

AN ORDINANCE 2012-03-29-0213

RATIFYING TWO CHANGE ORDERS IN THE TOTAL INCREASED AMOUNT OF \$1,551,254.23 TO THE CONSTRUCTION CONTRACT WITH TEXAS STERLING CONSTRUCTION COMPANY AND AMENDING THE CAPITAL IMPROVEMENT BUDGET WITH THE APPROPRIATION OF \$700,000.00 IN 2006 CERTIFICATES OF OBLIGATION FUNDS FOR THE ZARZAMORA DRAINAGE #83A PROJECT, A PREVIOUSLY AUTHORIZED HOUSING AND URBAN DEVELOPMENT 108, STORM WATER REVENUE AND GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 4.

* * * * *

WHEREAS, Ordinance No. 2008-04-03-0247 awarded a construction contract to Texas Sterling Construction Company in the amount not to exceed \$17,983,430.62 for the Zarzamora Drainage #83A Project; and

WHEREAS, this Project provides for the widening and reconstruction of Zarzamora Road from Hutchins Road to Chavaneaux Street, including dual turn lanes, bike lanes, sidewalks, curbs, driveway approaches, and traffic signal improvements and necessary drainage which includes the construction of a new storm drain system, culverts, and drainage channel improvements; and

WHEREAS, this Ordinance authorizes two (2) change orders in the total amount not to exceed \$1,551,254.23 to the construction contract with Texas Sterling Construction Company for the Zarzamora Drainage #83A Project; and

WHEREAS, prior change orders have decreased this contract amount by \$73,467.07 to a total contract amount of \$17,909,963.55 and these two change orders will increase the contract by \$1,551,254.23 to a contract amount of \$19,461,217.78; and

WHEREAS, the first Change Order in the amount not to exceed \$1,294,044.66 is to correct and repair an unforeseen condition that occurred during construction when potholes appeared on the newly installed pavement on the east side of Zarzamora between Ansley and St. Leonard's Church and investigation revealed that there was groundwater beneath the pavement causing failure to rise through the pavement section; and

WHEREAS, the second Change Order in the amount not to exceed \$257,209.57 is for the installation of concrete bus pads to prevent asphalt pavement failure due to the weight and constant stopping of buses and insure that the project would be consistent with the City's Standard Specifications that were adopted after the project was advertised; and

WHEREAS, approval of this Ordinance will be a continuation of City Council policy to complete previously approved General Obligation Bond funded Projects; **NOW THEREFORE**,

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

SECTION 1. Change Order CIMS-07 in the amount not to exceed \$1,294,044.66 is hereby approved and ratified. The City Manager or her designee is hereby authorized to execute these Change Orders to the contract with Texas Sterling Construction Company. Said change order is affixed hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Change Order CIMS-08 in the amount not to exceed \$257,209.57 is hereby approved and ratified. The City Manager or her designee is hereby authorized to execute these Change Orders to the contract with Texas Sterling Construction Company. Said change order is affixed hereto and incorporated herein for all purposes as **Attachment II**.

SECTION 3. The following financial adjustments are hereby approved:

- a) The amount of \$700,000.00 is appropriated in SAP Fund 43902003, 2006 Certificate Obligation Streets Improvements, SAP WBS CO-20060-01-01-23, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00044-90-09. The amount of \$700,000.00 is authorized to be transferred to SAP Fund 45099000.
- b) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00044, Zarzamora Drainage Project #83A Phase II, shall be revised by increasing SAP WBS element 40-00044-90-09 entitled Transfer from CO-20060-01-01-23, SAP GL account 6101100 – Interfund Transfer In, by the amount of \$700,000.00.
- c) The amount of \$700,000.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00044, Zarzamora Drainage Project #83A Phase II, and the budget shall be revised by increasing SAP WBS Element 40-00044-05-02-01, City Construction, SAP GL account 5201140.
- d) Payment in the amount not to exceed \$1,430,690.87 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00044, Zarzamora Drainage Project #83A Phase II, is authorized to be encumbered and made payable to Texas Sterling Construction Company for construction services.
- e) Payment in the amount not to exceed \$120,563.36 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-00178, Zarzamora Drainage Project #83A Phase 1, is authorized to be encumbered and made payable to Texas Sterling Construction Company for construction services

SECTION 4. 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 5. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 29th day of March, 2012.



M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

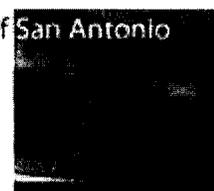


for Michael Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 6

Name:	6						
Date:	03/29/2012						
Time:	09:57:20 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance ratifying two change orders in the total increased amount of \$1,551,254.23 to the construction contract with Texas Sterling Construction Company and amending the Capital Improvement Budget with the appropriation of \$700,000.00 in previously authorized Certificates of Obligation and General Obligation Bond funds for the Zarzamora Drainage #83A Project, a previously authorized Housing and Urban Development 108, Storm Water Revenue and General Obligation Bond funded project located in Council District 4. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8	x					
Elisa Chan	District 9		x				x
Carlton Soules	District 10		x				

ATTACHMENT I



CITY OF SAN ANTONIO CONTRACT CHANGE ORDER

Form PM Portal-CCO

Rev. 13 12/2/2011

3/19/12 13:19

Date Prepared: 3/19/2012 Change Order Title: CIMS-07 Pavement Failures & Repairs Project No. 40-00044
Project Name: Const - Zarzamora #83A Ph 1 & 2

Project Name as shown on the Work Project Authorization

The revision or amendment described below is to the work originally or previously specified is hereby requested, including all changes in costs. (Describe work to be added or deleted, including SAP Material number. Attach a revised plan sheet affected or drawings.)

Title : Zarzamora Drainage Project 83A Ph II (Hutchins to Gillette) Construction
Number : 4600007241

CIMS-07 Pavement Failures & Repairs

This change order compensates TSC for the materials which had to be removed and replaced due to the failures encountered, and also for the repair work performed on the potholes.

Funds to be used from WBS 40-00044-05-02-01 (City Construction)
GL: 5201140 (Construction Costs)

Justification for Proposed Alteration (Describe in detail why this work is to be added or deleted. Use attachments if necessary):

This change order compensates TSC for the materials which had to be removed and replaced due to the failures encountered, and also for the repair work performed on the potholes.

Change Order will result in change to Contract Cost as: \$1,294,044.66

Change Order will result in change to Contract Days as: Working Days Calendar Days # Days 0
(To be negotiated by the Contractor and the City.)

REQUESTED BY:	APPROVED BY:
President/Owner/Representative Date Firm: Texas Sterling Construction, LP	COSA Representative Date

FOR CITY USE ONLY

Ordinance Required: Yes No Change Order \$25,000 (+ or -) Additional funds required: \$0.00

WBS Element: _____

Contingency WBS Element: _____

Project Contingency Original Balance: \$0.00

Original Contract Amount: \$0.00

Previous Approved COs: \$0.00

Previous Approved COs: \$0.00

This Change Order: \$0.00

This Change Order: \$0.00

Total: \$0.00

Total: \$0.00

Balance: \$0.00

Percent of Original Contract: -100.0%

Fund #: _____ Ordinance #: _____ Ordinance Date: 3/29/2012

Purchase Requisition #: _____ Contract #: 4600007241 Purchase Order #: _____

Fiscal Remarks: _____

NOTE: This form is a local government record and shall be retained in accordance with the provisions of the Local Government Code, Section 201.

ATTACHMENT I

City of San Antonio

PO Box 839966

Phone: 210-207-5001

San Antonio, TX 78205

TITLE: CIMS-07 Pavement Failures & Repairs

DATE: 3/19/2012

PROJECT: Const - Zarzamora #83A Ph 1 & 2

JOB:

TO: Attn: Clint Henson
Texas Sterling Construction, LP
2819 Woodcliff
San Antonio, TX 78230
Phone: 210-340-2133

CONTRACT NO: 4600007241

DESCRIPTION OF CHANGE

Title : Zarzamora Drainage Project 83A Ph II (Hutchins to Gillette) Construction
Number : 4600007241

CIMS-07 Pavement Failures & Repairs

This change order compensates TSC for the materials which had to be removed and replaced due to the failures encountered, and also for the repair work performed on the potholes.

Funds to be used from WBS 40-00044-05-02-01 (City Construction)

GL: 5201140 (Construction Costs)

Item	Description	Quantity	Units	Unit Price	Net Amount
00001	Additional Asphalt	1.000	LS	\$1,064,004.00	\$1,064,004.00
00002	Cement Treatment & Micro-Cracking	1.000	LS	\$143,682.97	\$143,682.97
00003	Pavement Repairs & Patching	1.000	LS	\$236,641.69	\$236,641.69
00004	Flexible Base Credits	1.000	LS	(\$120,252.00)	(\$120,252.00)
00005	Base Reinforcement Credits	1.000	LS	(\$30,032.00)	(\$30,032.00)
Total Cost					\$1,294,044.66

The Contract Time Will Not Be Changed

ATTACHMENT II



CITY OF SAN ANTONIO
CONTRACT CHANGE ORDER

Form PM Portal-CCO
Rev. 13 12/2/2011

3/19/12 13:26

Date Prepared: 3/19/2012 Change Order Title: CIMS-08 Concrete Bus Pads Project No. 40-00044
Project Name: Const - Zarzamora #83A Ph 1 & 2

Project Name as shown on the Work Project Authorization

The revision or amendment described below is to the work originally or previously specified is hereby requested, including all changes in costs. (Describe work to be added or deleted, including SAP Material number. Attach a revised plan sheet affected or drawings.)

Title : Zarzamora Drainage Project 83A Ph II (Hutchins to Gillette) Construction
Number : 4600007241

CIMS-08 Concrete Bus Pads
Change Order compensates TSC for additional concrete bus pads.

Funds to be transferred from WBS 40-00044-05-02-01 (City Construction)
GL: 5201140 (Construction Costs)

Justification for Proposed Alteration (Describe in detail why this work is to be added or deleted. Use attachments if necessary.):

Change order is necessary to compensate TSC for additional concrete bus pads, resulting from standard detail change.

Change Order will result in change to Contract Cost as: \$257,209.57

Change Order will result in change to Contract Days as: Working Days Calendar Days # Days 0
(To be negotiated by the Contractor and the City.)

Table with columns: REQUESTED BY, APPROVED BY, President/Owner/Representative, Date, COSA Representative, Date. Firm: Texas Sterling Construction, LP

FOR CITY USE ONLY

Ordinance Required: Yes No Change Order \$25,000 (+ or -) Additional funds required: \$0.00
WBS Element: Contingency WBS Element:
Project Contingency Original Balance: \$0.00
Original Contract Amount: \$0.00 Previous Approved COs: \$0.00
Previous Approved COs: \$0.00 This Change Order: \$0.00
This Change Order: \$0.00 Total: \$0.00
Total: \$0.00 Balance: \$0.00
Percent of Original Contract: -100.0%

Fund #: Ordinance #: Ordinance Date: 3/29/2012
Purchase Requisition #: Contract #: 4600007241 Purchase Order #:

Fiscal Remarks

NOTE: This form is a local government record and shall be retained in accordance with the provisions of the Local Government Code, Section 201.

ATTACHMENT II

City of San Antonio

PO Box 839966

Phone: 210-207-5001

San Antonio, TX 78205

TITLE: CIMS-08 Concrete Bus Pads

DATE: 3/19/2012

PROJECT: Const - Zarzamora #83A Ph 1 & 2

JOB:

TO: Attn: Clint Henson
Texas Sterling Construction, LP
2819 Woodcliff
San Antonio, TX 78230
Phone: 210-340-2133

CONTRACT NO: 4600007241

DESCRIPTION OF CHANGE

Title : Zarzamora Drainage Project 83A Ph II (Hutchins to Gillette) Construction
Number : 4600007241

CIMS-08 Concrete Bus Pads
Change Order compensates TSC for additional concrete bus pads.

Funds to be transferred from WBS 40-00044-05-02-01 (City Construction)
GL: 5201140 (Construction Costs)

Item	Description	Quantity	Units	Unit Price	Net Amount
00001	Concrete Bus Pads	1.000	LS	\$257,209.57	\$257,209.57
				Total Cost	\$257,209.57

The Contract Time Will Not Be Changed