

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

ORDINANCE

**AUTHORIZING THREE CHANGE ORDERS TO A CONSTRUCTION
CONTRACT WITH J3 COMPANY, LLC IN THE TOTAL INCREASED
AMOUNT OF \$1,216,713.69 FOR WORK RELATED TO THE
CONSTRUCTION OF THE DRAINAGE CHANNEL FOR THE PORT
SAN ANTONIO PROJECT LOCATED IN COUNCIL DISTRICT 4.**

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WHEREAS, in May 2017, voters approved the 2017-2022 Bond Program, of which \$24,000,000.00 was approved for drainage improvements associated with the Port San Antonio Project; and

WHEREAS, in partnership with the City, the Port Authority of San Antonio (Port Authority) agreed to manage and fund the design phase of the project and the City agreed to manage and fund the construction phase of the Port San Antonio Project and fund the preconstruction utility adjustments; and

WHEREAS, the City in January 2019 entered into a construction contract with J3 Company, LLC (J3) for \$20,763,251.51 for the construction of 2017 Bond Port Authority drainage project; and

WHEREAS, the first change order is for work necessitated by the redesign of the drainage channel to elevate the channel above the groundwater table to include raising the elevation of the bottom-of-channel, adding a water barrier, and increasing the thickness of the channel floor; and

WHEREAS, the second change is for increased handling of impacted groundwater and soil due to unforeseen groundwater issues; and

WHEREAS, the third change order is for increased costs associated with the excavation of the box culvert; and

WHEREAS, this Ordinance authorizes a three change orders in the total increased amount of \$1,216,713.69 to the construction contract with J3 Company, LLC for the Port San Antonio Project; **NOW THEREFORE**,

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

SECTION 1. The City Manager or designee is authorized to execute three change orders in the total amount not to exceed \$1,216,713.69 to the J3 Company, LLC construction contract for the Port San Antonio Project.

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11/05/20
Item No. _____ B

SECTION 2. Payment is authorized to be encumbered and made payable to J3 Company, LLC in an amount not to exceed \$1,216,713.69. Payment is in support of the Port San Antonio Project using Fund 45099000 with WBS element 23-01633-05-02-01 and GL account 5201140. Funding for this project is provided by GO Bonds and is in the FY2021-FY2026 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. 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 4. 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 November, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney