

AN ORDINANCE 2015-02-12-0085

ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT NOT TO EXCEED \$15,095,329.00 TO CAPITAL EXCAVATION COMPANY, FOR THE CONSTRUCTION OF THEO AVENUE & MALONE AVENUE CORRIDORS, A 2012-2017 BOND-FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 5; OF THIS AMOUNT, \$4,788,426.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS (SAWS) AND \$1,029,145.00 WILL BE REIMBURSED BY CPS ENERGY FOR THEIR WORK.

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WHEREAS, this Project provides for the reconstruction of approximately 1.25 miles of the one-way street Theo Avenue and 1.25 miles of the one-way street Malone Avenue from IH35 to Zarzamora, including two 11-foot travel lanes, an 8-foot parking lane, a 5 foot bicycle lane, 4-foot sidewalks, curbs, driveway approaches and drainage improvements throughout the project limits: and

WHEREAS, in addition, the Project also provides for traffic signal upgrades will be included at the intersections of Nogalitos and Theo Avenue and Nogalitos and Malone Avenue; and

WHEREAS, the 2012-2017 General Obligation Bond Program authorized \$14,195,000.00 for the city's share of funding for the Theo Avenue & Malone Avenue Corridors Project, and of that amount, \$9,277,758.00 will be used for construction with the balance of the Project funds approved used for design services, environmental services, advertising, property acquisition and project management; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by Capital Excavation Company in the amount not to exceed \$15,095,329.00, for construction of Theo Avenue & Malone Avenue Corridors Project; and

WHEREAS, of the total contract amount, the City will be reimbursed \$4,788,426.00 by SAWS and \$1,029,145.00 will be reimbursed by CPS Energy for their work; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid of **Capital Excavation Company** in the amount not to exceed \$15,095,329.00 for the construction of the Theo Avenue & Malone Avenue Corridors 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 **Capital Excavation Company.**

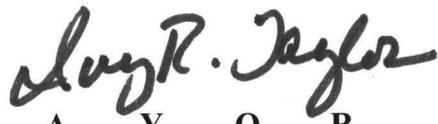
SECTION 3. The following financial adjustments are hereby approved:

- a) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00316, Theo Avenue & Malone Avenue Corridors, and the budget shall be revised by increasing WBS element 40-00316-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$4,788,426.00.
- b) The amount of \$2,251,714.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00316, Theo Avenue & Malone Avenue Corridors, SAP WBS Element 40-00316-05-02-03, Construction-SAWS Sewer and SAP General Ledger 5201245.
- c) The amount of \$2,536,712.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00316, Theo Avenue & Malone Avenue Corridors, SAP WBS Element 40-00316-05-02-04, Construction-SAWS Water and SAP General Ledger 5201245.
- d) Funds are authorized to be received from CPS Energy to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00316, Theo Avenue & Malone Avenue Corridors, and the budget shall be revised by increasing WBS element 40-00316-90-09, CPS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$1,029,145.00.
- e) The amount of \$1,029,145.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00316, Theo Avenue & Malone Avenue Corridors, SAP WBS Element 40-00316-05-02-06, Construction-CPS Gas and SAP General Ledger 5201245.
- f) Payment in the amount of \$15,095,329.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00316, Theo Avenue & Malone Avenue Corridors, is authorized to be encumbered and made payable to Capital Excavation Co., for construction services. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

- g) 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 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 12th day of February, 2015.


M A Y O R
Ivy R. Taylor

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Martha G. Sepeda, Acting City Attorney