

AN ORDINANCE

2013-02-07-0087

**AWARDING A CONSTRUCTION CONTRACT FOR ASPHALT OVERLAY PACKAGE 2 TO H.L. ZUMWALT CONSTRUCTION, INC., IN THE AMOUNT NOT TO EXCEED \$3,851,677.25, OF WHICH \$91,400.00 IS TO BE REIMBURSED BY SAWS, FOR AUTHORIZED FY 2013 STREET MAINTENANCE PROGRAM PROJECTS LOCATED IN COUNCIL DISTRICTS 1, 6, 7, 8, 9, AND 10; AND APPROPRIATING FUNDS.**

\* \* \* \* \*

**WHEREAS**, the Street Maintenance Program (SMP) involves the rehabilitation of existing streets using one of four applications (i.e., Asphalt Overlay, Hot Paver-Laid Micro-Surface, Reclamation and Reconstruction); and

**WHEREAS**, the projects are funded by the FY 2013 SMP approved by City Council on September 20, 2012 as part of the FY 2013 Adopted Budget; and

**WHEREAS**, this Ordinance accepts the lowest responsive bid submitted by **H.L. Zumwalt Construction, Inc.** in the amount not to exceed \$3,851,677.25 for the Asphalt Overlay Package 2 that will deliver of a total of 14.5 miles of street maintenance or 43 projects; and

**WHEREAS**, this Ordinance also authorizes the expenditure of \$367,909.34 for project contingency, materials testing, and advertising expenses; and

**WHEREAS**, San Antonio Water Systems will be participating in this Project in order to complete the necessary adjustments that will be made to their existing infrastructure and will reimburse the City a total of \$91,400.00; **NOW THEREFORE**,

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

**SECTION 1.** The lowest responsive bid of **H.L. Zumwalt Construction, Inc.** in the amount not to exceed \$3,851,677.25 in connection with the FY 2013 Street Maintenance Program Asphalt Overlay Package 2 is hereby approved. 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 **H.L. Zumwalt, Inc.**

**SECTION 3.** The following financial adjustment is hereby approved:

- a) Payment in the amount not to exceed \$3,851,677.25 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01344, FY 2013 Street Maintenance, is authorized to be encumbered and made payable to **H.L. Zumwalt Construction, Inc.** for construction services.

- b) Funds in the amount not to exceed \$91,400.00 are authorized to be received from SAWS and appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01344, FY 2013 Street Maintenance, WBS Element 23-01344-90-02, SAWS Contribution, General Ledger 4502280, Contribution from other agencies.
- c) The amount of \$33,300.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01344, FY 2013 Street Maintenance, SAP WBS Element 23-01344-02-05-02-02-01, SAWS-Water, SAP General Ledger 5201140, Construction Costs.
- d) The amount of \$58,100.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01344, FY 2013 Street Maintenance, SAP WBS Element 23-01344-02-05-02-02-02, SAWS-Sewer, SAP General Ledger 5201140, Construction Costs.
- e) 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 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.

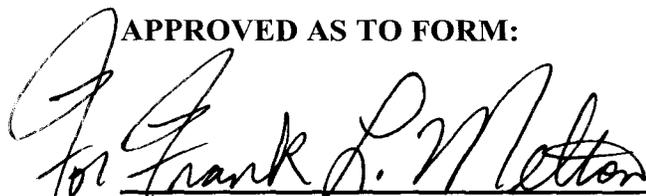
**PASSED AND APPROVED** this 7th day of February, 2013.

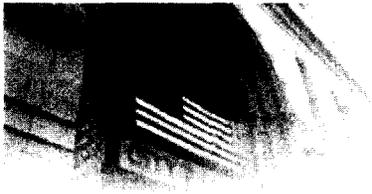
  
M A Y O R  
Julián Castro

**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 - 7B

<b>Name:</b>	5, 6A, 6B, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 8A, 8B, 9, 11A, 11B, 12, 13, 14						
<b>Date:</b>	02/07/2013						
<b>Time:</b>	02:22:54 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance awarding a construction contract for Asphalt Overlay Package 2 to H.L. Zumwalt Construction, Inc., in the amount of \$3,851,677.25, of which \$91,400.00 is to be reimbursed by SAWS, for authorized FY 2013 Street Maintenance Program projects located in Council Districts 1, 6, 7, 8, 9, and 10.						
<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				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x			x	
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				