

AN ORDINANCE 2009-05-21-0414

SELECTING TEXAS STERLING CONSTRUCTION, L.P. FOR NEGOTIATION AND EXECUTION OF A CONSTRUCTION MANAGER AT RISK AGREEMENT FOR AN AMOUNT UP TO \$100,000.00 FOR PRECONSTRUCTION SERVICES AND UP TO \$25,900,000.00 FOR CONSTRUCTION PHASE SERVICES FOR THE BULVERDE ROAD (LOOP 1604) PROJECT, IN COUNCIL DISTRICTS 9 AND 10 FROM THE 2007-2012 GENERAL OBLIGATION STREET IMPROVEMENT BOND, OF WHICH \$1,000,000.00 WILL BE REIMBURSED BY CPS ENERGY AND \$2,000,000.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM.

* * * * *

WHEREAS, Bulverde Road is a primary arterial on the City of San Antonio's Major Thoroughfare Plan; and

WHEREAS, the Project provides for construction of six new lanes with raised medians from Loop 1604 to just north of Canyon Parkway and from Evans to just south of Beckwood Drive, the existing pavement will be widened to 48 feet; and

WHEREAS, considering the size and scope of the Bulverde Road (Loop 1604-Evans) Project, staff selected the Construction Manager at Risk to serve as a collaborative project team member in conjunction with the City and the design consultant; and

WHEREAS, this Ordinance approves the selection of **Texas Sterling Construction, L.P.** as Construction Manager at Risk for preconstruction services in connection with the Bulverde Road (Loop 1604-Evans) Project and authorizes the negotiation and execution of a Construction Manager at Risk Agreement; and

WHEREAS, CPS Energy will reimburse the City an amount of \$1,000,000.00 and San Antonio Water Systems will provide a reimbursement of \$2,000,000.00; and

WHEREAS, approval of this Ordinance is a continuation of City Council policy to complete previously approved 2007-2012 General Obligation Bond Program Projects; **NOW THEREFORE**,

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

SECTION 1. **Texas Sterling Construction, L.P.** is hereby selected to provide pre-construction services and construction phase services in connection with Bulverde Road (Loop 1604-Evans) Project.

SECTION 2. The City Manager or her designee is hereby authorized to execute a Construction Manager at Risk Professional Services Agreement with **Texas Sterling Construction, L.P.** in an amount not to exceed \$100,000.00 for preconstruction services and an amount not to exceed \$25,900,000.00 for construction phase services.

SECTION 3. The following financial adjustments are hereby approved:

- a) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by increasing WBS element 40-00005-90-07 entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$2,000,000.00.
- b) The amount of \$1,840,000.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), SAP WBS Element 40-00005-05-02-02-01, entitled SAWS Sewer, SAP GL Account 5201140.
- c) The amount of \$160,000.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), SAP WBS Element 40-00005-05-02-02-02, entitled SAWS Water, SAP GL Account 5201140.
- d) Funds are authorized to be received from CPS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by increasing WBS element 40-00005-90-06 entitled CPS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$1,000,000.00.
- e) The amount of \$1,000,000.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), SAP WBS Element 40-00005-05-02-03, entitled CPS Gas, SAP GL Account 5201140.
- f) The Budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by decreasing SAP WBS Element 40-00005-01-06, entitled Design Enhancement, SAP GL Account 5201040, by the amount of \$300,000.00.
- g) The Budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by decreasing SAP WBS Element 40-00005-03-02-04, entitled Acquisition, SAP GL Account 5209010, by the amount of \$2,920,200.00.
- h) The Budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by decreasing SAP WBS Element 40-00005-03-03, entitled ROW Capital Administrative Costs, SAP GL Account 5402010, by the amount of \$270,914.00.
- i) The Budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by decreasing SAP WBS Element 40-00005-05-06, entitled Project Contingency, SAP GL Account 5201140, by the amount of \$6,284,981.48.
- j) The Budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by increasing SAP WBS Element 40-00005-01-02-01, entitled City Design, SAP GL

Account 5201170, by the amount of \$100,000.00, and is authorized to be encumbered and made payable to **Texas Sterling Construction, L.P.** for preconstruction services.

- k) The Budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by increasing SAP WBS Element 40-00005-05-02-01, entitled City Construction, SAP GL Account 5201140, by the amount of \$8,697,538.20.
- l) The Budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by increasing SAP WBS Element 40-00005-05-04, entitled Construction Capital Administration Cost, SAP GL Account 5402010, by the amount of \$478,557.28.
- m) The Budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), shall be revised by increasing SAP WBS Element 40-00005-05-07, entitled Material Testing, SAP GL Account 5201040, by the amount of \$500,000.00.
- n) Payment for services are contingent upon the availability of funds and the sale of future City of San Antonio, General Obligation Bonds for SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd) in accordance with the adopted capital budget.

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 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 take effect on the tenth day after passage.

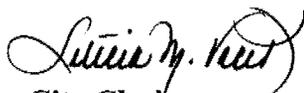
PASSED AND APPROVED this 21st day of May, 2009.



M A Y O R

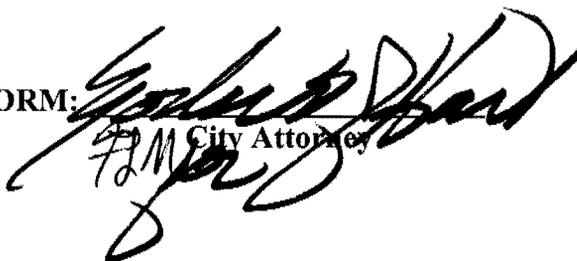
PHIL HARDBERGER

ATTEST:



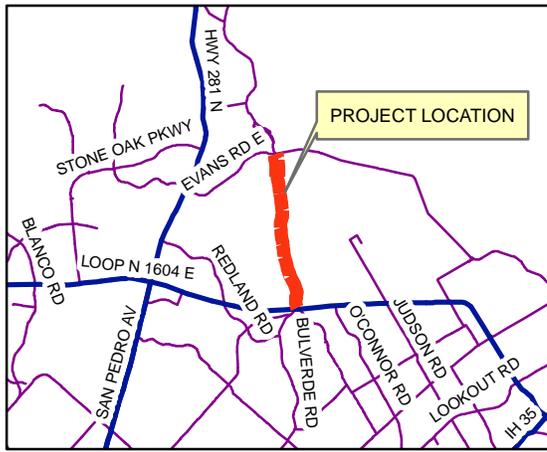
City Clerk

APPROVED AS TO FORM:

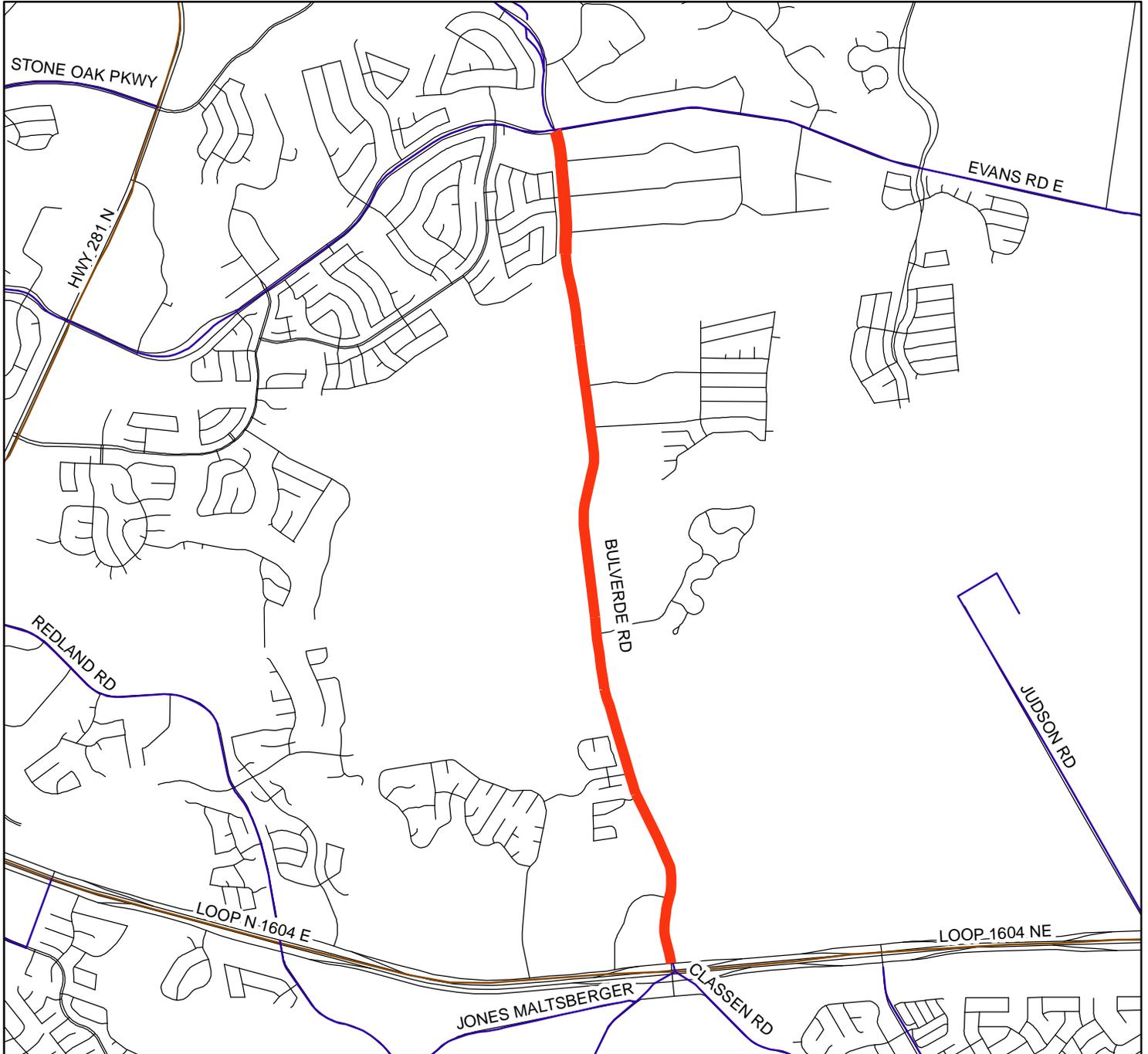


City Attorney

Agenda Item:	18						
Date:	05/21/2009						
Time:	05:28:28 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance selecting Texas Sterling Construction, L.P. for negotiation and execution of a Construction Manager at Risk Agreement for an amount up to \$100,000.00 for preconstruction services and up to \$25,900,000.00 for construction phase services for the Bulverde Road (Loop 1604) Project, in Council Districts 9 and 10 from the 2007-2012 General Obligation Street Improvement Bond, of which \$1,000,000.00 will be reimbursed by CPS Energy and \$2,000,000.00 will be reimbursed by San Antonio Water System. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3	x					
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				x



M
Scale: N.T.S.



**Bulverde Rd.
(Evans Rd. to Loop 1604)**

