

AN ORDINANCE **2010-04-08-0290**

**EXTENDING THREE JOB ORDER CONTRACTS WITH ALPHA BUILDING CORPORATION; CON-COR/APM, JV AND JAMAIL & SMITH CONSTRUCTION TO DECEMBER 31, 2010 FOR CONSTRUCTION, RENOVATION, REHABILITATION AND MAINTENANCE PROJECTS IN CITY FACILITIES.**

\* \* \* \* \*

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

**SECTION 1.** The City Manager or her designee, severally, are authorized and directed to execute and deliver on behalf of the City an instrument with in substantially the form attached as **Attachment I**, which is incorporated for all purposes as if fully set forth, with Alpha Building Corporation; Con-Cor/Apm, JV; and Jamail & Smith Construction. The City Manager and her designee, severally, should take all other actions necessary or convenient to effectuate the transaction, including agreeing to non-material changes to the approved form and executing and delivering such ancillary documents and instruments as may be conducive to effectuating the transaction.

**SECTION 2.** Funding for this ordinance will be identified when work orders are issued from the potential funding sources and project funding not already budgeted and allocated will still be subject to City Council approval. All expenditures will comply with Operating and or Capital Budgets for current and future fiscal years.

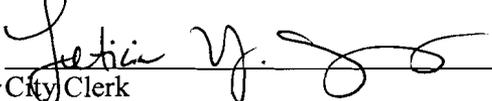
**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under City Code of San Antonio § 1-15, in which case it becomes effective immediately.

**PASSED AND APPROVED** this 8<sup>th</sup> day of April 2010.

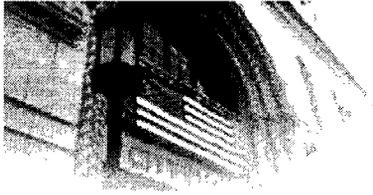
  
M A Y O R  
Julián Castro

**Attest:**

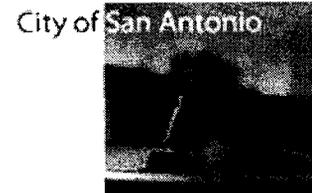
  
City Clerk

**Approved As To Form:**

  
City Attorney



Request for  
**COUNCIL**  
**ACTION**



## Agenda Voting Results - 10

<b>Name:</b>	5, 6A, 7, 10, 11, 12, 13A, 13C, 13D, 13E, 14, 16, 20A, 20B, 20D, 22, 23, 24, 25, 28, 29						
<b>Date:</b>	04/08/2010						
<b>Time:</b>	10:23:20 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance extending three job order contracts with Alpha Building Corporation; Con-Cor/APM, JV and Jamail & Smith Construction to December 31, 2010 for construction, renovation, rehabilitation and maintenance projects in City facilities. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3	x				x	
Leticia Cantu	District 4		x				
David Medina Jr.	District 5	x					
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				

**Exhibit A**

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**Renewal and Extension of Contract**

(????????????????)

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This Renewal and Extension of Contract is between City of San Antonio (“City”) and the Contractor, pursuant to the Ordinance Authorizing Renewal and Extension.

**1. Identifying Information.**

**Ordinance Authorizing  
Renewal & Extension:**

**Contractor:**

**Contractor’s Address:**

**Contract:**

**Ordinance Authorizing  
Contract:** 2007-03-29-0342

**Beginning of Renewal  
Term** Effective Date of the Authorizing Ordinance

**Expiration of Renewal  
Term** December 31, 2010

**2. Defined Terms.**

All terms used in this instrument and not otherwise defined herein but defined in the Contract or any previous amendment to it have the meanings previously ascribed to them.

**3. Renewal and Extension.**

The term of the Contract is extended from the Beginning of the Renewal Term through and including the Expiration of the Renewal Term.

**4. Renewal Provision in Contract.**

This renewal is a partial exercise of the renewal provision in the Contract.

**5. No Default.**

Neither City nor Contractor is in default under the Contract, and neither party is aware of a cause of action against the other arising out of or relating to the period before this renewal and extension.

**6. Same Terms and Conditions.**

**This renewal and extension instrument is a fully integrated statement of the modifications to the Contract. Except as expressly modified by this renewal and extension, the Contract remains a comprehensive statement of the rights and obligations of City and Contractor. City and Contractor reaffirm the Contract as modified by this agreement.**

**7. Public Information.**

Contractor acknowledges that this instrument is public information within the meaning of Chapter 552 of the Texas Government Code and accordingly may be disclosed to the public.

In Witness Whereof, **the parties have caused their representatives to set their hands.**

**City:**

**City of San Antonio**, a Texas municipal corporation

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Contractor:**

??????????????

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Attest:**

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney