

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

ORDINANCE

APPROVING A CITY CONSTRUCTION CONTRACT AMENDMENT IN THE INCREASED AMOUNT OF \$2,707,000 FOR RELATED CONSTRUCTION CHANGES, FOR A TOTAL CONSTRUCTION CONTRACT OF \$37,742,879.06 WITH SUNDT CONSTRUCTION, INC. AS PART OF THE ZONA CULTURAL STREETS - COMMERCE STREET (FRIO STREET TO SANTA ROSA STREET), SAN SABA STREET (NUEVA STREET TO MARTIN STREET), SANTA ROSA STREET (CESAR E. CHAVEZ BOULEVARD TO MARTIN STREET) PROJECT LOCATED IN COUNCIL DISTRICT 1; AND AUTHORIZING THE REALLOCATION OF FUNDS IN THE AMOUNT OF \$4,000,000 TO THE ZONA CULTURAL STREETS PROJECTS. FUNDS ARE AVAILABLE FROM PRIOR DEBT PROCEEDS INCLUDED IN THE FY 2025 CAPITAL BUDGET

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WHEREAS, on May 6, 2017, voters approved the 2017 Bond Program which authorized \$14,000,000 for Commerce Street (Frio Street to Santa Rosa Street), \$6,000,000 for San Saba Street (Nueva Street to Martin Street), and \$12,000,000 for Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) projects located in Council District 1, all within close proximity of each other within the Zona Cultural District, and which will provide for the reconstruction of each street including pedestrian and landscape, and which are a continuation of the 2012 Bond Commerce Corridor and Cesar Chavez Corridor funded projects that provided for pedestrian connectivity and aesthetic improvements; and

WHEREAS, the project also includes joint-bid utility work in coordination with the San Antonio Water System (SAWS) and CPS Energy. The Zona Cultural Streets - Commerce Street (Frio Street to Santa Rosa Street), San Saba Street (Nueva Street to Martin Street), Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) project is; and

WHEREAS, on December 16, 2021, City Council approved the construction contract with Sundt Construction, Inc. in the amount of \$30,160,684.89 of which \$5,139,444.75 will be reimbursed by San Antonio Water System (SAWS) and \$1,241,105.85 will be reimbursed by CPS Energy for the Zona Cultural Streets - Commerce Street (Frio Street to Santa Rosa Street), San Saba Street (Nueva Street to Martin Street), Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) projects; and

WHEREAS, during the project, it was discovered that portions of the underground improvements conflicted with varying proposed utilities and unknown existing conditions, including archeological and underground structure findings, necessitating multiple redesigns, engineering,

utility conflict mitigation, and utility coordination with the design revisions, and additional construction changes associated with all these design revisions; and

WHEREAS, additional construction contract amendments have been approved in the total amount of \$4,875,194.17, including an amendment reimbursed by CPS Energy in the amount of \$509,037.27, for a current total of \$35,035,879.06; and

WHEREAS, this proposed amendment will increase the contract capacity by \$2,707,000.00 to a revised total contract amount of \$37,742,879.06, as illustrated in the table below:

Item	Amount
Original Contract Value	\$30,160,684.89
Previous Contract Amendments	\$4,875,194.17
Current Contract Value	\$35,035,879.06
Proposed Contract Amendments	\$2,707,000.00
Revised Contract Value	\$37,742,879.06

WHEREAS, the proposed construction contract amendment will compensate the contractor for work and costs, in the not to exceed amount of \$2,707,000, for field related changes associated with project redesigns and unforeseen conditions as part of the Zona Cultural Streets - Commerce Street (Frio Street to Santa Rosa Street), San Saba Street (Nueva Street to Martin Street), Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) project; and

WHEREAS, approves a City construction amendment in the increased amount not to exceed \$2,707,000 for a total construction contract of \$37,742,879.06 with Sundt Construction, Inc., for field related changes associated with project redesigns and unforeseen conditions as part of the Zona Cultural Streets - Commerce Street (Frio Street to Santa Rosa Street), San Saba Street (Nueva Street to Martin Street), Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) project located in Council District 1; and authorizing the reallocation of funds in the amount of \$4,000.000 to the Zona Cultural Streets projects; **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 City construction amendment in the increased amount not to exceed \$2,707,000 for a total construction contract of \$37,742,879.06 with Sundt Construction, Inc., for field related changes associated with project redesigns and unforeseen conditions as part of the Zona Cultural Streets - Commerce Street (Frio Street to Santa Rosa Street), San Saba Street (Nueva Street to Martin Street), Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) project located in Council District 1; and authorizing the reallocation of funds in the amount of \$4,000.000 to the Zona Cultural Streets projects.

SECTION 2. Funds in the amount of \$4,000,000.00 are authorized to be appropriated per the table below:

Amount	Fund	WBS Element	GL Account
1,400,000.00	45910500	GO-00305-01-01-13	6102100
162,000.00	45908006	GO-00272-01-01-XX	6102100
-1,400,000.00	45099000	23-01569-90-01-17-05	6101100
-162,000.00	45099000	23-01569-90-01-12-XX	6101100
1,562,000.00	45099000	23-01569-05-02-01	5201140
33,000.00	45910500	GO-00305-01-01-51	6102100
700,000.00	45907005	GO-00266-01-01-xx	6102100
65,887.48	45908006	GO-00272-01-01-XX	6102100
14,112.52	45910301	GO-00290-01-01-XX	6102100
-33,000.00	45099000	23-01607-90-01-17-05	6101100
-700,000.00	45099000	23-01607-90-01-17-XX	6101100
-65,887.48	45099000	23-01607-90-01-12-XX	6101100
-14,112.52	45099000	23-01607-90-01-17-XX	6101100
813,000.00	45099000	23-01607-05-02-01	5201140
1,450,000.00	45910500	GO-00305-01-01-52	6102100
175,000.00	45908006	GO-00272-01-01-XX	6102100
-1,450,000.00	45099000	23-01608-90-01-17-05	6101100
-175,000.00	45099000	23-01608-90-01-17-XX	6101100
1,625,000.00	45099000	23-01608-05-02-01	5201140
Total Amount: \$4,000,000.00			

SECTION 3. Additional funds for this contract amendment in the amount of \$2,707,000.00 are available in Fund 45099000, Project 23-01569, WBS Element 23-01569-05-02-01 and GL Account 5201140.

SECTION 4. Payment for this contract amendment not to exceed \$2,707,000.00 is authorized to be encumbered with a purchase order and made payable to Sundt Construction, Inc. Payment is for additional construction changes. Funds are available from Prior Debt Proceeds included in the FY 2025 Capital Budget.

SECTION 5. 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 6. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

DAH
6/12/2025
Item No.

PASSED AND APPROVED this 12th day of June, 2025.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

DRAFT