

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

ORDINANCE

APPROVING THE CITY OF SAN ANTONIO'S ACCEPTANCE AND APPROPRIATION OF A CONSTRUCTION REIMBURSEMENT IN THE AMOUNT OF \$144,800.00 FROM LOCKWOOD, ANDREWS & NEWNAM (LAN, INC.) FOR DESIGN ALTERATIONS TO THE NORTH MAIN AVENUE AND SOLEDAD STREET (PECAN STREET TO NAVARRO STREET) PROJECT, A 2017 GENERAL OBLIGATION BOND PROGRAM FUNDED PROJECT INCLUDED IN THE FY 2024 – FY 2029 CAPITAL IMPROVEMENTS PROGRAM, LOCATED IN COUNCIL DISTRICT 1

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WHEREAS, on May 6, 2017, San Antonio voters approved the City of San Antonio's 2017-2022 Bond Program, of which \$9,000,000.00 was approved for roadway reconstruction for the North Main Avenue and Soledad Street (Pecan Street to Navarro Street) Project; and

WHEREAS, an additional \$9,000,000.00 was authorized in the 2017 Bond Program for District 1 Pedestrian Mobility & Streets of which \$660,000.00 was used to fund pedestrian enhancements on North Main Avenue and Soledad Street; and

WHEREAS, this project reconstructed North Main Avenue and Soledad Street from Pecan Street to Navarro Street and constructed improvements consisting of roadway enhancements, sidewalks, bike amenities, pedestrian illumination, landscaping, irrigation, storm drainage upgrades, traffic and pedestrian signal upgrades, and joint-bid San Antonio Water System (SAWS) and CPS Energy utility work; and

WHEREAS, construction began in Winter 2022 and was completed in March 2024; and

WHEREAS, the original SAWS' utility scope of work related to the project specified to reconstruct the upper section of the existing brick sanitary sewer manhole structures and allow the bottom brick base sections to remain in place; and

WHEREAS, vacuum testing was performed on the structures after the reconstruction of the upper sections were complete and did not pass, and Texas Commission on Environmental Quality (TCEQ) required new or rehabilitated sanitary sewer manhole structures to pass vacuum testing, and so it was necessary to reconstruct the full sewer manhole structures to meet TCEQ vacuum testing requirements; and

WHEREAS, on January 26, 2023, City Council approved a utility contract amendment for sewer reconstruction services in the increased amount of \$346,903.00 to the construction contract with

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E-Z Bel Construction, LLC, of which \$346,903.00 was reimbursed by SAWS through Ordinance 2023-01-26-0020; and

WHEREAS, this utility contract amendment compensated the contractor for work and costs associated with replacing existing SAWS brick sanitary sewer utility hole structures with new concrete structures to meet TCEQ sewer utility hole vacuum testing requirements for the North Main Avenue and Soledad Street project, and upon completion of the fully reconstructed sanitary sewer structures, the vacuum testing passed and met TCEQ requirements; and

WHEREAS, this ordinance approves the City of San Antonio's acceptance of a construction reimbursement in the amount of \$144,800.00 from Lockwood, Andrews & Newnam (LAN, Inc.) for construction costs related to inadequate sanitary sewer manhole structure specifications related to the North Main Avenue and Soledad Street (Pecan Street to Navarro Street) Project, a 2017 General Obligation Bond Program funded project included in the FY 2024 – FY 2029 Capital Improvements Program; **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 a construction reimbursement in the amount of \$144,800.00 for construction costs related to inadequate sanitary sewer manhole structure specifications related to the North Main Avenue and Soledad Street (Pecan Street to Navarro Street) Project.

SECTION 2. Funds in the amount of \$144,800.00 are authorized to be received and appropriated in Fund 45099000, Project 23-01598, WBS Element 23-01598-90-10-01 and GL Account 6301130.

SECTION 3. Funds in the amount of \$144,800.00 are authorized to be appropriated in Fund 45099000, Project 23-01598, WBS Element 23-01598-05-02-01 and GL Account 5201140.

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 6th day of June, 2024.

M A Y O R
Ron Nirenberg

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ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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