PW:gg
12-03-2015
Item No. 14.C.

AN ORDINANCE 2015-12-03-1016

ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING AN ASPHALT OVERLAY – PACKAGE 3 TASK ORDER CONTRACT TO CLARK CONSTRUCTION OF TEXAS, INC. IN AN AMOUNT NOT TO EXCEED $8,805,694.20 IN WHICH $118,950.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS AND $36,300.00 WILL BE REIMBURSED BY CPS ENERGY FOR NECESSARY ADJUSTMENTS TO ITS EXISTING INFRASTRUCTURE.

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WHEREAS, City Council approved $64 million in the FY 2016 Budget to complete both in-house and contract street maintenance projects, and of this amount, approximately $54 million in street maintenance projects will be completed through the use of construction contractors; and

WHEREAS, the Transportation and Capital Improvements began construction of the FY 2016 Street Maintenance Program by utilizing three existing contracts that were awarded through Ordinance Nos. 2015-02-12-0089 and 2015-02-12-0090 totaling $12,263,961.88; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **Clark Construction of Texas, Inc.** in the total amount not to exceed $8,805,694.20 for an Asphalt Overlay - Package 3 Task Order Contract for the FY 2016-2020 Infrastructure Management Program (IMP); and

WHEREAS, San Antonio Water Systems and CPS Energy will be participating in this Project in order to complete necessary adjustments to their existing infrastructures; and

WHEREAS, the City will be reimbursed an amount of $118,950.00 from San Antonio Water Systems and $36,300.00 from CPS Energy; and

WHEREAS, funding for these Projects may include, but is not limited to the General Fund, Certificates of Obligation, and Advanced Transportation District (ATD) Program; **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 total amount not to exceed $8,805,694.20 for an Asphalt Overlay – Package 3 Task Order Contract in connection with the FY 2016-2020 Infrastructure Management Program (IMP) is hereby approved. 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 Task Order Contract is hereby awarded to **Clark Construction of Texas, Inc.**

SECTION 3. The following financial adjustment is hereby approved:

a) Funds are authorized to be received from SAWS to SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01474, FY 2016 Street Maintenance Program (SMP)., and the budget shall be revised by increasing WBS element 23-01474-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of $118,950.00.

b) Funds are authorized to be received from CPS Energy to SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01474, FY 2016 Street Maintenance Program (SMP)., and the budget shall be revised by increasing WBS element 23-01474-90-09, CPS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of $36,300.00.

c) The amount of $155,250.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01474, FY 2016 Street Maintenance Program (SMP)., and the budget shall be revised by increasing SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	PLAN VERSION 0 REVISION/ Appropriation
23-01474-03-05-02-02-01	SAWS Water	5201245	CP-Constr Costs	19,400.00
23-01474-03-05-02-02-02	SAWS Sewer	5201245	CP-Constr Costs	99,550.00
23-01474-03-05-01	CPS	5201245	CP-Constr Costs	36,300.00
			Totals	155,250.00

d) A Payment in an amount not to exceed $8,805,694.20 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01474, FY 2016 Street Maintenance Program (SMP), is authorized to be encumber an Asphalt Overlay Task Order Contract - Package 3 and make payable to **Clark Construction of Texas, Inc.**, for construction services on street maintenance projects. Payment for services are contingent upon the availability of funds and the sale of future City of San Antonio, Certificates of Obligation and Tax Notes for SAP Project Definition 23-01474, FY 2016 Street Maintenance Program (SMP), in accordance with the adopted capital budget. 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.

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 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 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 **3rd** day of **December, 2015.**

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for

Martha G. Sepeda, Acting City Attorney

Agenda Item:	**14C (in consent vote: 5, 6, 7, 8, 9, 10, 11, 12, 13, 14A, 14B, 14C, 14D, 16, 19, 20, 23, 25, 26)**
Date:	12/03/2015
Time:	09:20:46 AM
Vote Type:	Motion to Approve
Description:	An Ordinance awarding an Asphalt Overlay Contract to Clark Construction of Texas, Inc. in an amount not to exceed $8,805,694.20 of which $118,950.00 will be reimbursed by San Antonio Water Systems and $36,300.00 by CPS Energy.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				x
Rey Saldaña	District 4		x			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				
Michael Gallagher	District 10		x				