

AN ORDINANCE 2011-06-16-0499

**AUTHORIZING CHANGE ORDER NO. CIMS-02 IN THE AMOUNT OF \$208,656.30 TO A CONSTRUCTION CONTRACT WITH YANTIS COMPANY IN CONNECTION WITH THE INDIAN CREEK CHANNEL IMPROVEMENTS AND THE WAR CLOUD PROJECTS, 2007-2012 GENERAL OBLIGATION BOND FUNDED AND U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 FUNDED PROJECTS LOCATED IN COUNCIL DISTRICT 4.**

\* \* \* \* \*

**WHEREAS**, by Ordinance No. 2010-03-18-0207, passed and approved on March 18, 2010, a construction contract was awarded to Yantis Company for the performance of work in connection with the Indian Creek Channel Improvements and War Cloud Projects (the “Projects”), located in Council District 4; and

**WHEREAS**, the original amount of the construction contract was \$2,484,575.25 and subsequent change orders increased the total amount of the contract to \$2,491,099.04; and

**WHEREAS**, in connection with said Project, there exists a need for a City requested change order for soil removal; and

**WHEREAS**, Change Order No. CIMS-02 increases the total contract amount by \$208,656.30;  
**NOW THEREFORE:**

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

**SECTION 1.** Change Order No. CIMS-02 in the amount of \$208,656.30 to the contract with Yantis Company for soil removal in connection with the Indian Creek Channel Improvements and War Cloud Projects (the “Projects”) is hereby approved. The City Manager or in her stead, a Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or Director of the Capital Improvements Management Services Department or his designee is authorized to execute said change order, which is attached hereto and incorporated herein for all purposes as **Attachment I.**

**SECTION 2.** Payment in the amount not to exceed \$208,656.30 in Fund Number 46097000, HUD 108 Projects, Project Definition Number 23-03265, War Cloud (Running Horse - Rain Dance), is authorized to be encumbered and made payable to the Yantis Company for construction services.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer 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 become effective immediately upon passage by eight (8) or more affirmative votes of the entire City Council; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

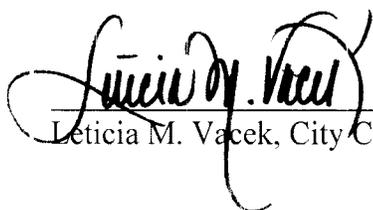
**PASSED AND APPROVED** this 16<sup>th</sup> day of June, 2011.



**M A Y O R**  
Julián Castro

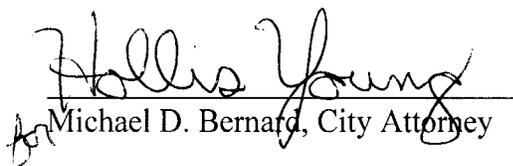
**ATTEST:**

**APPROVED AS TO FORM:**



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Leticia M. Vacek, City Clerk

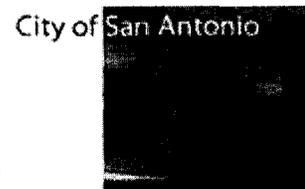


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Michael D. Bernard, City Attorney



Request for  
**COUNCIL**  
ACTION



### Agenda Voting Results - 9

<b>Name:</b>	9						
<b>Date:</b>	06/16/2011						
<b>Time:</b>	10:28:43 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing a City requested change order in the increased amount of \$208,656.30 to the \$2,484,575.25 construction contract with Yantis Company for the Indian Creek Channel Improvements Project, an authorized 2007-2012 General Obligation Bond funded project and the War Cloud Project, an authorized Housing and Urban Development 108 funded project, located in Council District 4. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Rey Saldaña	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				x
Carlton Soules	District 10		x				

# CITY OF SAN ANTONIO

## CONTRACT CHANGE ORDER

Form PM Portal-CCO  
Rev. 10 3/30/2009

6/13/11 11:03

Date Prepared: 12/22/2010 Change Order Title: CIMS-02 Add'l Hauling Allowance Project No. 23-03265

Project Name: Const - Indian Creek and WarCloud

Project Name as shown on the Work Project Authorization

The revision or amendment described below is to the work originally or previously specified is hereby requested, including all changes in costs. (Describe work to be added or deleted, including SAP Material number. Attach a revised plan sheet affected or drawings.)

Title : Indian Creek and WarCloud - Construction  
Number : 4300009991

CIMS-02 Add'l Hauling Allowance

Additional funds are required for the hauling of the excavated materials from Indian Creek to the Walters Street Project.

Transfer from WBS#23-03265-05-06 to WBS#23-03265-05-02-01

Justification for Proposed Alteration (Describe in detail why this work is to be added or deleted. Use attachments if necessary.):

Additional funds required for the hauling of the excavated material required at Indian Creek

Change Order will result in change to Contract Cost as: \$208,656.30

Change Order will result in change to Contract Days as:  Working Days  Calendar Days # Days 0  
(To be negotiated by the Contractor and the City.)

<b>REQUESTED BY:</b>	<b>APPROVED BY:</b>
_____ President/Owner/Representative	_____ COSA Representative
Date	Date
Firm: <u>YANTIS COMPANY</u>	

### FOR CITY USE ONLY

Ordinance Required: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Change Order \$25,000 (+ or -)	<input checked="" type="checkbox"/> Additional funds required: <u>\$0.00</u>
WBS Element: <u>23-03265-05-02-01</u>		Contingency WBS Element: <u>23-03265-05-06</u>
		Project Contingency Original Balance: <u>\$0.00</u>
Original Contract Amount: <u>\$2,484,575.25</u>		Previous Approved COs: <u>\$0.00</u>
Previous Approved COs: <u>\$0.00</u>		This Change Order: <u>\$0.00</u>
This Change Order: <u>\$0.00</u>		Total: <u>\$0.00</u>
Total: <u>\$2,484,575.25</u>		Balance: <u>\$0.00</u>
Percent of Original Contract: <u>.0%</u>		

Fund #: 46097000 Ordinance #: 2010-03-18-0207 Ordinance Date: 3/18/2010

Purchase Requisition #: 100C107574 Contract #: 4600009991 Purchase Order #: 4500264938

Fiscal Remarks: Transfer from WBS#23-03265-05-06 to WBS#23-03265-05-02-01

NOTE: This form is a local government record and shall be retained in accordance with the provisions of the Local Government Code, Section 201.

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# City of San Antonio

Phone: 210-207-8128

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**TITLE:** CIMS-02 Add'l Hauling Allowance

**DATE:** 12/22/2010

**PROJECT:** Const - Indian Creek and WarCloud

**JOB:**

**TO:** Attn: Bay Rajabi  
YANTIS COMPANY  
P.O. Box 17045  
San Antonio, TEXAS 78217  
Phone: (210) 655-3780 Fax: (210) 249-2680

**CONTRACT NO:** 4600009991

## DESCRIPTION OF CHANGE

Title : Indian Creek and WarCloud - Construction  
Number 4600009991

CIMS-02 Add'l Hauling Allowance

Additional funds are required for the hauling of the excavated materials from Indian Creek to the Walters Street Project.

Transfer from WBS#23-03265-05-06 to WBS#23-03265-05-02-01

Item	Description	Quantity	Units	Unit Price	Net Amount
00001	ITEM 105.3 CHANNEL EXCAVATION (Add'l Hauling Allowance)	83130.000	CY	\$2.51	\$208,656.30
<b>Total Cost</b>					<b>\$208,656.30</b>

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**The Contract Time Will Not Be Changed** .....

CITY OF SAN ANTONIO  
 INDIAN CREEK - ADDITIONAL HAULING AMOUNT  
 5-May-11

CHANGE ORDER	QUANTITY	UNIT PRICE	TOTAL
ITEM 105.3 CHANNEL EXCAVATION (ADDT'L HAULING ALLOWANCE)	83130	\$ 2.51	\$ 208,656.30
REVISED W/ NEW UNIT PRICE & LOOSE CY			
(66750-16872 IN PLACE CY) * (5/3) = 83130 LOOSE CY			
*16872 IN PLACE CY IS AMOUNT SENT TO UNAUTHORIZED SITE			