

PW: gg
Date
Item No. 12A.

AN ORDINANCE 2014 - 02 - 20 - 0099

AUTHORIZING TWO UTILITY-DRIVEN CHANGE ORDERS IN THE TOTAL AMOUNT NOT TO EXCEED \$397,352.68 TO THE CONSTRUCTION CONTRACT WITH CAPITAL EXCAVATION COMPANY FOR THE REALIGNMENT OF MARKET STREET, OF THIS TOTAL CHANGE ORDER AMOUNT \$151,222.78 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS.

* * * * *

WHEREAS, the Market Street Realignment Project originated in association with the Convention Center Expansion, HemisFair Park Area Master Plan and was included in the 2012 Bond which includes the realignment of Market Street to run parallel with Commerce Street and east of the proposed Convention Center expansion; and

WHEREAS, a contract with **Capital Excavation** in the amount of \$37,352,903.74 was previously executed through Ordinance No. 2013-03-21-0178 for the Market Street Project; and

WHEREAS, previous change orders have decreased this contract amount by \$1,713,280.79 to a contract amount of \$35,639,622.95 and this change order will increase the contract by \$397,352.68 to a total contract amount of \$36,036,975.63; and

WHEREAS, this Ordinance approves two (2) utility-driven change orders in the total amount not to exceed \$397,352.68 to the construction contract with **Capital Excavation Company** for utility work associated with SAWS chilled water lines for the expanding Convention Center; and

WHEREAS, the first utility-driven change order is in the amount of \$246,129.90 and provides two 20-inch chilled water line connections to be installed within the Market Street project boundaries, and for safety and site control purposes staff is requesting **Capital Excavation Company** to complete this work; and

WHEREAS, once the existing chilled waterlines were exposed to tie-in the new chilled water lines, the location and configuration were not as previously documented in the as-built plans therefore, the second utility-driven change order is in the amount of \$151,222.78 for additional work associated with any unforeseen conditions related to the location of existing chilled waterlines; and

WHEREAS, of the total contract amount, the City will be reimbursed \$151,222.78 by the San Antonio Water System for their work; and

WHEREAS, this is a one-time capital improvement expenditure in the total amount of \$397,352.68 to **Capital Excavation Company** of which \$151,222.78 will be reimbursed by San Antonio Water Systems and funds are available in the amount of \$246,129.90 in Public Facility Corporation Contributions funds; and, included in FY 2014 - 2019 Capital Improvements Program Budget; and

WHEREAS, approval of the ordinance will be a continuation of City Council policy to complete previously approved 2012 - 2017 General Obligation Bond funded project; **NOW THEREFORE**,

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

SECTION 1. The Change Order for the Realignment of Market Street Project in the amount of \$397,352.68 is hereby approved. The City Manager or her designee is hereby authorized to execute a Change Order to the Contract with **Capital Excavation Company**.

SECTION 2. The following financial adjustment is hereby approved:

- a) A Change Order contract was previously awarded to **Capital Excavation Company** in the revised amount of \$35,639,622.95 for construction services on Ordinance 2013-03-21-0178 and other previous change orders. This Ordinance is increasing the contract amount by \$397,352.68 to a revised contract total of up to \$36,036,975.63.
- b) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00300, Downtown Streets Reconstruction, and the budget shall be revised by increasing WBS element 40-00300-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$151,222.78.
- c) The amount of \$151,222.78 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00300, Downtown Streets Reconstruction, SAP WBS Element 40-00300-05-02-08-02, SAWS Chilled Water and SAP General Ledger 5201245 Capital Project Other -Construction Cost.
- d) Payment in the amount not to exceed \$151,222.78 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00300, Downtown Streets Reconstruction, is authorized to be encumbered and made payable to **Capital Excavation Company**, for construction services.
- e) Payment in the amount not to exceed \$246,129.90 in SAP Fund 47099000, Convention Center Capital Projects, SAP Project Definition 42-00038, Convention Center Expansion, is authorized to be encumbered and made payable to **Capital Excavation Company**, for construction services.
- 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 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 20th day of February, 2014.


M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

 for

Robert F. Greenblum, City Attorney

Agenda Item:	12A (in consent vote: 4, 5, 7, 8, 9, 11, 12, 12A, 12B, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26)
Date:	02/20/2014
Time:	09 23 29 AM
Vote Type:	Motion to Approve
Description:	An Ordinance approving two utility-driven change orders in the total amount not to exceed \$397,352 68 of which \$151,222 78 will be reimbursed by San Antonio Water Systems to the \$35,639,622 95 construction contract with Capital Excavation Company for the realignment of Market Street
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				x
Rebecca Viagran	District 3		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				