

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

APPROVING A CITY CONSTRUCTION CONTRACT AMENDMENT IN THE INCREASED AMOUNT OF \$7,623,805.13 FOR RELATED CONSTRUCTION CHANGES, FOR A TOTAL CONSTRUCTION CONTRACT OF \$50,711,622.94 WITH SUNDT CONSTRUCTION, INC. AS PART OF THE SOUTH ALAMO STREET (MARKET STREET TO EAST CESAR E. CHAVEZ BOULEVARD) PROJECT, LOCATED IN COUNCIL DISTRICT 1; AND AUTHORIZING THE REALLOCATION OF FUNDS IN THE AMOUNT OF \$10,066,805.13 TO THE SOUTH ALAMO STREET (MARKET STREET TO EAST CESAR CHAVEZ) PROJECT. FUNDS ARE AVAILABLE FROM PRIOR DEBT PROCEEDS INCLUDED IN THE FY 2025 CAPITAL BUDGET

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WHEREAS, on May 6, 2017, voters approved the 2017 Bond Program, which authorized \$9,000,000.00 for the South Alamo Street (Market Street to East Cesar E. Chavez Boulevard) project in Council District 1, located downtown San Antonio, between Market Street and Cesar E. Chavez Boulevard, which will include roadway reconstruction, drainage, traffic signals, pedestrian lighting, and landscaping; and

WHEREAS, the project will also include utility upgrades to SAWS water, sewer, and chilled water mains, will include City Public Service Energy (CPS) gas and roadway lighting, and include main extensions and services for adjacent Public-Private Partnership at Hemisfair project, including water, fire line, wastewater, natural gas, electric, and telecommunications; and

WHEREAS, on November 3, 2022, City Council approved the construction contract with Sundt Construction, Inc. in the amount of \$36,628,793.61, of which \$14,795,445.61 was funded from previously authorized 2017 General Obligation Bond funds; \$750,000.00 from Tree Mitigation Fund; \$14,369,555.00 reimbursed by San Antonio Water System; \$1,488,793.00 reimbursed by CPS Energy; and \$5,225,000.00 from Hemisfair Tax Increment Reinvestment Zone (TIRZ) for the South Alamo Street (Market Street to East Cesar E. Chavez Boulevard) project through Ordinance 2022-11-03-0839; and

WHEREAS, the original scope of work included reconstruction of S. Alamo Street and improvements to underground storm sewer and utilities, including utilities to the adjacent developments at Hemisfair based off of provided as-built information from the partnering utilities and known information about potential conflicts, and during construction, it was discovered that portions of the underground improvements conflicted with varying proposed utilities and unknown existing conditions, including archeological and environmental findings, and the utility

improvements for the developments exceeded the original budget, necessitating multiple redesigns and additional construction work; and

WHEREAS, additional construction contract amendments have been approved in the total amount of \$6,459,024.20, including amendments reimbursed by AT&T in the amount of \$1,500,566.00 and reimbursed by SAWS in the amount of \$462,045.89, for a total present contract value of \$43,087,817.81; and

WHEREAS, the proposed construction contract amendment will compensate the contractor for work and costs, in the not to exceed amount of \$7,623,805.13, associated with upcoming field related changes and project redesigns as part of the South Alamo Street (Market Street to East Cesar E. Chavez Boulevard) project; and

WHEREAS, this proposed amendment will increase the contract capacity by \$7,623,805.13, of which \$116,937.00 will be reimbursed by CPS, to a revised contract amount of \$42,530,795.65, as illustrated in the table below:

Item	Amount
Original Contract Value	\$36,628,793.61
Previously Authorized Amendments	\$6,459,024.20
Present Contract Value	\$43,087,817.81
Proposed Contract Amendments	\$7,623,805.13
Revised Contract Value	\$50,711,622.94

WHEREAS, this ordinance approves a City construction amendment in the increased amount not to exceed \$7,623,805.13 for a total construction contract of \$50,711,622.94 with Sundt Construction, Inc., for upcoming related field construction changes as part of the South Alamo Street (Market Street to East Cesar E. Chavez Boulevard) project, located in Council District 1; and authorizing the reallocation of funds in the amount of \$10,066,805.13 to the South Alamo Street (Market Street to East Cesar Chavez) project. Funds are available from Prior Debt Proceeds included in the FY 2025 Capital Budget; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director of the Public Works Department or designee, is authorized to approve a construction amendment in the increased amount not to exceed \$7,623,805.13 for a total construction contract of \$50,711,622.94 with Sundt Construction, Inc., for the South Alamo Street (Market Street to East Cesar E. Chavez Boulevard) project, located in Council District 1; and is authorized to reallocate funds in the amount of \$10,066,805.13 to the South Alamo Street (Market Street to East Cesar Chavez) project.

SECTION 2. Funds in the amount of \$10,066,805.23 are authorized to be appropriated per the table below.

Amount	Fund	WBS Element	GL Account
5,767,828.13	45910500	GO-00305-01-01-xx	6102100
1,994,203.57	45910501	GO-00306-01-01-xx	6102100
125,886.53	45910301	GO-00290-01-01-xx	6102100
782,041.08	45906002	GO-00302-01-01-xx-xx	6102100
1,117,958.92	45905002	GO-00202-01-01-xx-xx	6102100
278,887.00	459xxxx	GO-00xxx-01-01-xx	6102100
-5,767,828.13	45099000	23-01609-90-xx-17-xx	6101100
-1,994,203.57	45099000	23-01609-90-xx-17-xx	6101100
-125,886.53	45099000	23-01609-90-xx-17-xx	6101100
-782,041.08	45099000	23-01609-90-xx-07-xx	6101100
-1,117,958.92	45099000	23-01609-90-xx-07-xx	6101100
-278,887.00	45099000	23-01609-90-xx-12-xx	6101100
10,066,805.13	45099000	23-01609-05-02-01	5201140
Total Amount: 10,066,805.13			

SECTION 3. Additional funds for this contract amendment in the amount of \$7,623,805.13 are available in Fund 45099000, Project 23-01609, WBS Element 23-01609-05-02-01 and GL Account 5201140.

SECTION 4. Payment for this contract amendment not to exceed \$7,623,805.13 is authorized to be encumbered with a purchase order and made payable to Sundt Construction, Inc. Payment is for additional construction changes. Funds are available from General Obligation bond funds as part of the mid-year Public Works savings report.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 12th day of June, 2025.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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