

**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 THE AMOUNT NOT TO EXCEED
\$5,914,588.85 OF WHICH \$1,300 WILL BE REIMBURSED BY SAN
ANTONIO WATER SYSTEMS (SAWS) AND \$214,498 WILL BE
REIMBURSED BY CITY PUBLIC SERVICE (CPS) ENERGY FOR
NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE RELATED TO THE CONSTRUCTION OF
TEXAS A&M UNIVERSITY AREA STREETS LOCATED IN
COUNCIL DISTRICT 3. FUNDS ARE AVAILABLE FROM THE 2022
GENERAL OBLIGATION BOND PROGRAM AND ARE INCLUDED
IN THE FY 2025 CAPITAL BUDGET**

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WHEREAS, on May 7, 2022, San Antonio voters approved the City of San Antonio's 2022 – 2027 Bond Program, of which, \$10,600,000 was approved for roadway and pedestrian improvements to Texas A&M University Area Streets, which will be used to construct roadway improvements to include sidewalks, driveway approaches, drainage, and other improvements as applicable within available funding, and includes phased improvements to Perimeter Loop Road and a connector road to Mauermann Road; and

WHEREAS, phase I of this project will construct approximately 4,700 feet of new roadway within Texas A&M San Antonio property with two travel lanes, curb and gutter, drainage improvements, a shared use path, street lighting and landscaping with irrigation; and

WHEREAS, this project was advertised for construction bids on January 8, 2025, and four (4) bids were received and opened on February 7, 2025. Of these, the lowest bidder was deemed nonresponsive for not meeting the SBEDA subcontracting requirements, thereby making E-Z Bel Construction, LLC the lowest responsive bidder; 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/or 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 14% Minority/Women Business Enterprise (M/WBE) and a 1% African American Owned Business Enterprise (AABE) subcontracting goal. E-Z Bel Construction, LLC has committed to meeting the subcontracting participation goals; and

WHEREAS, this vendor has acknowledged and will comply with the Heat Illness Prevention Ordinance, approved on August 31, 2023; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards a construction contract to E-Z Bel Construction, LLC in the amount not to exceed \$5,914,588.85 of which \$1,300 will be reimbursed by San Antonio Water Systems (SAWS) and \$214,498 will be reimbursed by City Public Service (CPS) Energy for necessary adjustments to their existing infrastructure related to the construction of Texas A&M University Area Streets located in Council District 3. Funds are available from the 2022 General Obligation Bond Program and are included in the FY 2025 Capital Budget; and

WHEREAS, project construction is anticipated to begin Spring 2025 and estimated to be completed by Fall 2026; and

WHEREAS, pursuant to Ordinance No. 2025-01-30-0067, approving a Memorandum of Understanding between the City of San Antonio and San Antonio Water System for coordination and management of construction projects, as well as Ordinance No. 2016-04-07-0240 and 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"); **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 execute a construction contract with E-Z Bel Construction, LLC in the amount not to exceed \$5,914,588.85 of which \$1,300 will be reimbursed by San Antonio Water Systems (SAWS) and \$214,498 will be reimbursed by City Public Service (CPS) Energy for necessary adjustments to their existing infrastructure related to the construction of Texas A&M University Area Streets located in Council District 3.

SECTION 2. Funds for this contract in the amount of \$5,698,790.85 is available in Fund 45099000, Project 23-03921, WBS Element 23-03921-05-02-01 and GL Account 5201140.

SECTION 3. Funds for this contract in the amount of \$1,300.00 is available in Fund 45099000, Project 23-03921, WBS Element 23-03921-05-02-03 and GL Account 5201245.

SECTION 4. Funds for this contract in the amount of \$214,498.00 is available in Fund 45099000, Project 23-03921, WBS Element 23-03921-05-02-07 and GL Account 5201245.

SECTION 5. Payment not to exceed \$5,914,588.85 is authorized to be encumbered with a purchase order and made payable to E-Z Bel Construction, LLC. Payment is for necessary adjustments to their existing infrastructure related to the construction of Texas A&M University Area Streets located in Council District 3. Funding is provided by the 2022 General Obligation Bond Program and are included in the FY 2025 Capital Budget. \$1,300.00 will be reimbursed by San Antonio Water System and \$214,498.00 will be reimbursed by CPS Energy. These reimbursements are authorized to be appropriated into Project 23-03921.

SECTION 6. 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 7. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 17th day of April, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney