

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

ORDINANCE

**AWARDING THE 2025 PAVEMENT PRESERVATION PACKAGE
13 – BASE REPAIR TASK ORDER CONTRACT TO AG3 GROUP,
LLC IN AN AMOUNT NOT TO EXCEED \$1,749,320.80 OF WHICH
\$13,000 WILL BE REIMBURSED BY SAN ANTONIO WATER
SYSTEM (SAWS) AND \$5,000 WILL BE REIMBURSED BY CITY
PUBLIC SERVICE (CPS) FOR NECESSARY ADJUSTMENTS TO
THEIR EXISTING INFRASTRUCTURE. FUNDS ARE AVAILABLE
FROM THE GENERAL FUND, THE ADVANCED
TRANSPORTATION DISTRICT FUND AND INCLUDED IN THE FY
2025 – FY 2030 CAPITAL IMPROVEMENTS PROGRAM**

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WHEREAS, as part of the FY 2025 Budget, City Council approved a \$122 million budget for the Street Maintenance Program (SMP), of which total \$102 million is allocated based on 100% street condition per City Council District and \$20 million funded in the 2022 Bond Program is allocated based on 50% street network size and 50% street condition per City Council District; and

WHEREAS, this ordinance authorizes one contract for FY 2024 totaling \$1,749,320.80 for the construction of street maintenance projects; and

WHEREAS, this project was advertised for construction bids on July 8, 2024, and four (4) bids were received and opened on August 9, 2024, of which AG3 Group, 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 13% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 5% African American Business Enterprise (AABE) subcontracting goal. Four-B Paving, Inc. has committed to meeting the subcontractor participation goals; and

WHEREAS, this vendor has acknowledged and will 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, the task order contract will enable Public Works to execute multiple projects delivered through the Street Maintenance Program (SMP); and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2025 Pavement Preservation Package 13 – Base Repair Task Order Contract to AG3 Group, LLC in an amount not to exceed \$1,749,320.80 of which \$13,000 will be reimbursed by San Antonio Water System (SAWS) and \$5,000 will be reimbursed by City Public Service (CPS) for necessary adjustments to their existing infrastructure; 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”); **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 2025 Pavement Preservation Package 13 – Base Repair Task Order Contract to AG3 Group, LLC in an amount not to exceed \$1,749,320.80 of which \$13,000 will be reimbursed by San Antonio Water System (SAWS) and \$5,000 will be reimbursed by City Public Service (CPS) for necessary adjustments to their existing infrastructure.

SECTION 2. Funds for this ordinance in the amount of \$1,731,320.80 is available in Fund 40099000, Project 23-04184, WBS Element 23-041840-05-05-02-03-01 and GL Account 5201140.

SECTION 3. Funds for this ordinance in the amount of \$5,000.00 is available in Fund 40099000, Project 23-04184, WBS Element 23-041840-05-05-02-02-01 and GL Account 5201245.

SECTION 4. Funds for this ordinance in the amount of \$8,000.00 is available in Fund 40099000, Project 23-04184, WBS Element 23-041840-05-05-02-02-02 and GL Account 5201245.

SECTION 5. Funds for this ordinance in the amount of \$5,000.00 is available in Fund 40099000, Project 23-04184, WBS Element 23-041840-05-05-01-01 and GL Account 5201245.

SECTION 6. Payment not to exceed \$1,749,320.80 is authorized to be encumbered with a purchase order and made payable to AG3 Group, LLC. Payment is in support of the street maintenance program. Funding is provided by the General Fund, the Advanced Transportation District funds and debt proceeds and is included in the FY 2025 - FY 2030 CIP Budget. Funds in the amount of \$13,000.00 will be reimbursed by San Antonio Water System and \$5,000.00 will be reimbursed by CPS Energy. These funds are authorized to be appropriated into Project 23-04184.

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.

DAH
10/31/2024
Item No.

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

PASSED AND APPROVED this 31st day of October, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney