

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

ORDINANCE

AWARDING A CONSTRUCTION CONTRACT TO E-Z BEL CONSTRUCTION, LLC IN AN AMOUNT NOT TO EXCEED \$5,207,863.09 OF WHICH \$233,700.00 WILL BE REIMBURSED BY THE SAN ANTONIO WATER SYSTEM, \$98,577.30 WILL BE REIMBURSED BY CPS ENERGY, FOR THE WEST COLLEGE LINK (ST. MARY'S UNIVERSITY TO MEMORIAL HIGH SCHOOL TO ZARZAMORA CREEK) LINEAR GREENWAY TRAILS PROJECT LOCATED IN COUNCIL DISTRICTS 5 AND 7. FUNDS ARE AVAILABLE FROM THE 2022 GENERAL OBLIGATION BOND PROGRAM AND TREE PRESERVATION FUND INCLUDED IN THE FY 2025 CAPITAL BUDGET.

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WHEREAS, the voter approved 2022 Bond Program approved \$103,530,000 for Linear Greenway Trails improvements, to acquire and preserve open space for the development of multi-use trails along San Antonio creekways, greenways, and urban corridors; and

WHEREAS, this project, will provide bike and pedestrian connectivity for residents and students at St. Mary's University and Memorial High School to the West Side Creek Greenway trail network via the recently completed Zarzamora Creek Greenway trail and will include a shared use path, pedestrian lighting, tree planting, underground irrigation, street mill and overlay and utility upgrades. Construction is anticipated to begin in Winter 2025 and be completed by Winter 2026; and

WHEREAS, a Request for Competitive Sealed Proposals (RFCSP) was released on September 11, 2024. Responses were due on October 29, 2024, and one (1) responsive submittal was received; and

WHEREAS, a selection committee consisting of representatives from the City Manager's Office, Parks and Recreation Department, and Public Works Department evaluated, scored and ranked the proposals. Scoring was based on the published evaluation criteria, which included Experience, Background, Qualifications of Respondent, Key Personnel, and Key Sub-Contractors; Understanding of the Project and Proposed Management Plan; Experience with the San Antonio Region & Past Performance; Price Proposal and participation in the SBE & M/WBE Prime Contract Programs. The selected contractor met the selection criteria; and

WHEREAS, E-Z Bel Construction, LLC has committed to meeting the 16% Minority/Women Business Enterprise (M/WBE) subcontracting goal and 2% African American Business

Enterprise (AABE) subcontracting goal set by the Small Business Economic Development Advocacy (SBEDA) Program’s Goal Setting Committee; and

WHEREAS, a post-solicitation briefing was presented to the Audit Committee on December 16, 2024; and

WHEREAS, pursuant to Ordinance No. 2016-04-07-0240 as well as San Antonio City Code Sec. 37-3(c)(2), Sec. 29-110, Sec. 29-162, and Sec. 29-164, SAWS and CPS will be responsible for all costs and cost overages related to their utility work, including but not limited to providing the precise location of its facilities in City’s right of way, either by delivering accurate maps and records or by performing or reimbursing City for Subsurface Utility Engineering (“SUE”); and

WHEREAS, this Ordinance approves a one-time capital improvement expenditure in the amount not to exceed \$5,207,863.09, payable to E-Z Bel Construction, LLC, of which \$233,700.00 will be reimbursed by the San Antonio Water System and \$98,577.30 will be reimbursed by CPS Energy. Funds in the amount of \$3,268,713.00 are available from the 2022 General Obligation Bond Program and \$1,606,873.00 from the Tree Preservation Fund 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 award a construction contract to E-Z Bel Construction, LLC, in an amount not to exceed \$5,207,863.09 of which \$233,700.00 will be reimbursed by the San Antonio Water System, \$98,577.30 will be reimbursed by CPS Energy to the West College Link (St. Mary’s University to Memorial High School to Zarzamora Creek) Linear Greenway Trails project located in Council Districts 5 and 7.

SECTION 2. The City Manager or designee, or the Director of the Public Works Department or designee, is further authorized to execute any and all necessary documents to effectuate said agreement.

SECTION 3. Funds in the amount of \$48,500.00 are authorized to be reallocated and appropriated in Fund 29619000, Internal Order 390000003075 and GL Account 6102100.

SECTION 4. Funds in the amount of \$48,500.00 are authorized to be appropriated in Fund 45099000, Project 23-04053, WBS Element 23-04053-90-14-04 and GL Account 6101100.

SECTION 5. Funds in the amount of \$48,500.00 are authorized to be appropriated in Fund 45099000, Project 23-04053, WBS Element 23-04053-13-05-02-09 and GL Account 5201140.

SECTION 6. Funds in the amount of \$361,450.00 are available in Fund 45099000, Project 23-04053, WBS Element 23-04053-11-05-02-01 and GL Account 5201140.

SECTION 7. Funds in the amount of \$2,907,262.68 are available in Fund 45099000, Project 23-04053, WBS Element 23-04053-13-05-002-01 and GL Account 5201140.

SECTION 8. Funds in the amount of \$1,606,873.11 are available in Fund 45099000, Project 23-04053, WBS Element 23-04053-13-05-02-09 and GL Account 5201140.

SECTION 9. Funds in the amount of \$195,000.00 are available in Fund 45099000, Project 23-04053, WBS Element 23-04053-13-05-02-02 and GL Account 5201245.

SECTION 10. Funds in the amount of \$38,700.00 are available in Fund 45099000, Project 23-04053, WBS Element 23-04053-13-05-02-03 and GL Account 5201245.

SECTION 11. Funds in the amount of \$98,577.30 are available in Fund 45099000, Project 23-04053, WBS Element 23-04053-13-05-02-05 and GL Account 5201245.

SECTION 12. Payment not to exceed \$5,207,863.09 is authorized to be encumbered with a purchase order and made payable to E-Z Bel Construction, LLC. Payment is in support of various street rehabilitation projects. Funding is provided by General Obligation bond funds and Tree Preservation funds and is included in the FY 2025 Budget. \$233,700.00 will be reimbursed by San Antonio Water System and \$98,577.30 will be reimbursed by CPS Energy. These reimbursements are authorized to be appropriated into Project 23-04053.

SECTION 13. 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 14. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this ____ day of February, 2025.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney