

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

ORDINANCE

**ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING
THE 2023 STREET REHABILITATION TASK ORDER CONTRACT
PACKAGE 6 TO H.L. ZUMWALT CONSTRUCTION, INC. IN AN
AMOUNT NOT TO EXCEED \$9,356,685.75, OF WHICH \$294,800.00
WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM
(SAWS) AND \$8,500.00 WILL BE REIMBURSED BY CPS ENERGY
FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE. FUNDS ARE AVAILABLE FROM THE
GENERAL FUND, ADVANCED TRANSPORTATION DISTRICT
FUND, RIGHT OF WAY, AND DEBT PROCEEDS INCLUDED IN
THE FY 2023 – FY 2028 CAPITAL IMPROVEMENT PROGRAM**

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WHEREAS, with the adoption of the FY 2023 Budget on September 15, 2022, City Council has approved a \$116 million annual spending budget for the Street Maintenance Program (SMP); and

WHEREAS, this task order contract will enable Public Works to execute multiple projects delivered through the SMP; and

WHEREAS, this ordinance authorizes one contract for FY 2023 totaling \$9,356,685.75 for the construction of street maintenance projects including, but not limited to, street asphalt overlay to include subgrade and treatment, installation of flexible and asphaltic base courses, installation of asphalt surface course, concrete curbs, sidewalks, curb ramps, driveways, and any other required work for the completion of the SMP Rehabilitation projects located throughout the City; and

WHEREAS, this project was advertised on August 12, 2022, and four (4) bids were received and opened on September 13, 2022, with H.L. Zumwalt Construction, Inc. submitting the lowest responsive bid; and

WHEREAS, this task order contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program and the Goal Setting Committee set a 9% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal and H.L. Zumwalt Construction, Inc. has committed to meeting the subcontracting goal; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2023 Street Rehabilitation Task Order Contract Package 6 to H.L. Zumwalt Construction, Inc. in an amount not to exceed \$9,356,685.75, of which \$294,800.00 will be reimbursed by SAWS and \$8,500.00 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure; **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 the lowest responsive bid and award the 2023 Street Rehabilitation Task Order Contract Package 6 to H.L. Zumwalt Construction, Inc. in an amount not to exceed \$9,356,685.75.

SECTION 2. Payment is authorized to be encumbered and made payable to H.L. Zumwalt Construction, Inc., in an amount not to exceed \$9,356,685.75. Payment is in support of the FY 2023 Street Maintenance Program (SMP) Project using Fund 40099000 with the WBS element 23-04085-10-05-02-01 and GL account 5201140. Funding for this project is provided by ATD, ROW, GF, COs, and GOs and is in the FY2023-FY2028 CIP Budget. Reimbursement in the amount of \$294,800.00 will be received from SAWS and reimbursement in the amount of \$8,500.00 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 November 2022.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney