

AN ORDINANCE **2011-05-05-0343**

AWARDING A CONSTRUCTION CONTRACT TO E-Z BEL CONSTRUCTION LLC IN THE AMOUNT NOT TO EXCEED \$2,375,099.44 FOR THE 24TH STREET IMPROVEMENTS PROJECT, OF WHICH \$479,722.09 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$331,954.50 WILL BE REIMBURSED BY CPS ENERGY; AMENDING A FUNDING AGREEMENT WITH OUR LADY OF THE LAKE UNIVERSITY TO ACCEPT AN ADDITIONAL \$170,000.00 AND APPROPRIATING THESE FUNDS TO THE PROJECT; AND, AMENDING THE FY 2011-2016 CAPITAL BUDGET TO ALLOCATE \$400,000.00 FROM 2007 BOND PROGRAM PROJECT SAVINGS THAT CITY COUNCIL HAS APPROVED USING ON THIS PROJECT LOCATED IN COUNCIL DISTRICT 5.

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WHEREAS, 24th Street is the primary entrance to Our Lady of the Lake University (OLLU) and bisects the OLLU into a west and east campus; and

WHEREAS, the traffic study for the 24th Street Improvement was conducted in July 2009 and recommended that the street be reconfigured from the existing four-lane roadway to a two-lane roadway in effort to reduce the amount and speed of traffic and improve pedestrian safety; and

WHEREAS, the improvement includes new median islands, four foot shoulders on both sides of the street for bicycles, dedicated crosswalks for student pedestrians, sidewalks and wheelchair ramps, traffic signals at each crosswalk, street beautification, and landscaping, as well as, a new storm sewer system, water line and gas line; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **E-Z Bel Construction LLC** in the amount not to exceed \$2,375,099.44; and

WHEREAS, San Antonio Water Systems (SAWS) will reimburse the City an amount of \$479,722.09 for replacement and adjustment of their facilities within the Project and CPS Energy (CPS) will reimburse the City an amount of \$331,954.50 for replacement and adjustment of their facilities within the Project; and

WHEREAS, this Ordinance also amends the FY 2011-2016 Capital Budget to allocate \$400,000.00 from 2007 Bond Program project savings that Council approved for this Project and amends the Funding Agreement with OLLU to accept an additional \$170,000.00, and appropriates these funds to this Project; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid submitted by **E-Z Bel Construction LLC** in the amount not to exceed \$2,375,099.44 is hereby accepted in connection with the 24th Street Improvements Project at Our Lady of the Lake University. 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 **E-Z Bel Construction LLC**.

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

- a) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00038 Tesla (Culebra to Mayberry), shall be revised by decreasing SAP WBS Element 40-00040-05-06 entitled Project Contingency, SAP GL account 5201140, by the amount of \$400,000.00.
- b) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00038 Tesla (Culebra to Mayberry), shall be revised by decreasing SAP WBS Element 40-00038-90-04 entitled Transfer from GO-00401-01-01-38-01, SAP GL account 6101100, by the amount of \$400,000.00.
- c) The amount of \$400,000.00 is reverted in SAP Fund 45907001, 2010 GO Streets Improvements, SAP WBS Element GO-00401-01-01-38-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00038-90-04. The amount of \$400,000.00 is authorized to be transferred from SAP Fund 45099000.
- d) The amount of \$400,000.00 is appropriated in SAP Fund 45907001, 2010 GO Streets Improvements, SAP WBS Element GO-00401-01-01-47-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 23-01196-90-06. The amount of \$400,000.00 is authorized to be transferred to SAP Fund 43099000.
- e) The budget in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01196, 24th Street, shall be revised by increasing SAP WBS Element 23-01196-90-06 entitled Transfer from GO-00401-01-01-47-01, SAP GL Account 6101100 – Interfund Transfer In, by the amount \$400,000.00.
- f) Funds are authorized to be received from Our Lady of the Lake University (OLLU) to SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01196, 24th Street, and the budget shall be revised by increasing WBS element 23-01196-90-03, entitled OLLU Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$170,000.00.
- g) Funds are authorized to be received from CPS to SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01196, 24th Street, and the budget shall be revised by increasing WBS element 23-01196-90-04, entitled CPS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$331,954.50.
- h) Funds are authorized to be received from SAWS to SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01196, 24th Street, and the budget shall be revised by increasing WBS element 23-01196-90-05, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$479,722.09.
- i) The amount of \$1,381,676.59 is appropriated in SAP 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01196, 24th Street, and the budget shall be revised by increasing/decreasing SAP WBS Element as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
23-01196-02-01	Utilities Costs	5201040	Fees to Prof Contr.	\$0.00	\$175,000.00	\$175,000.00
23-01196-04-04	Environmental Costs	5201040	Fees to Prof Contr.	\$4,415.73	\$584.27	\$5,000.00
23-01196-05-01	Advertise	5201140	Construction Cost	\$0.00	\$2,000.00	\$2,000.00
23-01196-05-02	Construction Costs	5201140	Construction Cost	\$1,454,584.27	-\$1,454,584.27	\$0.00
23-01196-05-02-01-01	City Construction	5201140	Construction Cost	\$130,000.00	\$1,580,722.85	\$1,710,722.85
23-01196-05-02-02-01	SAWS Sewer Construction	5201140	Construction Cost	\$0.00	\$10,502.00	\$10,502.00
23-01196-05-02-02-02	SAWS Water Construction	5201140	Construction Cost	\$0.00	\$469,220.09	\$469,220.09
23-01196-05-02-03	CPS Gas	5201140	Construction Cost	\$0.00	\$331,954.50	\$331,954.50
23-01196-05-03	Construction Contingency	5201140	Construction Cost	\$0.00	\$157,008.69	\$157,008.69
23-01196-05-04	Construction Cap Admin Costs	5402010	Cap Prog Admin Cost	\$0.00	\$80,000.00	\$80,000.00
23-01196-05-07	Material Testing	5201170	Engineering Fees	\$2,000.00	\$29,268.46	\$31,268.46
			TOTALS	\$1,591,000.00	\$1,381,676.59	\$2,972,676.59

j) Payment in the amount not to exceed \$2,375,099.44 in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01196, 24th Street, is authorized to be encumbered and made payable to **E-Z Bel Construction LLC** for construction services.

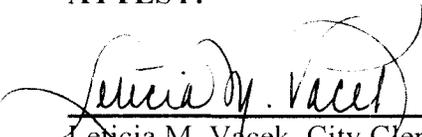
k) The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, 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 5th day of May, 2011.

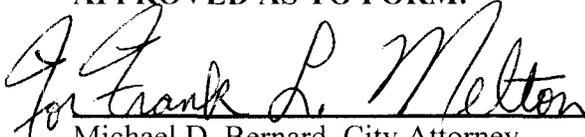

M A Y O R
Julián Castro

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 - 7A

Name:	7A, 7B						
Date:	05/05/2011						
Time:	11:09:20 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance awarding a construction contract to E-Z Bel Construction LLC in the amount of \$2,375,099.44, of which \$479,722.09 will be reimbursed by San Antonio Water System and \$331,954.50 will be reimbursed by CPS Energy; amending a Funding Agreement with Our Lady of the Lake University to accept an additional \$170,000.00 and appropriating these funds to the project; and, amending the FY 2011-2016 Capital Budget to allocate \$400,000.00 from 2007 Bond Program project savings that City Council has approved using on this project.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		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				