

**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 D&S  
CONCRETE CONTRACTORS LLC IN AN AMOUNT NOT TO  
EXCEED \$1,493,251.00 OF WHICH \$115,004.00 WILL BE  
REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS) FOR  
CHANNEL AND ROADWAY IMPROVEMENTS RELATED TO THE  
CHURCHILL AVENUE AREA DRAINAGE IMPROVEMENTS  
PROJECT LOCATED IN COUNCIL DISTRICT 2. FUNDS ARE  
AVAILABLE FROM THE STORM WATER OPERATING FUND  
INCLUDED IN THE FY 2024 - FY 2029 CAPITAL IMPROVEMENT  
PROGRAM**

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**WHEREAS**, during rain events, flooding along Churchill Avenue, Chloe Drive, and Minnie Street has overtopped the roadway; water flows through a channel that is not well defined and ponding has occurred along many of the property lots; and

**WHEREAS**, the Churchill Avenue Area Drainage Improvements project will provide drainage improvements to the existing channel to include the installation of box culverts at the three roadway crossings; and

**WHEREAS**, improvements will also include channel excavation, multiple box culverts at the crossings along Chloe Drive, Churchill Avenue, and Minnie Street and roadway widening; and

**WHEREAS**, this project was advertised on for construction bids October 6, 2023, and five (5) bids were received and opened on November 14, 2023, of which D&S Concrete Contractors 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/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 17% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal. D&S Concrete Contractors LLC has committed to meeting the subcontractor participation goals; 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**, this ordinance accepts the lowest responsive bid and awards a construction contract to D&S Concrete Contractors LLC in an amount not to exceed \$1,493,251.00 of which \$115,004.00 will be reimbursed by San Antonio Water System (SAWS) for channel and roadway improvements related to the Churchill Avenue Area Drainage Improvements project located in Council District 2; and

**WHEREAS**, funds are available from the Storm Water Operating Fund included in the FY 2024 - FY 2029 Capital Improvement Program; and

**WHEREAS**, construction is anticipated to begin in Spring 2024 and is estimated to be completed by Winter 2024; **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 to D&S Concrete Contractors LLC in an amount not to exceed \$1,493,251.00 of which \$115,004.00 will be reimbursed by San Antonio Water System (SAWS) for channel and roadway improvements related to the Churchill Avenue Area Drainage Improvements project.

**SECTION 2.** Payment not to exceed \$1,493,251.00 is authorized to be encumbered with purchase orders and made payable to D&S Concrete Contractors LLC for channel and roadway improvements. Payment is in support of Project 23-03797 Churchill Ave Area Drainage Improvements using WBS 23-03797-05-02-01 with GL Account 5201140. Funding is provided by Storm Water Operating funds and is in the FY 2024 - FY 2029 CIP Budget. Reimbursement of \$115,004.00 will be received from SAWS. These reimbursed funds are authorized to be appropriated into 23-03797.

**SECTION 3.** 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 4.** 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

DAH  
3/7/2024  
Item No.

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney

DRAFT