

AN ORDINANCE

2011-03-03-0163

**AWARDING A CONSTRUCTION CONTRACT TO BALLENGER CONSTRUCTION COMPANY IN THE AMOUNT NOT TO EXCEED \$8,909,040.42, OF WHICH \$2,036,785.25 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$713,362.60 WILL BE REIMBURSED BY CPS ENERGY, FOR THE MARBACH STREETS & DRAINAGE, PHASE IIA PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 6.**

\* \* \* \* \*

**WHEREAS**, the Marbach Streets & Drainage Phase IIA Project provides for the reconstruction of Marbach Road from Military Drive to Meadow Way Drive to include curbs, sidewalks, driveway approaches, shared use bicycle lanes, and an underground storm sewer system; and

**WHEREAS**, this Ordinance accepts the lowest responsive bid including two (2) Additive Alternates submitted by **Ballenger Construction Company** in the amount not to exceed \$8,909,040.42; and

**WHEREAS**, the alternates extend the limits of the project from west of Rawhide Lane to Meadow Way Drive, which is significantly closer to the ultimate goal of reconstructing Marbach Road to Loop 410; and

**WHEREAS**, San Antonio Water Systems (SAWS) will reimburse the City an amount of \$2,036,785.25 for replacement and adjustment of their facilities within the Project; and

**WHEREAS**, CPS Energy (CPS) will reimburse the City an amount of \$713,362.60 for replacement and adjustment of their facilities within the Project; and

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

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

**SECTION 1.** The lowest responsive bid including two (2) Additive Alternates submitted by **Ballenger Construction Company** in the amount not to exceed \$8,909,040.42 is hereby accepted in connection with the Marbach Streets & Drainage Phase IIA Project. 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 **Ballenger Construction Company**.

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

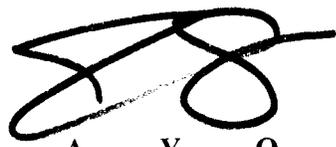
- a) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00020, Marbach Road Ph II A, shall be revised by increasing WBS element 40-00020-90-07, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$2,036,785.25.

- b) Funds are authorized to be received from CPS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00020, Marbach Road Ph II A, shall be revised by increasing WBS element 40-00020-90-08, entitled CPS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$713,362.60.
- c) The amount of \$315,338.96 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00020, Marbach Road Ph II A, SAP WBS Element 40-00020-05-02-02-01 entitled SAWS Sewer Construction, SAP GL Account 5201140.
- d) The amount of \$1,721,446.29 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00020, Marbach Road Ph II A, SAP WBS Element 40-00020-05-02-02-02 entitled SAWS Water Construction, SAP GL Account 5201140.
- e) The amount of \$713,362.60 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00020, Marbach Road Ph II A, SAP WBS Element 40-00020-05-02-03 entitled CPS Gas Construction, SAP GL Account 5201140.
- f) Payment in the amount not to exceed \$8,909,040.42 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00020, Marbach Road Ph II A, is authorized to be encumbered and made payable to **Ballenger Construction Company** for construction services.

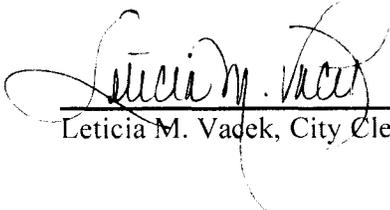
**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager’s designee, correct allocation to specific SAP Fund Numbers, SAP Project 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.

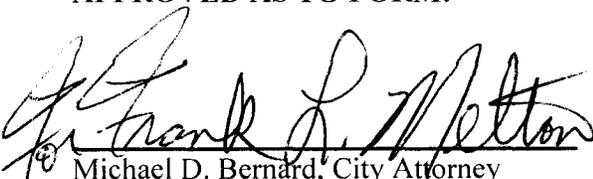
**PASSED AND APPROVED** this 3rd day of March, 2011.

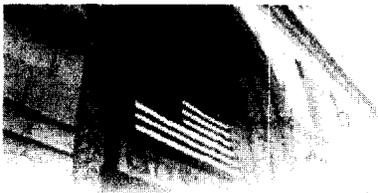
  
M A Y O R  
Julián Castro

**ATTEST:**

  
Leticia M. Vaček, City Clerk

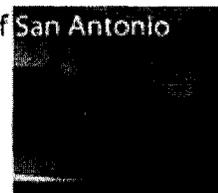
**APPROVED AS TO FORM:**

  
Michael D. Bernard, City Attorney



Request for  
**COUNCIL**  
ACTION

City of San Antonio



## Agenda Voting Results - 16

<b>Name:</b>	6, 7, 8, 10, 11, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 26, 27, 28, 29, 30, 31						
<b>Date:</b>	03/03/2011						
<b>Time:</b>	03:14:19 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance awarding a construction contract to Ballenger Construction Company in the amount of \$8,909,040.42, of which \$2,036,785.25 will be reimbursed by San Antonio Water System and \$713,362.60 will be reimbursed by CPS Energy, for the Marbach Streets & Drainage, Phase IIA Project, an authorized 2007-2012 General Obligation Bond funded project located in Council District 6. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x			x	
David Medina Jr.	District 5		x				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				