

ORDINANCE 2022-06-23-0505

APPROVING AN AMENDMENT IN THE INCREASED AMOUNT NOT TO EXCEED \$1,400,000.00 TO \$10,032,682.08 CONSTRUCTION CONTRACT WITH SPAWGLASS CIVIL CONSTRUCTION, INC. FOR THE CONSTRUCTION OF PEDESTRIAN AMENITIES AND LIGHTING RELATED TO THE NORTH ST. MARY'S STREET (EAST MISTLETOE AVENUE TO WEST JOSEPHINE STREET) PROJECT LOCATED IN COUNCIL DISTRICT 1. FUNDS ARE AVAILABLE FROM THE MIDTOWN TAX INCREMENT REINVESTMENT ZONE (TIRZ) FUND AND 2017 GENERAL OBLIGATION BOND FUNDS INCLUDED IN THE FY 2022 - FY 2027 CAPITAL IMPROVEMENT PROGRAM.

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WHEREAS, on May 6, 2017, voters approved the 2017 Bond Program, which authorized \$7,000,000.00 for street work for the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street) project located in Council District 1, the project is under construction and includes street reconstruction, curbs, sidewalks, traffic, bike improvements, and utility improvements; and

WHEREAS, on December 16, 2021, the Midtown TIRZ Board of Directors (TIRZ) approved the execution of a Funding Agreement granting up to \$39,500,000.00 in reimbursable funds from the Midtown Tax Increment Reinvestment Zone (TIRZ) Fund for the design and construction of utility and infrastructure improvements for the Upper Segments of Broadway Street Corridor and North St. Mary's Street (E. Mistletoe Street to W. Josephine Street) projects; and

WHEREAS, the North St. Mary's Street project has been issued \$2,500,000.00 specifically out of the total approved funding; and

WHEREAS, on January 14, 2021, through Ordinance 2021-01-14-0005 City Council approved the executed construction contract with SpawGlass Civil Construction, Inc. in the amount of \$10,032,682.08 of which \$3,394,026.01 will be reimbursed from San Antonio Water System (SAWS) and \$1,765,330.27 reimbursed by CPS Energy for the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street); and

WHEREAS, previous amendments to modify and enhance the project have increased this contract by \$13,885.93 to a total contract amount of \$10,046,568.01; and

WHEREAS, the original budget for the North St. Mary's Street project did not include funding for pedestrian lighting, landscaping and tree planting; and

WHEREAS, this contract amendment will increase the contract in an amount of \$1,400,000.00 for a revised contract value of \$11,446,568.01; and

WHEREAS, the additional TIRZ funding will be used to construct additional pedestrian amenities throughout the project limits; and

WHEREAS, this contract amendment will provide for the construction of pedestrian lighting throughout the project corridor, the installation of trees and other parkway amenities within the existing right-of-way as appropriate and the possibility of adding temporary irrigation to maintain vegetation; and

WHEREAS, construction began in March 2021 and is now anticipated to be completed in September 2023 with additional work; and

WHEREAS, this ordinance approves an amendment in an amount not to exceed \$1,400,000.00 increasing the construction contract amount to \$11,446,568.01 with SpawGlass Civil Construction, Inc. for the construction of pedestrian amenities and lighting related to the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street) project located in Council District 1. Funds are available from the Midtown Tax Increment Reinvestment Zone (TIRZ) Fund and 2017 General Obligation Bond funds included in the FY 2022 - FY 2027 Capital Improvement Program, **NOW THEREFORE:**

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

SECTION 1. The City Manager or his designee is hereby authorized to amend the construction contract with SpawGlass Civil Construction, Inc. in an amount not to exceed \$1,400,000.00 for the construction of pedestrian amenities and lighting related to the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street) project located in Council District 1. Funds are available from the Midtown Tax Increment Reinvestment Zone (TIRZ) Fund and 2017 General Obligation Bond funds included in the FY 2022 - FY 2027 Capital Improvement Program


SECTION 2. Payment is authorized to be encumbered and made payable SpawGlass Civil Construction, Inc in an amount not to exceed \$1,400,000.00. Payment is in support of the N St. Mary's (E Mistletoe Ave-W Josephine) Project using Fund 45099000 with the WBS element 23-01600-05-02-08 and GL account 5201140. Funding for this project is provided by GO Bonds and the TIRZ Midtown#31 Fund and is in the FY2022-FY2027 CIP Budget.

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 3. 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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.


SECTION 4. This Ordinance shall be effective upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 23rd day of June, 2022.




M A Y O R
Ron Nirenberg

ATTEST:



for Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney



City of San Antonio

City Council A Session Meeting June 23, 2022

15.

2022-06-23-0505

Ordinance approving an amendment in the increased amount not to exceed \$1,400,000.00 to \$10,032,682.08 construction contract with SpawGlass Civil Construction, Inc. for the construction of pedestrian amenities and lighting related to the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street) project located in Council District 1. Funds are available from the Midtown Tax Increment Reinvestment Zone (TIRZ) Fund and 2017 General Obligation Bond funds included in the FY 2022 FY 2027 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda. Councilmember Castillo seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKeeRodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Pelaez, Courage, Perry

Absent: Sandoval