

ORDINANCE

APPROVING A CHANGE ORDER TO A CONSTRUCTION CONTRACT WITH SPAWGLASS CIVIL CONSTRUCTION, INC. IN THE TOTAL NOT TO EXCEED AMOUNT OF \$268,704.26 RELATED TO CRITICAL PATH DELAYS 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, in 2020 the City solicited the Airfield Improvements Package 7, a part of the Runway 13R Reconstruction 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 while an alternative was being prepared for consideration for City Council, the City continued to work to a resolution with the FAA and subsequently the FAA agreed to reverse their original decision.; and

WHEREAS, the proposed change order is for the General Conditions time and costs in Alternate 1 associated with the pavement section change and the associated concrete and electrical work performed and subsequently removed; and

WHEREAS, this ordinance authorizes a change order in the not to exceed amount of \$268,704.26 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 Order 7 in the not to exceed amount of \$268,704.26 to the construction contract with SpawGlass Civil Construction, Inc. for the Airfield Improvements Package 7 project at the San Antonio International Airport.

SECTION 2. Payment is authorized to be encumbered and made payable SpawGlass Civil Construction, Inc in an amount not to exceed \$268,704.26. Payment is in support of the Airfield Package 6-7 Project using Fund 51099000 with the WBS element 33-00316-05-02-06 and GL account 5201140. Funding for this project is provided by Airport Improvement Grants and Interim Airport 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 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 shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this 15th day of December 2022.

MAYOR
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney