

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

ORDINANCE

AWARDING THE 2024 TASK ORDER CONTRACT FOR FLATWORK AND STREET IMPROVEMENTS PACKAGE 4 TO H. L. ZUMWALT CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$2,997,776.00 OF WHICH \$156,000.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING INFRASTRUCTURE. FUNDS IN THE AMOUNT OF \$1,220,888.00 ARE AVAILABLE FROM THE GENERAL FUND, THE ADVANCED TRANSPORTATION DISTRICT FUND AND OTHER FUNDING SOURCES INCLUDED IN THE FY 2024 – FY 2029 CAPITAL IMPROVEMENTS PROGRAM AND \$1,620,888.00 WILL BE CONTINGENT UPON APPROVAL OF THE FY 2025 ADOPTED BUDGET.

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WHEREAS, the FY 2024 budget contains \$21.5 million for Sidewalk Maintenance Program, a component of the Infrastructure Management Program (IMP) for sidewalk and pedestrian-related projects citywide. The primary goal of the program is to strategically construct or reconstruct deteriorated sidewalks to restore the most miles of sidewalks to usability. Using existing data from previous sidewalk condition assessments, sidewalk reconstruction projects will be prioritized, planned, and executed primarily within residential neighborhoods across the City; and

WHEREAS, this ordinance authorizes one contract for FY 2024 totaling \$2,997,776.00 for the construction of sidewalks, driveway approaches, wheelchair ramp and pedestrian related improvements including any other required work for the completion of projects located throughout the City. Additional contracts are scheduled to be awarded at a later date for the remaining portion of this program; and

WHEREAS, this project was advertised on October 11, 2023, and four (4) bids were received and opened on November 17, 2023, with H. L. Zumwalt Construction, Inc. submitting the lowest responsive bid; and

WHEREAS, H. L. Zumwalt Construction, Inc. has committed to meeting the 18% Minority/Women Business Enterprise (M/WBE) subcontracting goal set by the Small Business Economic Development Advocacy (SBEDA) Program Goal Setting Committee; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2024 Task Order Contract for Flatwork and Street Improvements Package 4 to H. L. Zumwalt Construction, Inc. in an amount not to exceed \$2,997,776.00 of which \$156,000.00 will be reimbursed by SAWS for necessary adjustments to their existing infrastructure. Funds in the amount of \$1,220,888.00 are

available from the General Fund, the Advanced Transportation District Fund and other funding sources included in the FY 2024 – FY 2029 Capital Improvements Program and \$1,620,888.00 will be contingent upon approval of the FY 2025 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 Task Order Contract for Flatwork and Street Improvements Package 4 to H. L. Zumwalt Construction, Inc. in an amount not to exceed \$2,997,776.00.

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. Funding in the amount up to \$100,000.00 for this ordinance is available in Fund 11001000, Cost Center 2303050001 and GL 5202020. Additional funding up to \$100,000.00 is contingent upon City Council approval of the Fiscal Year 2025 budget.

SECTION 4. Funding in the amount up to \$100,000.00 for this ordinance is available in Fund 11001000, Cost Center 2303050005 and GL 5202020. Additional funding up to \$100,000.00 is contingent upon City Council approval of the Fiscal Year 2025 budget.

SECTION 5. Funding in the amount up to \$1,020,888.00 for this ordinance is available in WBS 23-04124-05-02-01 and GL 5201140. Additional funding up to \$1,420,888.00 is contingent upon City Council approval of the Fiscal Year 2025 budget.

SECTION 6. Payment not to exceed \$2,997,776.00 is authorized to be encumbered with purchase orders and made payable to H. L. Zumwalt Construction for the construction of sidewalks, driveway approaches, wheelchair ramp and pedestrian related improvements. Payment is in support of Project 23-04124 ATD FY 2024 Sidewalks. Funding is provided by the General Fund and ATD Fund and is in the FY 2024 - FY 2029 CIP Budget. Reimbursement of \$156,000.00 will be received from SAWS. This reimbursement of funds is authorized to be appropriated into 23-04124.

SECTION 7. 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 8. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

TG
3/7/24
Item No.

PASSED AND APPROVED this ____ 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

DRAFT