

AN ORDINANCE **2010-04-29-0345**

AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$5,506,000.00 TO THE \$25,900,000.00 CONSTRUCTION MANAGER AT RISK CONTRACT WITH TEXAS STERLING CONSTRUCTION, L.P., OF WHICH \$1,006,000.00 WILL BE REIMBURSED BY CPS ENERGY AND \$4,500,000.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, FOR THE BULVERDE ROAD (LOOP 1604 TO EVANS) PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICTS 9 AND 10.

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WHEREAS, the original Construction Manager at Risk Professional Services Agreement with **Texas Sterling Construction Co.** in the amount of \$100,000.00 for Pre-construction Design and \$25,900,000.00 for construction phase services was authorized by Ordinance No. 2009-05-21-0414 for the Bulverde (1604 - Evans) Project; and

WHEREAS, the scope of this Project includes the 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, and between the cutoff points of just north of Canyon Parkway to just south of Beckwood Drive, the existing pavement will be widened to 48-feet; and

WHEREAS, this Ordinance authorizes a Change Order in the amount of \$5,506,000.00 to the \$25,900,000.00 Construction Manager at Risk contract with Texas Sterling Construction, L.P. to provide additional work that must be completed in order to remove and replace a 36" water line and remove and replace gas lines along Bulverde Road; and

WHEREAS, CPS will be reimbursing the City an amount of \$1,006,000.00 and \$4,500,000.00 will be reimbursed by San Antonio Water System; and

WHEREAS, approval of this Ordinance will be a continuation of Council policy to complete previous 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 Change Order in the increased amount of \$5,506,000.00 to the \$25,900,000.00 Construction Manager at Risk contract with **Texas Sterling Construction, L.P.** is hereby approved. The City Manager or her designee is hereby authorized to execute the Change Order to the Contract with **Texas Sterling Construction, L.P.**

SECTION 2. The following financial adjustments are hereby approved:

- a) 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 \$1,006,000.00.

- b) 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 \$4,500,000.00.
- c) The amount of \$5,506,000.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), and the budget shall be revised by increasing/decreasing SAP WBS Elements as follows.

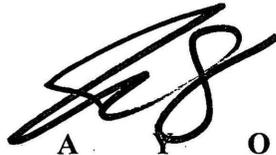
WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0 (Optional)	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0 (Optional)
40-00005-05-02-02-01	Construction - SAWS Sewer	5201140	Construction Cost	\$1,840,000.00	-\$1,240,000.00	\$600,000.00
40-00005-05-02-02-02	Construction - SAWS Water	5201140	Construction Cost	\$160,000.00	\$5,740,000.00	\$5,900,000.00
40-00005-05-02-03	Construction - CPS Gas	5201140	Construction Cost	\$1,000,000.00	\$1,006,000.00	\$2,006,000.00
			TOTALS	\$3,000,000.00	\$5,506,000.00	\$8,506,000.00

- d) Payment in the amount not to exceed \$5,506,000.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00005, Bulverde Rd (Loop 1604 to Evans Rd), is authorized to be encumbered and made payable to **Texas Sterling Construction, L. P.** for construction services.

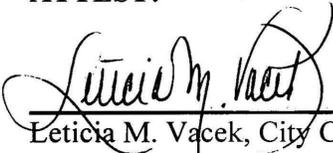
SECTION 3. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager’s designee, correct allocation to specific SAP Fund Numbers, SAP Project 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 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 29th day of April, 2010.

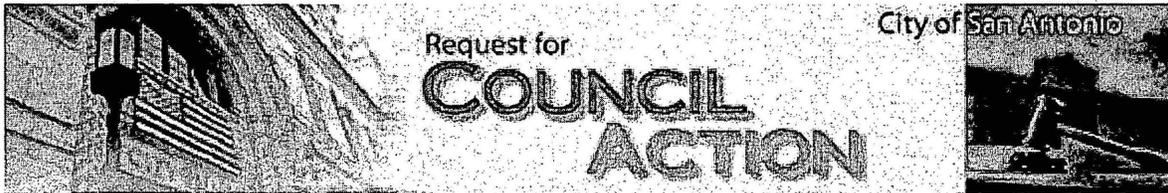

 M A Y O R
 Julián Castro

ATTEST:


 Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


 Michael D. Bernard, City Attorney



Agenda Voting Results - 7

Name:	5, 6, 7, 8, 10, 11, 12A, 12B, 13A, 13B, 14, 15, 16, 17, 18A, 18B, 18C, 19, 22, 23, 24, 25, 26, 28, 30, 31, 32						
Date:	04/29/2010						
Time:	09:23:08 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing a change order in the increased amount of \$5,506,000.00 to the \$25,900,000.00 Construction Manager at Risk contract with Texas Sterling Construction, L.P., of which \$1,006,000.00 will be reimbursed by CPS Energy and \$4,500,000.00 will be reimbursed by San Antonio Water System, for the Bulverde Road (Loop 1604 to Evans) Project, an authorized 2007-2012 General Obligation Bond funded project, located in Council Districts 9 and 10. [Penny Post oak Ferguson, 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				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				x
Leticia Cantu	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			x	
John G. Clamp	District 10		x				