

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

ORDINANCE

APPROVING A CONSTRUCTION CONTRACT WITH CAPITAL EXCAVATION COMPANY IN THE AMOUNT OF \$6,020,093.26, OF WHICH \$1,046,838.78 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$276,222.00 WILL BE REIMBURSED BY CPS ENERGY, FOR THE 2017 BOND EISENHAUER ROAD /NORTHWOOD-DEVONSHIRE AREA PHASE 1 PROJECT, LOCATED IN COUNCIL DISTRICT 10. FUNDS ARE AVAILABLE FROM THE 2017-2022 GENERAL OBLIGATION BOND PROGRAM AND ARE INCLUDED IN THE FY 2021 - FY 2026 CAPITAL IMPROVEMENT PROGRAM.

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WHEREAS, on May 6, 2017, voters approved the 2017 Bond Program which authorized \$8,000,000.00 for drainage improvements for the Eisenhower Road/Northwood-Devonshire Area Phase 1 Project located in Council District 10; and

WHEREAS, the improvements to be completed as part of Phase 1 of the project will include the removal and replacement of the existing undersized box culverts and outfall crossing located at Harry Wurzbach with new larger storm water facilities to allow increased capacity to the drainage channel; and

WHEREAS, the additive alternate included as part of this contract will provide for construction of a new underground storm sewer segment from the intersection of Albin Drive and Brookside Street extending to the intersection of Pike Road and Albin Drive; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by Capital Excavation Company in the amount not to exceed \$6,020,093.26 for the Eisenhower Road/Northwood-Devonshire Area Phase 1 Project, and

WHEREAS, this is a one-time capital improvement expenditure in the amount of \$6,020,093.26 payable to Capital Excavation Company, and of this amount, \$1,046,838.78 will be reimbursed by SAWS and \$276,222.00 will be reimbursed by CPS Energy; and

WHEREAS, funds are available from the 2017 - 2022 General Obligation Bond Program and are included in the FY 2021 - FY 2026 Capital Improvement Program; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid of Capital Excavation Company in the amount not to exceed \$6,020,093.26 for the Eisenhower Road/Northwood-Devonshire Area Phase 1 Project is

hereby accepted. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

SECTION 2. A construction contract is hereby awarded to Capital Excavation Company.

SECTION 3. Payment is authorized to be encumbered and made payable to Capital Excavation Company in an amount not to exceed \$6,020,093.26. Payment is in support of the Eisenhower/Northwood-Devonshire Area Ph1 Project using Fund 45099000 with the WBS elements and GL accounts in the table below. Funding for this project is provided by GO Bonds and is in the FY2021-FY2026 CIP Budget. Reimbursement of \$1,046,838.78 will be received from SAWS and \$276,222.00 received from CPS.

WBS	GL	AMOUNT
23-1628-05-02-01	5201140	\$4,697,032.48
23-01628-05-02-03	5201245	476,004.19
23-01628-05-02-04	5201245	570,834.59
23-01628-05-02-06	5201245	276,222.00
TOTAL		\$6,020,093.26

SECTION 4. 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 5. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and 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 day of 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney