

AN ORDINANCE 2010-05-13-0414

ACCEPTING THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS AND AWARDING A CONSTRUCTION CONTRACT TO BALLENGER CONSTRUCTION COMPANY IN THE AMOUNT OF \$18,951,777.00, FOR THE 36TH STREET EXTENSION - GROWDON TO BILLY MITCHELL PROJECT OF WHICH \$16,933,214.15 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION AND \$1,105,368.31 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BONDS AND ARRA FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 4.

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WHEREAS, the 36th Street from Growdon to Billy Mitchell Project provides for construction of 36th Street to a 4-lane street with a median, curbs, sidewalks and drainage improvements; and

WHEREAS, this Project was selected to receive ARRA funds; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **Ballenger Construction Company** in the amount of \$18,951,777.00; and

WHEREAS, the Texas Department of Transportation will reimburse the City the amount of \$16,933,214.15; San Antonio Water Systems will reimburse the City \$1,105,368.31 and the remaining \$913,194.54 will be funded by 2007-2012 General Obligation Bonds; and

WHEREAS, approval of this Ordinance will be a continuation of Council policy to complete previously approved General Obligation Street Bonds, and the ARRA and MPO funded projects, as well as, provide Local Agency Management of selected TxDOT projects; **NOW THEREFORE,**

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

SECTION 1. The lowest responsible bid of **Ballenger Construction Company** in the amount of \$18,951,777.00 in connection with the 36th Street Extension - Growdon to Billy Mitchell Project is hereby accepted. 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) The City Manager, or her designee, or the Director of the Capital Improvements Management Department or his designee, is hereby authorized to accept \$13,280,436.00 from the Texas Department of Transportation (TxDOT), for the 36th

Street Extension through Kelly USA, funds available under the American Recovery and Reinvestment ACT (ARRA) for the grant period October 1, 2009 through September 30, 2011.

- b) Fund 2305940001 entitled "TxDOT ARRA" and Internal Order 140000000061, are hereby designated for use in the accounting for the fiscal transaction in the acceptance of this grant.
- c) The budget is approved and adopted for entry in the City books.
- d) The amount of \$13,280,436.00 is authorized to be transferred from SAP Fund 2305940001, TxDOT ARRA, SAP Internal Order # 140000000061, SAP GL account 6102100 – Interfund Transfer out entitled 36th Street Extension, to SAP Fund 45099000.
- e) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00001, 36th Street Extension through Kelly USA, shall be revised by increasing SAP WBS Element 40-00001-90-14 entitled Transfer from I/O# 140000000061, SAP GL Account 6101100 – Interfund Transfer In, by the amount \$13,280,436.00.
- f) Funds are authorized to be received from TxDOT to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00001, 36th Street Extension through Kelly USA, shall be revised by increasing WBS element 40-00001-90-13, entitled TxDOT Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$3,685,424.00.
- g) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00001, 36th Street Extension through Kelly USA, shall be revised by increasing WBS element 40-00001-90-12, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$1,105,368.31.
- h) The amount of \$18,071,228.31 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00001, 36th Street Extension through Kelly USA, and the budget shall be revised by increasing 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)
40-00001-05-02-01-02	Construction - TXDOT	5201140	Construction Cost	\$0.00	\$3,652,778.15	\$3,652,778.15
40-00001-05-02-02-01	Construction - SAWS Sewer	5201140	Construction Cost	\$0.00	\$99,861.14	\$99,861.14
40-00001-05-02-02-02	Construction - SAWS Water	5201140	Construction Cost	\$0.00	\$1,005,507.17	\$1,005,507.17
40-00001-05-04-02	Construction Capital Admin - TXDOT	5402010	Cap Prog Admin Cost	\$0.00	\$32,645.85	\$32,645.85
40-00001-05-08	Construction - ARRA TxDOT	5201140	Construction	\$0.00	\$13,280,436.00	\$13,280,436.00
			TOTALS	\$0.00	\$18,071,228.31	\$18,071,228.31

- i) Payment in the amount not to exceed \$18,951,777.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00001, 36th Street Extension through Kelly USA, 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.

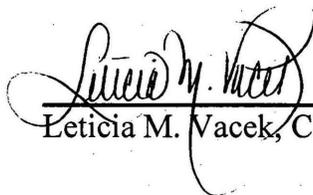
SECTION 5. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 13th day of May, 2010.



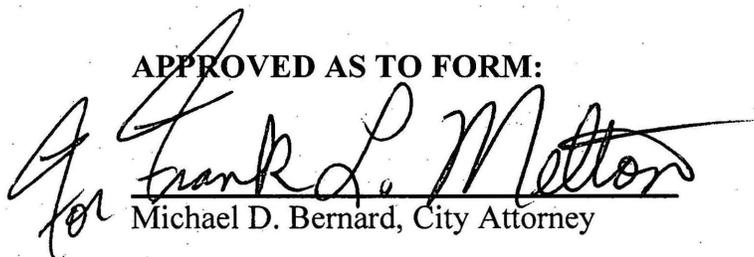
M A Y O R
Julián Castro

ATTEST:

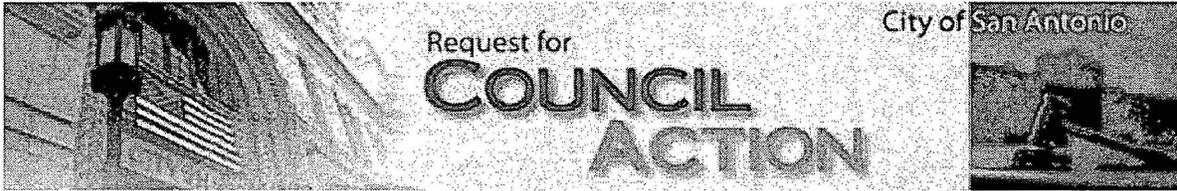


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Michael D. Bernard, City Attorney



Agenda Voting Results - 19A

Name:	19A, 19C, 19D						
Date:	05/13/2010						
Time:	03:31:07 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance accepting the ARRA funds and awarding a construction contract to Ballenger Construction Company in the amount of \$18,951,777.00, of which \$16,933,214.15 will be reimbursed by the Texas Department of Transportation and \$1,105,368.31 will be reimbursed by San Antonio Water Systems. The remaining \$913,194.54 will be funded by 2007-2012 General Obligation Bonds.						
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
Philip A. Cortez	District 4		x			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				
John G. Clamp	District 10		x				