

AN ORDINANCE 2010-01-21-0039

ACCEPTING THE AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS AND AWARDING A CONSTRUCTION CONTRACT TO YANTIS COMPANY IN THE AMOUNT OF \$3,297,539.60 OF WHICH \$2,849,729.36 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION AND \$447,810.24 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM.

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WHEREAS, the 36th Street from US 90 to Growdon Project provides for a 4-lane street with a median and includes curbs, sidewalks and drainage improvements; and

WHEREAS, this Project was selected to receive American Recovery and Reinvestment Act funds; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **Yantis Company** in the amount of \$3,297,539.60; and

WHEREAS, the Texas Department of Transportation will reimburse the City the amount of \$2,849,729.36 through the Local Agency Management program and San Antonio Water System will reimburse the City the amount of \$447,810.24 for this Project; and

WHEREAS, approval of this Ordinance will be a continuation of Council policy to complete previously approved General Obligation Street Bond Projects, and accept the American Recovery and Reinvestment Act and Metropolitan Planning Organization funds for 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 responsive bid of **Yantis Company** in the amount of \$3,297,539.60 in connection with the 36th Street from US 90 to Growdon 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 **Yantis 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 Services or his designee is hereby authorized to submit a grant application, and accept grant funds in an amount up to \$2,849,729.36 from the Texas Department of Transportation (TxDOT) available through the American Recovery and Reinvestment Act for the period October 1, 2009 through September 30, 2011.

- b) The City Manager or her designee, or the Director of the Capital Improvements Management Services or his designee is further authorized to execute any and all necessary documents to effectuate said acceptance.
- c) Fund 2305940001 entitled "TxDOT ARRA" and internal order 140000000020 are hereby designated for use in the accounting for the fiscal transaction in the acceptance of this grant. The sum of \$2,849,729.36 from TxDOT will be appropriated in said fund. The budget is approved and adopted for entry in the City books.
- d) The amount of \$2,849,729.36 is authorized to be transferred from SAP Fund 2305940001, TxDOT ARRA, SAP Internal Order # 140000000020, SAP GL account 6102100 – Interfund Transfer out entitled 36th Street: US 90 to Growdon, to SAP Fund 45099000, General Obligation Capital Projects.
- e) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-00839, 36th Street - US90 to Growdon, shall be revised by increasing SAP WBS Element 23-00839-90-13 entitled Transfer from I/O# 140000000020 SAP GL Account 6101100 – Interfund Transfer In, by the amount of \$2,849,729.36.
- f) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-00839, 36th Street – US 90 to Growdon, shall be revised by increasing WBS element 23-00839-90-14, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$447,810.24.
- g) The amount of \$3,297,539.60 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-00839, 36th Street - US90 to Growdon, 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
23-00839-01-02	Design	5201170	Engineering Fees	\$712,040.88	\$27,325.76	\$739,366.64
23-00839-01-03	Consultant Contingency	5201170	Engineering Fees	\$292.00	\$2,732.58	\$3,024.58
23-00839-01-04	Design Capital Administrative Costs	5402010	Cap Prog Admin Cost	\$51,574.78	\$62,639.41	\$114,214.19
23-00839-01-05-01	Program Management - City	5201040	Fees to Prof Contractors	\$12,085.47	\$221,000.00	\$233,085.47
23-00839-03-02-01	ROW Title	5209010	Land Acquisition	\$190,000.00	\$1,000.00	\$191,000.00
23-00839-03-02-02	ROW Appraisals	5201160	Appraisal Fees	\$40,000.00	\$1,300.00	\$41,300.00
23-00839-03-02-04	ROW Acquisition	5209010	Land Acquisition	\$582,850.00	\$5,500.00	\$588,350.00
23-00839-03-03	ROW Capital Administrative Costs	5402010	Cap Prog Admin Cost	\$30,994.27	\$32,984.22	\$63,978.49
23-00839-04-01	Environmental Capital Admin Costs	5402010	Cap Prog Admin Cost	\$1,033.17	\$5,400.07	\$6,433.24
23-00839-04-02	Environmental Costs	5201040	Fees to Prof Contractors	\$7,895.04	\$36,208.72	\$44,103.76
23-00839-05-01	Advertise	5203040	Advertising/Publication	\$2,000.00	\$2,000.00	\$4,000.00
23-00839-05-02	Construction Costs	5201140	Construction Cost	\$869,430.68	-\$869,430.68	\$0.00
23-00839-05-02-02-01	Construction - SAWS Sewer	5201140	Construction Cost	\$0.00	\$127,851.24	\$127,851.24
23-00839-05-02-02-02	Construction - SAWS Water	5201140	Construction Cost	\$0.00	\$319,959.00	\$319,959.00

23-00839-05-03	Construction Contingency	5201140	Construction Cost	\$12,593.89	-\$12,593.89	\$0.00
23-00839-05-04	Construction Capital Admin Costs	5402010	Cap Prog Admin Cost	\$6,021.91	\$71.81	\$6,093.72
23-00839-05-04-01	Construction Capital Admin Costs - City	5402010	Cap Prog Admin Cost	\$216.90	\$257,122.40	\$257,339.30
23-00839-05-06	Project Contingency	5201140	Construction Cost	\$422.86	\$160,788.81	\$161,211.67
23-00839-05-07	Construction - ARRA TXDOT	5201140	Construction Cost	\$0.00	\$2,849,729.36	\$2,849,729.36
23-00839-05-08	Material Testing	5201040	Fees to Prof Contractors	\$0.00	\$65,950.79	\$65,950.79
			TOTALS	\$2,519,451.85	\$3,297,539.60	\$5,816,991.45

h) Payment not to exceed \$3,297,539.60 from SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-00839, 36th Street - US90 to Growdon, is authorized to be encumbered and made payable to **Yantis Company** for construction services.

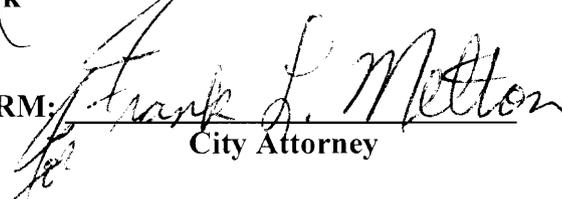
SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, 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 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 21st day of January, 2010.

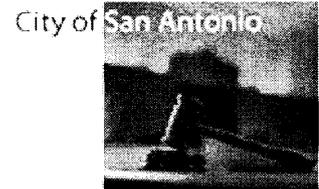

 M A Y O R
JULIÁN CASTRO

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney



Request for
COUNCIL
ACTION



Agenda Voting Results - 15A

Name:	15A, 15D, 15E						
Date:	01/21/2010						
Time:	04:47:54 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance accepting the ARRA funds, accepting the lowest responsive bid and awarding a construction contract to Yantis Company in the amount of \$3,297,539.60 of which \$2,849,729.36 will be reimbursed by the Texas Department of Transportation (TxDOT) and \$ 447,810.24 will be reimbursed by San Antonio Water System.						
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			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				