Street and Guadalupe Street bridges; and

WHEREAS, the City advertised for construction bids in January 2020 and received and opened four bids on July 21, 2020; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by Harper Brothers Construction LLC in an amount not to exceed \$10,384,984.94; NOW THEREFORE:

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

SECTION 1. The lowest responsive bid submitted Harper Brothers Construction LLC in an amount not to exceed \$10,384,984.94 for West Commerce Street (Frio Street to Colorado Street) project, is hereby accepted. All other bids will be considered rejected upon execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates.

SECTION 2. Payment is authorized to be encumbered and made payable to Harper Brothers Construction LLC in an amount not to exceed \$10,384,984.94. Payment of \$10,210,995.45 is in

support of the W. Commerce St (Frio to Colorado) Project, using Fund 45099000, with the WBS Elements and GL Accounts in the table below. Funding for this project is provided by General Obligation Bonds and is in the FY2020-FY2025 CIP Budget. Reimbursement of \$1,417,706.50 will be provided by SAWS and \$538,868 provided by CPS Energy.

WBS	GL	AMOUNT
23-01617-05-02-01	5201140	\$ 8,254,420.95
23-01617-05-02-03	5201245	527,016.50
23-01617-05-02-04	5201245	890,690.00
23-01617-05-02-06	5201245	538,868.00
TOTAL		\$10,210,995.45

Payment of \$13,866.42 is in support of the West Commerce Economic Corridor Project, using Fund 43099000, with WBS Element 23-01454-05-02-01 and GL Account 5201140. Funding for this project is provided by COs and is in the FY2020-FY2025 CIP Budget.

Payment of \$160,123.07 is in support of the FY19 Buena Vista Guadalupe Bridge Maintenance Project, using Fund 40099000, with WBS Element 23-01830-05-02-01 and GL Account 5201140. Funding for this project is provided by General Fund and is in the FY2020-FY2025 CIP 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 3. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this _____ day of September, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney