

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

ORDINANCE

**AWARDING THE 2024 WHEELCHAIR RAMP INSTALLATION
TASK ORDER CONTRACT PACKAGE 1 TO H. L. ZUMWALT
CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED
\$672,650.00 OF WHICH \$13,500.00 WILL BE REIMBURSED BY SAN
ANTONIO WATER SYSTEM AND \$1,400.00 REIMBURSED BY CPS
ENERGY FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE. FUNDS ARE AVAILABLE FROM THE
GENERAL FUND, ADVANCED TRANSPORTATION DISTRICT
FUND, 2022 GENERAL OBLIGATION BOND PROGRAM, DEBT
PROCEEDS, AND OTHER FUNDING SOURCES INCLUDED IN
THE FY 2024 – FY 2029 CAPITAL IMPROVEMENT PROGRAM**

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WHEREAS, as part of the FY 2024 Budget, adopted on September 14, 2023, City Council approved a \$116 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 \$14 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 \$672,650.00, for the construction of street maintenance projects; and

WHEREAS, this project was advertised for construction bids on August 9, 2023, and four (4) bids were received and opened on September 8, 2023, of which, H. L. Zumwalt Construction, Inc. 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 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 4% African American Business Enterprise (AABE) subcontracting goal. H. L. Zumwalt Construction, Inc. 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, 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, the 2024 Wheelchair Ramp Installation Task Order Contract Package 1 includes but is not limited to, the repair of sidewalk, asphalt surface overlay, wheelchair ramp improvements, and any other required work for the completion of the SMP projects located throughout the City; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2024 Wheelchair Ramp Installation Task Order Contract Package 1 to H. L. Zumwalt Construction, Inc. in an amount not to exceed \$672,650.00 of which \$13,500.00 will be reimbursed by San Antonio Water System (SAWS) and \$1,400.00 reimbursed by CPS Energy for necessary adjustments to their existing infrastructure; **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 the 2024 Wheelchair Ramp Installation Task Order Contract Package 1 with H. L. Zumwalt Construction, Inc. in an amount not to exceed \$672,650.00 of which \$13,500.00 will be reimbursed by San Antonio Water System (SAWS) and \$1,400.00 reimbursed by CPS Energy.

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. Payment not to exceed \$672,650.00 is authorized to be encumbered with purchase orders and made payable to H. L. Zumwalt Construction, Inc. for the 2024 Wheelchair Ramp Installation Task Order Contract Package 1. Payment is in support of Project 23-03090 FY 2024 Street Maintenance Program (SMP) using WBS 23-03090-12-04-01 with GL Account 5201140. Funding is provided by Tax Notes, CO Bonds, General Fund and ATD Fund and is in the FY 24-FY 29 CIP Budget. Reimbursement of \$13,500.00 will be received from SAWS and reimbursement of \$1,400.00 will be received from CPS.

SECTION 4. 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 5. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 11th day of January, 2023.

DAH
1/11/2024
Item No.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

DRAFT