

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

**ORDINANCE**

**AUTHORIZING A CHANGE ORDER TO A CONSTRUCTION CONTRACT WITH J3 COMPANY, LLC FOR UTILITY WORK ASSOCIATED WITH THE SANITARY SEWER SYSTEM FOR THE PORT SAN ANTONIO PROJECT LOCATED IN COUNCIL DISTRICT 4 IN AN AMOUNT NOT TO EXCEED \$152,370.68, WHICH AMOUNT WILL BE REIMBURSED BY THE PORT AUTHORITY OF SAN ANTONIO.**

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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 for \$20,763,251.51 for the construction of 2017 Bond Port Authority drainage project; and

**WHEREAS**, during the construction of the sanitary sewer system the contractor encountered excessive amounts of impacted groundwater; and

**WHEREAS**, due to the environmental sensitivity of the project area, the contractor was requested to mitigate the area which required the contractor to collect and properly dispose of the groundwater; and

**WHEREAS**, this Ordinance authorizes a utility related change order in the increased amount of \$152,370.68 to the construction contract with J3 Company, LLC and accepts reimbursement in the amount of \$152,370.68 from the Port Authority of San Antonio; **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 a utility related change order in an amount not to exceed \$152,370.68 to the J3 Company, LLC construction contract.

**SECTION 2.** Payment is authorized to be encumbered and made payable to J3 Company, LLC in an amount not to exceed \$152,370.68. Payment is in support of the Port San Antonio Project

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Item No. \_\_\_\_\_

using Fund 45099000 with WBS element 23-01633-05-02-03 and GL account 5201245. Funding for this project is provided by GO Bonds and is in the FY2021-FY2026 CIP Budget. Reimbursement of \$152,370.68 will be received from the Port Authority of San Antonio.

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:**

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Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney