

AN ORDINANCE 2014 - 04 - 17 - 0268

**AUTHORIZING A NEGOTIATED AGREEMENT WITH E-Z BEL CONSTRUCTION, LLC, IN AN AMOUNT UP TO \$284,709.34 FOR RESOLUTION OF DELAY CLAIMS ASSOCIATED WITH THE CONSTRUCTION OF THE FORT SAM HOUSTON TRANSPORTATION PROJECT.**

\* \* \* \* \*

**WHEREAS**, the City contracted with **E-Z Bell Construction, LLC** to perform construction of the Fort Sam Houston Transportation Project, a 2007 - 2012 General Obligation Bond funded Project and upon completion of work on this Project there was a claim that remained unresolved regarding monies due and owed for work performed under this contract; and

**WHEREAS**, the Fort Sam Houston Transportation Project, authorized by Ordinance 2011-09-29-0783 provided for intersection improvements on Harry Wurzbach at Burr, Winans and Rittman Roads and claim was made for utility conflicts and additional environmental mitigation that extended the contract days required for the Project; and

**WHEREAS**, **E-Z Bell Construction, LLC** and the City have agreed to resolve this issue related to this contract for a settlement amount of \$284,709.34 which will compensate the Contractor for the overhead costs incurred for the extended contract days; and

**WHEREAS**, this Ordinance authorizes a negotiated agreement with **E-Z Bell Construction, LLC** for an amount of \$284,709.34 to settle the issue associated with the construction of the Fort Sam Houston Transportation Project; and

**WHEREAS**, this amount represents the final amount due to **E-Z Bell Construction, LLC** for the construction contract under the a 2007 - 2012 General Obligation Bond funded Project; **NOW THEREFORE**,

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

**SECTION 1.** The City Manager or her designee is hereby authorized to execute a negotiated agreement with **E-Z Bell Construction, LLC** for an amount of \$284,709.34 to settle the issue associated with the construction of the Fort Sam Houston Transportation Project.

**SECTION 2.** The following financial adjustments are hereby approved:

- a) Payment in the amount of \$284,709.34 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00015, Fort Sam Transportation Projects, is authorized to be encumbered with a purchase order and made payable to **E-Z Bel Construction, LLC**, for settle issues.

- b) 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 allocations 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 3.** 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 17th day of April, 2014.



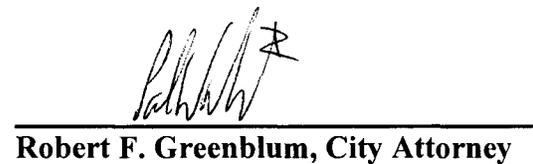
M A Y O R  
Julián Castro

**ATTEST:**



Leticia M. Vaccaro, City Clerk

**APPROVED AS TO FORM:**



Robert F. Greenblum, City Attorney

Voting Results Interface

<b>Agenda Item:</b>	<b>30B ( in consent vote: 4, 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 17A, 17B, 18, 18A, 18B, 19, 21, 23, 24, 26, 27, 28, 29, 30, 30A, 30B, 31 )</b>
<b>Date:</b>	04/17/2014
<b>Time:</b>	09:47:00 AM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	An Ordinance authorizing an agreement with E-Z Bel Construction, LLC, in an amount up to \$284,709.34 for resolution of delay claims associated with the construction of the Fort Sam Houston Transportation Project.
<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				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				