

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

ORDINANCE

APPROVING A UTILITY CONTRACT AMENDMENT IN THE INCREASED AMOUNT OF \$513,886.69 TO THE \$9,985,112.42 CONSTRUCTION CONTRACT WITH E-Z BEL CONSTRUCTION, LLC, OF WHICH \$513,886.69 WILL BE REIMBURSED BY CPS ENERGY FOR CONSTRUCTION SERVICES RELATED TO GAS MAIN REPLACEMENT ALONG SOLEDAD STREET FROM SAVINGS STREET TO NAVARRO AS PART OF THE NORTH MAIN AVENUE & SOLEDAD STREET (PECAN STREET TO NAVARRO STREET) PROJECT, A 2017 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 1; AND AUTHORIZING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$513,886.69 FROM CPS ENERGY FOR CONSTRUCTION SERVICES RELATED TO THIS AMENDMENT.

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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 & Soledad Street (Pecan Street to Navarro Street) Project located in Council District 1; and

WHEREAS, in the 2017 Bond Program, an additional \$9,000,000.00 was authorized for District 1 Pedestrian Mobility & Streets; and

WHEREAS, on December 16, 2021, City Council approved the construction contract with EZ Bel Construction, LLC in the amount of \$9,696,608.40 of which \$2,309,173.20 was reimbursed by San Antonio Water System and \$919,558.11 was reimbursed by CPS Energy for the North Main Avenue & Soledad Street (Pecan Street to Navarro Street) Project through Ordinance 2021-12-0971; and

WHEREAS, previous contract amendments to modify and enhance the project have increased this contract by \$288,504.02 for a total contract capacity of \$9,985,112.42; and

WHEREAS, this ordinance authorizes a task order amendment totaling \$513,886.69 for work and costs associated with installing additional CPS Energy steel gas main improvements and related roadway restoration for the North Main Avenue & Soledad Street project for a total contract capacity of \$10,498,999.11; and

WHEREAS, this ordinance approves a utility contract amendment in the increased amount of \$513,886.69 and authorizes payment to EZ Bel Construction, LLC for the North Main Avenue &

MR
10/20/22
Item No. 22-187578

Soledad Street (Pecan Street to Navarro Street) Project, a 2017 Bond funded roadway reconstruction project; **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 approve a utility contract amendment in the increased amount of \$513,886.69 and authorize payment to EZ Bel Construction, LLC for the North Main Avenue & Soledad Street (Pecan Street to Navarro Street) Project.

SECTION 2. Payment is authorized to be encumbered and made payable to E-Z Bel Construction, LLC in an amount not to exceed \$513,886.69. Payment is in support of the N Main Ave & Soledad St (Pecan – Navarro) Project using Fund 45099000, WBS 23-01598-05-02-06 with the GL Account 5201245. Reimbursement of \$513,886.69 will be received from CPS.

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

PASSED AND APPROVED this __th day of October 2022.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney