DBS
06/17/2021
Item No. 22C

ORDINANCE 2021-06-17-0466

APPROVING A CITY REQUESTED CHANGE ORDER IN THE TOTAL INCREASED AMOUNT OF $432,134.10 AND AUTHORIZING PAYMENT TO J3 COMPANY LLC FOR DELAY CLAIMS RELATED TO THE CONSTRUCTION OF THE PORT SAN ANTONIO PROJECT, A 2017 BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 4.

* * * * *

WHEREAS, on May 6, 2017, San Antonio voters approved the City of San Antonio's 2017-2022 Bond Program, of which $24,000,000.00 was approved for drainage improvements associated with the Port San Antonio project with funds being used toward constructing the project, construction oversight and the reimbursement of construction phase design services and utility adjustments; and

WHEREAS, in partnership with the City, the Port Authority of San Antonio agreed to manage and fund the design phase of the project, including the necessary environmental services and manage the preconstruction utility adjustments, the City agreed to contribute $24,000,000.00 toward the construction and provide construction management services for the Port San Antonio project and fund the preconstruction utility adjustments; and

WHEREAS, the Port San Antonio project is a continuation of the City of San Antonio's commitment to providing an adequate storm water system to reduce on-going flooding risks within the City and the project expands the 36th Street Phase IIIB (Billy Mitchell to General Hudnell) drainage infrastructure built as part of the 2012 General Obligation Bond Program; and

WHEREAS, project construction began in February 2019 and is estimated to be completed by May 2022; and

WHEREAS, a previously executed contract with J3 Company LLC for $20,763,251.51 to construct the 2017 Bond Port Authority drainage project was approved by City Council on January 17, 2019 through Ordinance 2019-01-17-0025; and

WHEREAS, change orders have increased the contract by $1,482,044.65; and

WHEREAS, the proposed change orders will increase the contract capacity by $94,466.18 to a revised contract amount of $22,339,762.34; and

WHEREAS, the following table illustrates the change orders which have occurred since construction on this project began:

Item	Amount
Original Contract Value	$ 20,763,251.51
Previous Change Orders	$ 1,482,044.65
Proposed Change Orders	$ 94,466.18
Revised Contract Value	$ 22,339,762.34

WHEREAS, these change orders will compensate the contractor for the time and work associated with constructing the drainage channel and mitigation efforts to address unforeseen conditions encountered during the project's construction; and

WHEREAS, all change orders were negotiated in coordination with the Port Authority of San Antonio; and

WHEREAS, this ordinance authorizes a change orders in the total increased amount of $432,134.10 and authorizing payment to J3 company LLC for delay claims related to the construction of 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 a change order in the increased amount of $432,134.10 and authorizing payment to J3 company LLC for delay claims related to the construction of the Port San Antonio project, a 2017 Bond funded project, located in Council District 4. A copy of the change order in substantially final form is attached as **Exhibit I**.

SECTION 2. Payment is authorized to be encumbered and made payable to J3 Company LLC for design revisions in an amount not to exceed $432,134.10. Payment is in support of the Port San Antonio Project, using Fund 45099000, with WBS Element 23-01633-05-02-01 with General Ledger Account 5201140. Funding is provided by GO Bonds and is budgeted 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 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 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

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PASSED AND APPROVED this 17th day of June, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

Tina J. Flores, City Clerk

APPROVED AS TO FORM:

Andrew Segovia, City Attorney

EXHIBIT I
Change Order 1

City of San Antonio

City Council

June 17, 2021

Item: 22C
File Number: 21-4357

Enactment Number: 2021-06-17-0466

Ordinance approving a City requested change order in the total increased amount of $432,134.10 and authorizing payment to J3 Company LLC for work related to the construction of the Port San Antonio project, a 2017 Bond funded project.

Councilmember Ana E. Sandoval made a motion to approve. Councilmember John Courage seconded the motion. The motion passed by the following vote:

Aye: 10 Nirenberg, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

Abstain: 1 Bravo

Contract Change Request

Contract Change Request

General

Project Number: 23-01633	Project Name: H - Port San Antonio
Record Number: CCR-0000050	Status: Commitment_Pending
Title: PWD-42 Eliminate Retaining Walls	Contract #: 4600017838
Creator: CoSA Admin	Creation Date: 03/29/2021 11:45 AM (UTC-6)
Type Contract: Construction	Vendor Name: J3 EXCAVATION COMPANY LLC
Agency: City	Change Category: Owner Requested - Necessary
Special Contract: No	Proposal Record Number: PRN-0000082
Contract Amount: $20,763,251.51	Previous Contract Changes: $1,525,217.56
New Contract Value: $21,950,801.15	Contract Change Percentage: 5.72
Change to Contract Cost: -$337,667.92	Change to Calendar Days: 0

Description Of Change

Description of Change: Removing retaining walls at stations 144 and 153 due to conflicts w/ J3's special shoring and AFCEC's monitoring wells. Replacing with typical channel riprap and narrower channel bottom.

Justification for Proposed Change:

Ordinance Information

Change Order Council Threshold: $100,000.00

Ordinance Number:

Ordinance Date:

Fiscal Remarks:

Vendor Information

SAP Vendor No.: 0001038714

Vendor Address 1: PO Box 129

Vendor Address 2:

Vendor City: COMFORT

Vendor State: TX

Vendor Zip Code: 78013

Vendor Phone Number: 830-995-5100

Vendor Fax Number: 830-896-3712

Standard

5 Item(s)

No.	Spec No.	Item Description	UM	Unit Price	Quantity	Amount	PO No.	PO Line #
001	REF ID 9	Channel Excavation	CY	$15.00	353.0	$5,295.00		
002	REF ID 15	Concrete Structure (Retaining Walls)	CY	$770.00	-393.0	-$302,610.00		
003	REF ID 46	Temporary Special Shoring	SF	$22.00	-2,410.0	-$53,020.00		
004	REF ID 29	Concrete Riprap (5")	SY	$54.00	254.0	$13,716.00		
005	REF ID 34	Pedestrian Handrail (TYE)	LF	$87.41	-12.0	-$1,048.92		

Total Amount -$337,667.92

Attachments (5) Linked Records (0) Linked Mail (0)