

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

ORDINANCE

**THE 2025 STREET REHABILITATION TASK ORDER CONTRACT
PACKAGE 8 TO CLARK CONSTRUCTION OF TEXAS, INC. IN AN
AMOUNT NOT TO EXCEED \$9,209,296.33, OF WHICH \$144,250.00
WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM
(SAWS), AND \$10,000.00 WILL BE REIMBURSED BY CPS ENERGY
FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE. FUNDS ARE AVAILABLE FROM THE
GENERAL FUND, ADVANCED TRANSPORTATION DISTRICT
FUND, BOND PROGRAM, DEBT PROCEEDS, OR OTHER
FUNDING SOURCES INCLUDED IN THE FY 2025 CAPITAL
BUDGET.**

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WHEREAS, the FY 2025 budget contains \$122 million budget for the Street Maintenance Program (SMP). \$122 million is comprised of both \$14 million in-house and \$108 million in contractual street maintenance projects including \$20 million of Bond funded projects; and

WHEREAS, this ordinance authorizes one contract for FY 2025 totaling \$9,209,296.33 for the construction of street maintenance projects. As part of the department's continuing efforts to expedite project delivery and complete infrastructure projects, this task order contract will enable Public Works to execute multiple projects delivered through the Street Maintenance Program (SMP). Requirements and associated work activities will be detailed in individual task orders. The City makes no minimum guarantee pertaining to the volume of work. If funding for any work activities is not previously appropriated, funding will be identified and appropriated through subsequent City Council action; and

WHEREAS, 2025 Street Rehabilitation Task Order Contract Package 8 includes but is not limited to the repair of a street's base structure, asphalt surface overlay, wheelchair ramps improvements and any other required work to complete the SMP projects located throughout the City. These projects may also include SAWS and CPS utility infrastructure adjustments and associated work where required; 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"); and

WHEREAS, this project was advertised on September 25, 2024, and two (2) bids were received and opened on November 1, 2024, with Clark Construction of Texas, Inc. submitting the lowest responsive bid; and

WHEREAS, Clark Construction of Texas, Inc. has committed to meeting the 14% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal and mentorship/protégé requirement 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 2025 Street Rehabilitation Task Order Contract Package 8 to Clark Construction of Texas, Inc. in an amount not to exceed \$9,209,296.33, of which \$144,250 will be reimbursed by San Antonio Water System (SAWS), and \$10,000 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure. Funds are available from the General Fund, Advanced Transportation District Fund, Bond Program, debt proceeds, or other funding sources included in the FY 2025 Capital 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 accept the lowest responsive bid and award the 2025 Street Rehabilitation Task Order Contract Package 8 to Clark Construction of Texas, Inc. in an amount not to exceed \$9,209,296.33, of which \$144,250 will be reimbursed by San Antonio Water System (SAWS), and \$10,000 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure.

SECTION 2. Funds for this contract in the amount of \$7,464,833.62 is available in Fund 40099000, Project 23-04184, WBS Element 23-04184-08-05-02-01 and GL Account 5201140.

SECTION 3. Funds for this contract in the amount of \$1,590,212.71 is available in Fund 40099000, Project 23-04184, WBS Element 23-04184-10-05-02-01 and GL Account 5201140.

SECTION 4. Funds for this contract in the amount of \$33,750.00 is available in Fund 40099000, Project 23-04184, WBS Element 23-04184-08-05-02-02-03 and GL Account 5201245.

SECTION 5. Funds for this contract in the amount of \$110,500.00 is available in Fund 40099000, Project 23-04184, WBS Element 23-04184-08-05-02-02-04 and GL Account 5201245.

SECTION 6. Funds for this contract in the amount of \$10,000.00 is available in Fund 40099000, Project 23-04184, WBS Element 23-04184-08-04-02 and GL Account 5201245.

SECTION 7. Payment not to exceed \$9,209,296.33 is authorized to be encumbered with a purchase order and made payable to Clark Construction of Texas, Inc. Payment is in support of the construction of street maintenance projects. Funding is provided by the General Fund, Advanced Transportation District Fund, Bond Program, debt proceeds, and other funding sources

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included in the FY 2025 – FY 2030 Capital Improvement Program. \$144,250.00 will be reimbursed by San Antonio Water System and \$10,000.00 will be reimbursed by CPS Energy. These reimbursements are authorized to be appropriated into Project 23-03906.

SECTION 8. 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 9. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this ____ day of January, 2025.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney