

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

ORDINANCE

APPROVING TWO CHANGE ORDERS TO A CONSTRUCTION CONTRACT WITH SPAWGLASS CIVIL CONSTRUCTION, INC. IN THE TOTAL NOT TO EXCEED AMOUNT OF \$1,925,729.51 RELATED TO CONCRETE TREATED BASE MATERIAL FOR THE AIRFIELD IMPROVEMENTS PACKAGE 7 PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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WHEREAS, in January 2013 City Council authorized a professional services agreement with Kimley-Horn and Associates, Inc. (KHA) for the engineering, design and construction administration services for three airfield projects eligible for Federal Aviation Administration (FAA) AIP grant funds: Runway 13R Rehabilitation, Terminal Areas Taxiways and Taxiway Echo Reconstruction; and

WHEREAS, The FAA, City and KHA have coordinated to package the construction phases of these projects to maximize grant funds and minimize impacts on airline and airport operations; and

WHEREAS, the Airfield Improvements Package 7 project is part of the Runway 13R Reconstruction project; and

WHEREAS, in 2020 the City solicited the Airfield Improvements Package 7 project which included a base bid and five additive alternates and City Council approved a construction contract with SpawGlass for Package 7 for the base bid;

WHEREAS, in 2021 City Council approved a change order to the SpawGlass contract adding the five additive alternates to the scope; and

WHEREAS, the FAA has contributed \$26,102,335 to the Airfield Improvements Package 7 project which funding requires the City to receive approval from the FAA for changes to the scope of work to maintain eligibility for federal funding; and

WHEREAS, in the spring of 2022, SpawGlass proposed an alternate pavement section (the pavement structure) to utilize cement treated base material which would reduce the project costs; and

WHEREAS, KHA as engineer of record approved the alternate pavement section and the City issued a field alteration to the contractor to utilize the alternate which was placed between July 22 and August 8, 2022; and

WHEREAS, in September, following notification of the change by the City, the FAA denied the change in pavement section; and

WHEREAS, proposed Change Order 5 will approve previously-performed work by SpawGlass in the amount of \$1,521,895.55 and Change Order 6 will authorize removal of the previously-installed base material in the amount of \$403,833.96; and

WHEREAS, this ordinance authorizes two change orders in the cumulative not to exceed amount of \$1,925,729.51 to SpawGlass for the Airfield Improvements Package 7 project; **NOW THEREFORE**,

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

SECTION 1. The City Manager or designee is authorized to execute Change Orders 5 and 6 in the cumulative not to exceed amount of \$1,925,729.51 to the construction contract with SpawGlass Civil Construction, Inc. for the Airfield Improvements Package 7 project at the San Antonio International Airport.

SECTION 2. The amount of \$503,833.96 is appropriated in 5100501X FY2023 Unissued Interim Airport Financing Fund and is authorized to be transferred to Fund 51099000 Airport Capital Projects, Airfield Package 6-7, WBS 33-00316-90-19-01, GL 6101100 Transfer In.

SECTION 3. The budget in Project 33-00316 Airfield Package 6-7 shall be revised by increasing the WBS element 33-00316-90-19-01 with GL account 6101100 by the amount of \$503,833.96; by increasing WBS 33-00316-05-2-03 with GL 5201140 by the amount of \$403,833.96; and by increasing WBS 33-00316-05-03-04 with GL 5201140 by the amount of \$100,000.00.

SECTION 4. Payment is authorized to be encumbered and made payable SpawGlass Civil Construction, Inc. in an amount not to exceed \$1,925,729.51 in support of the Airfield Package 6-7 Project using Fund 51099000 with the WBS element 33-00316-05-02-03 with GL account 5201140. Funding for this project is provided by FAA AIP Grants, 2021 Airport Txb Tan Fund, Airport Interim Financing, and is in the FY2023-FY2028 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 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 shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

KRH
10/20/2022
Item No.

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PASSED and APPROVED this 20th day of October 2022.

MAYOR
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney