

AN ORDINANCE 2012-09-20-0726

ACCEPTING THE LOWEST QUALIFIED RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT TO TEXAS STERLING CONSTRUCTION COMPANY, FOR THE BROADWAY CORRIDOR PHASE IIIA PROJECT IN THE AMOUNT OF \$15,530,861.05 SUBJECT TO THE AVAILABILITY AND APPROPRIATION OF FUNDS, OF WHICH AN AMOUNT OF \$11,625,679.35 WILL BE FUNDED FROM 2007-2012 GENERAL OBLIGATION BONDS, \$2,840,268.60 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS), \$548,772.00 WILL BE REIMBURSED BY CPS ENERGY, AND \$516,141.10 WILL BE FUNDED FROM CPS ENERGY COMMUNITY INFRASTRUCTURE AND ECONOMIC DEVELOPMENT (CIED) FUNDS. THIS ORDINANCE ALSO AMENDS THE FY 2012 – 2017 CAPITAL IMPROVEMENT PROGRAM BUDGET WITH AN ADDITIONAL \$3,400,000.00 IN 2007 FUND BALANCE FUNDS TO THE BROADWAY CORRIDOR PHASE IIIA PROJECT.

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**WHEREAS**, under the authorized 2007-2012 General Obligation Bond Project, the Broadway Corridor Phase IIIA Project will provide a drainage system designed to convey a 100-year storm event across Broadway improving driving conditions and safety along Broadway Street and Hildebrand Avenue; and

**WHEREAS**, the Project includes reconstructing and widening Hildebrand from the San Antonio River through Broadway with curbs, sidewalks, driveway approaches, and center turn lanes to alleviate traffic congestion and safety along Hildebrand Avenue and the Broadway Street and Hildebrand Avenue intersection; and

**WHEREAS**, improvements to the intersection of Hildebrand Avenue and Broadway Street with additional turn lanes and necessary traffic signal improvements will be provided, in addition, this Project will rehabilitate several items that are part of the Miraflores Park and included in the approved Miraflores Park Master plan; and

**WHEREAS**, SAWS and CPS Energy will be replacing and adjusting their facilities throughout the Project area and will include the construction of the approved Broadway Street/Hildebrand Avenue Underground Conversion Project as part of the CPS Energy CIED Program to bury all utility lines at the four corners of the Broadway Street/Hildebrand Avenue Intersection; and

**WHEREAS**, this Ordinance accepts the lowest qualified responsive bid submitted by **Texas Sterling Construction Company** in the amount not to exceed \$15,530,861.05; and

**WHEREAS**, Funds in the amount of \$11,625,679.35 are available from previously authorized General Obligation Bonds and \$516,141.10 CIED funds that are included in FY 2012-2017 Capital Improvement Budget, \$2,840,268.60 will be funded by SAWS for their work, and \$548,772 will be funded by CPS Energy for the gas work; **NOW THEREFORE**,

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

**SECTION 1.** The lowest qualified responsive bid of **Texas Sterling Construction Company** in the amount not to exceed \$15,530,861.05 for the Broadway Corridor Phase IIIA Project is hereby accepted. 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 **Texas Sterling Construction Company**.

**SECTION 3.** The following financial adjustments are hereby approved:

- a) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00048, Catalpa - Pershing Bridge Modifications, shall be revised by decreasing SAP WBS Element 40-00048-05-02-01 entitled City Construction, SAP GL account 5201140, by the amount of \$358,000.00.
- b) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00048, Catalpa - Pershing Bridge Modifications, shall be revised by decreasing SAP WBS Element 40-00048-90-08 entitled Transfer From GO-00502-01-01-04-01, SAP GL account 6101100, by the amount of \$358,000.00.
- c) The amount of \$358,000.00 is reverted in SAP Fund 45908002, 2011 General Obligation Drainage Improvements, SAP WBS GO-00502-01-01-04-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00048-90-08. The amount of \$358,000.00 is authorized to be transferred from SAP Fund 45099000.
- d) The amount of \$358,000.00 is appropriated in SAP Fund SAP Fund 45908002, 2011 General Obligation Drainage Improvements, SAP WBS GO-00502-01-01-03-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00047-90-14. The amount of \$358,000.00 is authorized to be transferred to SAP Fund 45099000.
- e) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A (Carnahan), shall be revised by increasing SAP WBS 40-00047-90-14 entitled Transfer from GO-00502-01-01-03-01, SAP GL account 6101100 – Interfund Transfer In, by the amount \$358,000.00.
- f) The budget in SAP Fund 48099000, Municipal Drainage Capital Projects, SAP Project Definition 23-00599, Rip Rap 69 - Phase II D, shall be revised by decreasing SAP WBS Element 23-00599-05-06 entitled Project Contingency, SAP GL account 5201140, by the amount of \$2,062,000.00.
- g) The amount of \$2,062,000.00 appropriated in SAP Fund 48099000, Municipal Drainage Capital Projects, SAP Project Definition 23-00599, Rip Rap 69 - Phase II D, shall be revised by decreasing SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0 (Optional)	PLAN VERSION 0 REVISION (Optional)	REVISED PLAN VERSION 0 (Optional)
23-00599-90-08	Trf Fr GO-00302-01-01-21-01	6101100	Transfer In	-\$1,279,687.56	\$310,687.56	-\$969,000.00
23-00599-90-09	Trf Fr GO-00402-01-01-21-01	6101100	Transfer In	-\$1,751,312.44	\$1,751,312.44	\$0.00
			TOTALS	-\$3,031,000.00	\$2,062,000.00	-\$969,000.00

- h) The amount of \$310,687.56 is reverted in SAP Fund 45906002, 2010 General Obligation Drainage Improvements, SAP WBS GO-00302-01-01-21-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00599-90-08. The amount of \$310,687.56 is authorized to be transferred from SAP Fund 48099000.
- i) The amount of \$1,751,312.44 is reverted in SAP Fund 45907002, 2007 General Obligation Bond Sold 2012 - Drainage, SAP WBS GO-00402-01-01-21-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00599-90-09. The amount 1,751,312.44 is authorized to be transferred from SAP Fund 48099000.
- j) The amount of \$310,687.56 is appropriated in SAP Fund SAP Fund 45906002, 2010 General Obligation Drainage Improvements, SAP WBS GO-00302-01-01-04-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00047-90-03. The amount of \$310,687.56 is authorized to be transferred to SAP Fund 45099000.
- k) The amount of 1,751,312.44 is appropriated in SAP Fund SAP Fund 45907002, 2007 General Obligation Bond Sold 2012 - Drainage, SAP WBS GO-00402-01-01-04-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00047-90-04. The amount of 1,751,312.44 is authorized to be transferred to SAP Fund 45099000.
- l) The amount of \$2,062,000.00 appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A (Carnahan), shall be revised by increasing SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0 (Optional)	PLAN VERSION 0 REVISION (Optional)	REVISED PLAN VERSION 0 (Optional)
40-00047-90-03	Trf Fr GO-00302-01-01-04-01	6101100	Transfer In	-\$3,000,000.00	-\$310,687.56	-\$3,310,687.56
40-00047-90-04	Trf Fr GO-00402-01-01-04-01	6101100	Transfer In	-\$5,102,406.00	-\$1,751,312.44	-\$6,853,718.44
			TOTALS	-\$8,102,406.00	-\$2,062,000.00	-\$10,164,406.00

- m) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00241, Broadway Area Drainage, shall be revised by decreasing SAP WBS Element 40-00241-05-06 entitled Project Contingency, SAP GL account 5201140, by the amount of \$980,000.00.

- n) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00241, Broadway Area Drainage, shall be revised by decreasing SAP WBS Element 40-00241-90-01 entitled Transfer From GO-00302-01-01-31-01, SAP GL account 6101100, by the amount of \$980,000.00.
- o) The amount of \$980,000.00 is reverted in SAP Fund 45906002, 2010 General Obligation Drainage Improvements, SAP WBS GO-00302-01-01-31-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00241-90-01. The amount \$980,000.00 is authorized to be transferred from SAP Fund 45099000.
- p) The amount of \$980,000.00 is appropriated in SAP Fund SAP Fund 45906002, 2010 General Obligation Drainage Improvements, SAP WBS GO-00302-01-01-04-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00047-90-03. The amount of \$980,000.00 is authorized to be transferred to SAP Fund 45099000.
- q) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A (Carnahan), shall be revised by increasing SAP WBS 40-00047-90-03 entitled Transfer from GO-00302-01-01-04-01, SAP GL account 6101100 – Interfund Transfer In, by the amount \$980,000.00.
- r) The amount of \$3,400,000.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A (Carnahan), SAP WBS Element 40-00047-05-02-01, entitled Construction City, SAP GL Account 5201140.
- s) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A (Carnahan), and the budget shall be revised by increasing WBS element 40-00047-90-07, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$852,018.80.
- t) The amount of \$852,018.80 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A (Carnahan), and the budget shall be revised by increasing SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
40-00047-05-02-02-01	SAWS Sewer Construction	5201140	Construction Cost	\$1,190,098.80	\$678,209.80	\$1,868,308.60
40-00047-05-02-02-02	SAWS Water Construction	5201140	Construction Cost	\$798,151.00	\$173,809.00	\$971,960.00
			TOTALS	\$1,988,249.80	\$852,018.80	\$2,840,268.60

- u) Funds are authorized to be received from CPS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A (Carnahan), and the budget shall be revised by increasing WBS element 40-00047-90-09, entitled CPS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$192,556.00.

- v) The amount of 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A (Carnahan), SAP WBS Element 40-00047-05-02-03, entitled CPS Gas Construction, SAP GL Account 5201140
- w) Payment in the amount not to exceed \$15,530,861.05 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A (Carnahan), is authorized to be encumbered and made payable to Texas Sterling Construction Company, for construction services.
- x) Payments for services are contingent upon the availability of funds and the sale of future City of San Antonio, Certificates of Obligation in accordance with the adopted capital 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.
- y) 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.

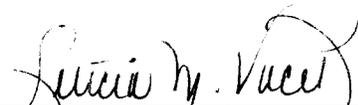
**SECTION 4.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this 20th day of September, 2012.

  
M A Y O R  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

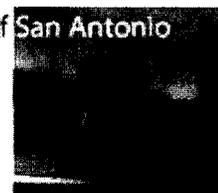
  
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Leticia M. Vacek, City Clerk

  
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Michael D. Bernard, City Attorney



Request for  
**COUNCIL**  
 ACTION

City of San Antonio



## Agenda Voting Results - 19A

<b>Name:</b>	19A, 19B						
<b>Date:</b>	09/20/2012						
<b>Time:</b>	01:59:16 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance awarding a construction contract to Texas Sterling Construction Company in the amount of \$15,530,861.05 for the Broadway/Hildebrand Drainage Project, a 2007-2012 General Obligation Bond Project located in Council District 9.						
<b>Result:</b>	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			x	
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		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				