FLM:GG
02-07-2013
Item No. 07.E.

AN ORDINANCE 2013-02-07-0090

AWARDING A TASK ORDER CONSTRUCTION CONTRACT, SUBJECT TO AVAILABILITY OF FUNDS IN CONNECTION WITH THE FY 2014 STREET MAINTENANCE PROGRAM, FOR PACKAGE 6 TO CLARK CONSTRUCTION OF TEXAS, INC., IN AN AMOUNT NOT TO EXCEED $3,342,610.90, OF WHICH $24,530.00 IS TO BE REIMBURSED BY SAWS, FOR AUTHORIZED FY 2013 STREET MAINTENANCE PROGRAM REHABILITATION PROJECTS USING THE RECLAMATION PROCESS LOCATED IN COUNCIL DISTRICTS 4 AND 7; AND APPROPRIATING FUNDS.

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WHEREAS, as part of the FY 2013 Adopted Budget, Council approved a $29,104,139.00 budget on September 20, 2012 for the FY 2013 Street Maintenance Program; and

WHEREAS, bids were submitted in connection with the FY 2012 Street Maintenance Program - Reclamation Package 6 Project located District 4 and 7; and

WHEREAS, this Ordinance awards a Task Order Construction Contract to **Clark Construction of Texas, Inc.** in the amount not to exceed $3,342,610.90 for the Reclamation Package 6 that will deliver a total of 3.8 miles of street maintenance or 15 projects; and

WHEREAS, this Ordinance also authorizes the expenditure of $287,159.32 for project contingency, materials testing, and advertising expenses; and

WHEREAS, San Antonio Water Systems will reimburse the City a total of $24,530.00 to complete the necessary adjustments that will be made to their existing infrastructure; **NOW THEREFORE,**

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

SECTION 1. The lowest responsive bid of **Clark Construction of Texas, Inc.** in the amount not to exceed $3,342,610.90 for a Task Order Construction Contract in connection with the FY 2013 Street Maintenance Program Reclamation Package 6 Project located City Wide 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 **Clark Construction of Texas, Inc.**

SECTION 3. The following financial adjustment is hereby approved:

a) Funding for this ordinance will be identified when work orders are issued. If funding for any work orders is not previously appropriated, funding will be identified and appropriated through subsequent City Council action. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified.

All expenditures will comply with Operating and/or Capital Budgets for current and future fiscal years.

b) Payment not to exceed $3,318,835.90 is authorized to be encumbered with a purchase order and made payable to **Clark Construction of Texas, Inc.** for construction services.

c) Funds in the amount not to exceed $24,530.00 are authorized to be received from SAWS and appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01344, FY 2013 Street Maintenance, WBS Element 23-01344-90-02, SAWS Contribution, General Ledger 4502280, Contribution from other agencies.

d) The amount of $10,736.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01344, FY 2013 Street Maintenance, SAP WBS Element 23-01344-06-05-02-02-01, SAWS-Water, SAP General Ledger 5201140, Construction Costs.

e) The amount of $13,794.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01344, FY 2013 Street Maintenance, SAP WBS Element 23-01344-06-05-02-02-02, SAWS-Sewer, SAP General Ledger 5201140, Construction Costs.

f) 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 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 **7th** day of **February, 2013.**

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Frank D. Wetton
Michael D. Bernard, City Attorney

Request for COUNCIL ACTION

City of San Antonio

Agenda Voting Results - 7E

Name:	5, 6A, 6B, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 8A, 8B, 9, 11A, 11B, 12, 13, 14
Date:	02/07/2013
Time:	02:22:54 PM
Vote Type:	Motion to Approve
Description:	An Ordinance awarding a task order construction contract for Package 6 to Clark Construction of Texas, Inc., in an amount not to exceed $3,342,610.90, of which $24,530.00 is to be reimbursed by SAWS, for authorized FY 2013 Street Maintenance Program rehabilitation projects using the reclamation process located in Council Districts 4 and 7; additional capacity is included for completion of street projects next fiscal year and is subject to availability of funds in connection with the FY 2014 Street Maintenance Program .
Result:	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				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x			x	
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				