

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

ORDINANCE

**AWARDING THE 2023 PAVEMENT PRESERVATION PACKAGE 5
– BASE REPAIR TASK ORDER CONTRACT TO M-COMPANY
GENERAL CONTRACTORS INC. IN AN AMOUNT NOT TO
EXCEED \$1,943,280.50 OF WHICH \$38,100.00 WILL BE
REIMBURSED BY SAN ANTONIO WATER SYSTEM AND
\$11,000.00 WILL BE REIMBURSED BY CPS ENERGY FOR
NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE. FUNDS ARE AVAILABLE FROM THE
GENERAL FUND, THE ADVANCED TRANSPORTATION
DISTRICT FUND AND DEBT PROCEEDS INCLUDED IN THE FY
2023 – FY 2028 CAPITAL IMPROVEMENTS PROGRAM.**

* * * * *

WHEREAS, on September 15, 2022, City Council adopted the budget for FY 2023 and approved an annual \$116 million to spend on the Street Maintenance Program (SMP); and

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

WHEREAS, this ordinance authorizes one (1) contract for FY 2023 in an amount not to exceed \$1,943,280.50 for the construction of street maintenance projects; and

WHEREAS, this project was advertised on May 27, 2022 and four (4) bids were received on July 15, 2022 with M-Company General Contractors, Inc. submitting the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program and the Goal Setting Committee set a 17% Minority/Women Business Enterprise (M/WBE) and 4% African American Business Enterprise (AABE) subcontracting goals and M-Company General Contractors, Inc. has committed to meet these subcontracting goals; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2023 Pavement Preservation Package 5 – Base Repair Task Order Contract to M-Company General Contractors Inc. in an amount not to exceed \$1,943,280.50 of which \$38,100.00 will be reimbursed by San Antonio Water System (SAWS) and \$11,000.00 will be reimbursed by City Public Service (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 Pavement Preservation Package 5 – Base Repair Task Order Contract to M-Company General Contractors Inc. in an amount not to exceed \$1,943,280.50.

SECTION 2. Payment is authorized to be encumbered and made payable to M-Company General Contractors Inc. in an amount not to exceed \$1,943,280.50. Payment is in support of the FY 2023 Street Maintenance Program (SMP) Project, 2023 Pavement Preservation Package 5 – Base Repair, using Fund 40099000 with the WBS Element 23-04085-05-05-02-03-06 and GL Account 5201140. Funding for this project is provided by ATD, ROW, General Fund, CO Bonds, and Tax Notes and is in the FY2023-FY2028 CIP Budget. Reimbursement of \$38,100.00 will be received from SAWS and \$11,000.00 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 December 2022.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney