

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

ORDINANCE

**AWARDING THE 2024 GUARDRAIL AND HANDRAIL
MAINTENANCE TASK ORDER CONTRACT PACKAGE 1 TO
ABOVE ALL CONTRACTING LLC IN AN AMOUNT NOT TO
EXCEED \$536,000.00. FUNDS ARE AVAILABLE FROM THE
GENERAL FUND INCLUDED IN THE FY 2024 ADOPTED BUDGET**

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WHEREAS, as part of the FY 2024 Budget, City Council has approved a \$1 million to provide improvements to the City of San Antonio's guardrail and handrail network, including but not limited to, the construction of the guardrail, handrail, and any other required work throughout the City; this funding allows Public Works to address guardrail and handrail repairs proactively; and

WHEREAS, this ordinance authorizes one contract totaling \$536,000.00 for the construction of guardrail and handrail projects, and an additional contract is scheduled to be awarded at a later date for the remaining guardrail and handrail capacity; and

WHEREAS, this project was advertised for construction bids on August 7, 2023, and two (2) bids were received and opened on September 8, 2023, of which, Above All Contracting LLC submitted the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and incentive unique to the particular contract to maximize the amount of small, minority, and women-owned business participation on the contract. The Goal Setting Committee set a 15% Minority/Women Business Enterprise (M/WBE) subcontracting goal. Above All Construction LLC has committed to meeting the subcontractor participation goal; and

WHEREAS, this vendor has acknowledged to comply with the Heat Illness Prevention Ordinance, approved on August 31, 2023 through Ordinance #2023-08-31-0585; and

WHEREAS, as part of the department's continuing efforts to expedite project delivery and complete infrastructure projects, this task order contract will enable Public Works to execute multiple guardrail and handrail projects Citywide; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2024 Guardrail and Handrail Maintenance Task Order Contract Package 1 to Above All Contracting LLC in an amount not to exceed \$536,000.00. Funds are available from the General Fund included in the FY 2024 Adopted 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 award the 2024 Guardrail and Handrail Maintenance Task Order Contract Package 1 to Above All Contracting LLC in an amount not to exceed \$536,000.00.

SECTION 2. Funding for this ordinance will be identified when work orders are issued. If funding for any work orders is not previously appropriated, funding will be identified and appropriated through subsequent City Council action. Payment is limited to the amounts budgeted in the Operating, Grants, and/or Capital Budget funding sources identified. All expenditures will comply with Operating, Grants, and/or Capital Budgets for current and future fiscal years.

SECTION 3. Payment not to exceed \$536,000.00 is authorized to be encumbered with purchase orders and made payable to Above All Contracting LLC for the construction of guardrail and handrail projects. Payment is in support of Project 23-04139 FY 2024 Guardrails Repair using WBS 23-04139-05-02-01 with GL Account 5201140. Funding is provided by the General Fund and is in the FY 2024 - FY 2029 CIP Budget.

SECTION 4. 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 5. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 7th day of March, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney