



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-6677

**Type:** Capital Improvements

**In control:** City Council A Session

**On agenda:** 12/14/2017

**Title:** An Ordinance authorizing the negotiation and execution of an agreement with Union Pacific Railroad in the amount not to exceed \$578,028.00 for construction required near the Union Pacific Railroad right-of-way as part of the De Zavala Road - IH-10 to Lockhill-Selma project.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 17-6113\_2865-68 UPRR DRAFT Agreement, 2. Bid Tab, 3. Curran Contracting Company 1295, 4. Detour Route, 5. Map, 6. FI Sheet-DeZavala (I-10 to Lockhill Selma) (1a), 7. FI Form-DeZavala Road (I-10 to Lockhill Selma), 8. Draft Ordinance - Part A, 9. Draft Ordinance Part B, 10. Ordinance 2017-12-14-0998

Date	Ver.	Action By	Action	Result
12/14/2017	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Council District 8

**SUBJECT:**

Contract Award: De Zavala Road - IH-10 to Lockhill-Selma

**SUMMARY:**

Consideration of the following ordinances related to the De Zavala Road - IH-10 to Lockhill-Selma, a 2017-2022 General Obligation Bond funded project, located in Council District 8:

- A) An ordinance accepting the lowest responsive bid and awarding a construction contract in the amount of \$13,093,369.78 authorized payable to Curran Contracting Company; of which, funds in the amount not-to-exceed \$10,680,090.28 will be funded by the City, funds in the amount not-to-exceed \$1,700,586.50 will be reimbursed by the San Antonio Water System, and funds in the amount not-to-exceed \$712,693.00 will be reimbursed by CPS Energy.
- B) An ordinance authorizing the negotiation and execution of an agreement with Union Pacific Railroad in the amount not to exceed \$578,028.00 for the De Zavala Road - IH-10 to Lockhill-Selma project.

## **BACKGROUND INFORMATION:**

On May 6, 2017, voters approved the 2017-2022 Bond Program which authorized \$15,500,000 for the construction of the De Zavala Road IH-10 to Lockhill-Selma Project. The design phase for this project was previously funded through Certificates of Obligation and was completed in September 2017. Project construction is anticipated to begin in January 2018 and is estimated to be completed by June 2019.

This project widens and reconstructs De Zavala Road from Brandeis Street to Lockhill-Selma Road from a two-lane roadway to a four-lane divided roadway and will include new curbs, sidewalks, driveway approaches, traffic signals and water, sanitary sewer and gas utility improvements. This project will alleviate traffic congestion on De Zavala Road near Lockhill Elementary School and Clark High School. The four-lane divided section will match with the portions of De Zavala Road on each end, creating a more continuous section and traveling experience. The portion of De Zavala Road from Brandeis Street to IH-10 will focus primarily on pedestrian improvements adding sidewalks where none currently are and replacing those sections which are not ADA compliant. Project construction is anticipated to begin January 2018 and estimated to be completed by June 2019.

### Union Pacific Railroad Agreement Background

The portion of De Zavala Road included in this project bisects the Union Pacific Railroad. This project will require construction to occur within the Union Pacific Railroad right-of-way for which they require an Agreement in the amount not-to-exceed \$578,028.00. Funds will be used to compensate Union Pacific Railroad for the work associated with this required construction.

### Procurement of Services

This project was advertised for construction bids in the San Antonio Hart Beat, on the City's website and the Texas Electronic State Business Daily in September 2017. In addition, the bid announcement was made on TVSA and through the Small Business Economic Development Advocacy (SBEDA) Office. Plans were available for review by potential bidders at the office of Camacho-Hernandez and Associates, L.L.C., located at 415 Embassy Oaks, Suite 205 San Antonio, Texas 78216. Bids for this project were opened on October 31, 2017 and six (6) bidders responded. Of these, Curran Contracting Company submitted the lowest responsive bid. A matrix of the bid outcome is included herein as Attachment 2.

This contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority, and women-owned business participation on the contract. The Goal Setting Committee set a 19% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 1% African American Business Enterprise (AABE) subcontracting goal.

This construction contract was developed utilizing the low bid process; therefore, a Discretionary Contracts Disclosure Form is not required.

## **ISSUE:**

- A) An ordinance accepting the lowest responsive bid and awards a construction contract, in the amount of \$13,093,369.78 authorized payable to Curran Contracting Company; of this total contract amount, funds

in the amount not-to-exceed \$10,680,090.28 will be funded by the City; funds in the amount not-to-exceed \$1,700,586.50 will be reimbursed by the San Antonio Water Systems and funds in the amount not-to-exceed \$712,693.00 will be reimbursed by CPS Energy. This project will meet the needs of the ever-growing North side and upgrade De Zavala Road to comparable major thoroughfares in the area.

- B) An ordinance authorizing an agreement, in the amount not-to-exceed \$578,028.00, with Union Pacific Railroad. The Agreement will allow the City contractor to work within the Union Pacific Railroad right-of-way. The Agreement will also allow for adjustments to be made to the railway in order to accommodate the City's project.

The design phase for this project was previously funded through Certificates of Obligation and was completed in September 2017. Construction was funded through the 2017-2022 General Obligation Bond as approved by voters. Project construction is anticipated to begin in January 2018 and is estimated to be completed by June 2019.

**ALTERNATIVES:**

As an alternative, City Council could choose not to award this contract and require staff to re-advertise this project. However, Curran Contracting Company is responsive, within budget and within the consultant's estimate. Re-advertising this project could result in a higher bid and a potential funding shortfall. Considering the additional time required for another solicitation process, this would adversely affect the timely completion of the project. Likewise, if City Council were to choose not to authorize the Agreement with Union Pacific Railroad, the portion of the project within that right-of-way would not be able to be constructed.

**FISCAL IMPACT:**

- A. This is a one-time capital improvement expenditure in the amount of \$13,093,369.78 authorized payable to Curran Contracting Company; of this total contract amount, funds in the amount of \$10,680,090.28 will be funded by the City; \$1,700,586.50 will be reimbursed by the San Antonio Water Systems, and \$712,693.00 will be reimbursed by CPS Energy for construction of De Zavala Road - IH-10 to Lockhill-Selma. Funds are available from the 2017-2022 General Obligation Bond Program and are included in the 2018-2023 Capital Improvement Program Budget.
- B. Funds in the amount not-to-exceed \$578,028.00 payable to Union Pacific Railroad are available from the 2017-2022 General Obligation Bond Program and are included in the FY 2018-2023 Capital Improvement Program Budget.

**RECOMMENDATION:**

Staff recommends approval of this ordinance accepting the lowest responsive bid and awarding a construction contract in the amount of \$13,093,369.78, authorized payable to Curran Contracting Company, and authorizing the Agreement, in the amount not-to-exceed \$578,028.00, with Union Pacific Railroad for construction of De Zavala Road - IH-10 to Lockhill-Selma.