

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

**ORDINANCE**

**AWARDING A CONSTRUCTION CONTRACT TO E-Z BEL CONSTRUCTION, LLC IN THE AMOUNT OF \$16,255,154.34, OF WHICH \$2,287,233.45 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$1,732,513.03 WILL BE REIMBURSED BY CPS ENERGY FOR THE SOUTH PRESA STREET (S.E. MILITARY TO W. BOYER) PROJECT LOCATED IN COUNCIL DISTRICTS 3 AND 5; AND AUTHORIZING THE REALLOCATION AND AMENDING OF THE FY 2022 – FY 2027 CAPITAL IMPROVEMENT PROGRAM WITH FUNDS IN THE AMOUNT OF \$1,675,400.46 FROM THE GOLIAD ROAD (FAIR AVENUE TO EAST SOUTHCROSS BOULEVARD) PROJECT AND \$2,000,000.00 FROM THE SOUTH PRESA STREET PROJECT TO THE SOUTH PRESA (SOUTHEAST MILITARY DRIVE TO SOUTHCROSS BOULEVARD) PROJECT. FUNDS ARE AVAILABLE FROM FEDERAL AND PREVIOUSLY AUTHORIZED AND 2017 GENERAL OBLIGATION BOND FUNDS.**

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**WHEREAS**, on May 6, 2017, voters approved the 2017 Bond Program, which authorized \$5,000,000.00 for the South Presa Street (S.E. Military to Southcross Boulevard) project to construct corridor improvements from Military to Southcross, including pedestrian amenities and enhancements; and

**WHEREAS**, also included as part of South Presa Street (S.E. Military to Southcross Boulevard) project are extended corridor improvements north to W. Boyer funded from reprogrammed funds in the amount of \$2,000,000.00 from the 2012 Bond South Presa Ramps project previously authorized through Ordinance 2015-08-13-0688; and

**WHEREAS**, the project will provide roadway improvements along the South Presa corridor and pedestrian connectivity improvements from W. Boyer to S.E. Military including sidewalks, curbs and driveway approaches from W. Boyer to S.E. Military, there will also included ponding relief around Story Lane, Wahrmund Court and Koehler Court intersections and traffic signal upgrades; and

**WHEREAS**, the City will design and construct the improvements leveraging funding from TxDOT, SAWS and CPS Energy; and

**WHEREAS**, included as part of this project are joint-bid SAWS and CPS Energy utility improvements consisting of water and gas main replacements and the rehabilitation of a sewer main; and

**WHEREAS**, this project was advertised on February 25, 2022 and four bids were received and opened in April 15, 2022 with E-Z Bel Construction, LLC submitting the lowest responsive; and

**WHEREAS**, due to the utilization of federal dollars, the Disadvantaged Business Enterprise (DBE) program of the State of Texas was utilized in place of the Small Business Economic Development Advocacy (SBEDA) Program, with the DBE goal 9% for this project that E-Z Bel Construction, LLC has committed to meeting the goal; and

**WHEREAS**, construction is anticipated to begin in July 2022 and is estimated to be completed by November 2023; and

**WHEREAS**, this ordinance also authorizes the reallocation and amending of the FY 2022 – FY 2027 Capital Improvement Program with funds in the amount of \$1,675,400.46 from the Goliad Road (Fair Avenue to East Southcross Boulevard) project and \$2,000,000.00 from the South Presa Street Project to the South Presa (Southeast Military Drive to Southcross Boulevard) project; and

**WHEREAS**, this ordinance accepts the lowest responsive bid and awards a construction contract to E-Z Bel Construction LLC in the amount of \$16,255,154.34, of which \$2,287,233.45 will be reimbursed by San Antonio Water System (SAWS) and \$1,732,513.03 will be reimbursed by CPS Energy for the South Presa Street (S.E. Military to W. Boyer) Project, located in Council Districts 3 and 5; and authorizing the reallocation and amending of the FY 2022 – FY 2027 Capital Improvement Program with funds in the amount of \$1,675,400.46 from the Goliad Road (Fair Avenue to East Southcross Boulevard) project and \$2,000,000.00 from the South Presa Street Project to the South Presa (Southeast Military Drive to Southcross Boulevard) project;  
**NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The lowest responsive bid in the amount of \$16,255,154.34 from E-Z Bel Construction, LLC, of which \$2,287,233.45 will be reimbursed by San Antonio Water System (SAWS) and \$1,732,513.03 will be reimbursed by CPS Energy, for the South Presa Street (S.E. Military to W. Boyer) Project, located in Council Districts 3 and 5. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

**SECTION 2.** The City Manager or his designee is hereby authorized the reallocation and amending of the FY 2022 – FY 2027 Capital Improvement Program with funds in the amount of \$1,675,400.46 from the Goliad Road (Fair Avenue to East Southcross Boulevard) project and \$2,000,000.00 from the South Presa Street Project to the South Presa (Southeast Military Drive to Southcross Boulevard) project.

**SECTION 3.** The amount of \$2,000,000.00 is approved for transfer from Fund 45099000 General Obligation Capital Projects, Project 23-01780 South Presa Street to Fund 45099000 Project 23-01610 S. Presa (SE Military Dr – Southcross Blvd).

**SECTION 4.** The amount of \$1,675,400.46 is approved for transfer from Fund 45099000 General Obligation Capital Projects, Project 23-01583 Goliad Rd (Fair Ave – E Southcross Blvd) to Fund 45099000 Project 23-01610 S. Presa (SE Military Dr – Southcross Blvd).

**SECTION 5.** The budget in Project 23-01780 South Presa Street shall be adjusted by decreasing WBS 23-01780-90-01-12-04 with GL 6101100 and WBS 23-01780-05-02-01 with GL 5201140 each by \$2,000,000.00.

**SECTION 6.** The budget in Project 23-01583 Goliad Rd (Fair Ave – E Southcross Blvd) shall be adjusted by decreasing WBS 23-01583-90-01-17-04 with GL 6101100 and WBS 23-01583-05-02-01 with GL 5201140 each by \$1,675,400.46.

**SECTION 7.** The budget in Project 23-01610 S. Presa (SE Military Dr-Southcross Blvd) shall be adjusted by increasing and decreasing the WBS Elements with GL accounts by the amounts in the tables below each totaling \$7,695,146.94.

WBS	GL	AMOUNT
23-01610-90-01-17-04	6101100	\$1,675,400.46
23-01610-90-01-12-04	6101100	2,000,000.00
23-01610-90-08	4502280	2,287,233.45
23-01610-90-09	4502280	1,732,513.03
TOTAL		\$7,695,146.94

WBS	GL	AMOUNT
23-01610-01-01	5402030	\$32,469.97
23-01610-01-01	5402050	26,092.01
23-01610-03-14	5209010	54,667.54
23-01610-05-01-01	5402030	-88,056.51
23-01610-05-01-01	5402050	-42,683.49
23-01610-05-02-01	5201140	3,653,531.64
23-01610-05-01-03	5201245	1,073,320.75
23-01610-05-01-04	5201245	1,213,912.70
23-01610-05-01-06	5201245	1,732,513.03
23-01610-08-01	5402060	39,379.30
TOTAL		\$7,695,146.94

**SECTION 8.** Payment is authorized to be encumbered and made payable to E-Z Bel Construction, LLC in an amount not to exceed \$16,255,154.34. Payment is in support of the

South Presa (SE Military Dr-Southcross Blvd) Project using Fund 45099000 with the WBS elements and GL accounts in the table below. Funding for this project is provided by GO Bonds and the Presa Road Streets Fund and is in the FY2022-FY2027 CIP Budget as amended above. Reimbursements of \$2,287,233.45 will be received from SAWS and \$1,732,513.03 will be received from CPS.

WBS	GL	AMOUNT
23-01610-05-02-09	5201245	\$7,200,000.00
23-01610-05-02-01	5201140	5,035,407.86
23-01610-05-01-03	5201245	1,073,320.75
23-01610-05-01-04	5201245	1,213,912.70
23-01610-05-01-06	5201245	1,732,513.03
TOTAL		\$16,255,154.34

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

**SECTION 9.** 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 10.** 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 \_\_\_\_\_, 2022.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney