

AN ORDINANCE

2010-11-04-0944

AWARDING A CONSTRUCTION CONTRACT TO CAPITAL EXCAVATION COMPANY IN THE AMOUNT NOT TO EXCEED \$10,271,854.62, OF WHICH \$1,904,988.79 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, \$491,659.91 WILL BE REIMBURSED BY BEXARMET WATER DISTRICT AND \$190,708.65 WILL BE REIMBURSED BY CPS ENERGY, FOR THE COMMERCIAL TRIBUTARY DRAINAGE CHANNEL RECONSTRUCTION, PHASE II PROJECT (PETALUMA BOULEVARD TO IH-35), AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 3 AND 4.

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WHEREAS, the Commercial Tributary Drainage Channel Reconstruction, Phase II Project (Petaluma Boulevard to IH 35) provides for the reconstruction of the Commercial Tributary drainage channel and related drainage structures along the channel at cross streets from Petaluma Boulevard to IH-35, widening the channel and increasing capacity to accommodate a 100 year storm event; and

WHEREAS, the Project also includes placing concrete lining in the drainage channel, to include the side and bottom of channel, from Petaluma Boulevard to S.W. Military Drive; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **Capital Excavation Company** in the amount not to exceed \$10,271,854.62; and

WHEREAS, San Antonio Water Systems (SAWS) will reimburse the City an amount of \$1,904,988.79 for appropriate adjustments to their water mains and sanitary sewer system throughout the Project area; and

WHEREAS, BexarMet Water District will reimburse the City an amount of \$491,659.91 for appropriate adjustments to their water mains and sanitary sewer system throughout the Project area; and

WHEREAS, CPS Energy (CPS) will reimburse the City an amount of \$190,708.65 for adjustments to gas mains along the Project; and

WHEREAS, approval of this Ordinance will be a continuation of Council policy to implement previously approved 2007-2012 General Obligation Bond Projects; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid of **Capital Excavation Company** in the amount not to exceed \$10,271,854.62 is hereby accepted in connection with Commercial Tributary Drainage Channel Reconstruction, Phase II Project (Petaluma Boulevard to IH 35). All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of

all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

SECTION 2. A construction contract is hereby awarded to **Capital Excavation Company**.

SECTION 3. The following financial adjustments are hereby authorized to effect this Ordinance:

- a) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00049, Commercial Tributary Phase II, shall be revised by increasing WBS element 40-00049-90-07, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$1,904,988.79.
- b) Funds are authorized to be received from BMWD to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00049, Commercial Tributary Phase II, shall be revised by increasing WBS element 40-00049-90-08, entitled BMWD Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$491,659.91.
- c) Funds are authorized to be received from CPS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00049, Commercial Tributary Phase II, shall be revised by increasing WBS element 40-00049-90-09, entitled CPS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$190,708.65.
- d) The amount of \$1,904,988.79 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00049, Commercial Tributary Phase II, SAP WBS Element 40-00049-05-02-02-01, entitled SAWS Sewer, SAP GL Account 5201140.
- e) The amount of \$190,708.65 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00049, Commercial Tributary Phase II, SAP WBS Element 40-00049-05-02-03, entitled CPS, SAP GL Account 5201140.
- f) The amount of \$491,659.91 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00049, Commercial Tributary Phase II, SAP WBS Element 40-00049-05-02-04, entitled BexarMet Water, SAP GL Account 5201140.
- g) Payment in the amount not to exceed \$10,271,854.62 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00049, Commercial Tributary Phase II, is authorized to be encumbered and made payable to **Capital Excavation Company** for construction services.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer may, subject to concurrence

by the City Manager or the City Manager's designee, correct allocation 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.

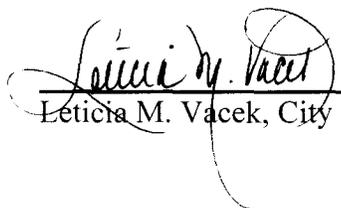
SECTION 5. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 4th day of November, 2010.



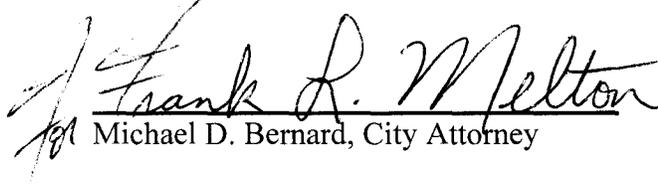
M A Y O R
Julián Castro

ATTEST:

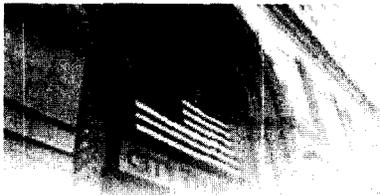


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

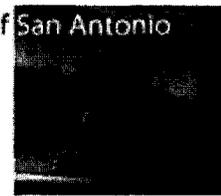


Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 13

Name:	13						
Date:	11/04/2010						
Time:	10:28:23 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance awarding a construction contract to Capital Excavation Company in the amount of \$10,271,854.62, of which \$1,904,988.79 will be reimbursed by San Antonio Water System, \$491,659.91 will be reimbursed by BexarMet Water District and \$190,708.65 will be reimbursed by CPS Energy, for the Commercial Tributary Drainage Channel Reconstruction, Phase II Project (Petaluma Boulevard to IH-35), an authorized 2007-2012 General Obligation Bond funded project located in Council Districts 3 and 4. [Peter Zaroni, 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				
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Philip A. Cortez	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				