

**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 9 WITH H. L. ZUMWALT CONSTRUCTION, INC. IN AN  
AMOUNT NOT TO EXCEED \$9,846,050.69, OF WHICH \$296,577.50  
WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND  
\$4,500.00 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, 2022 GENERAL OBLIGATION BOND  
PROGRAM AND DEBT PROCEEDS INCLUDED IN THE FY 2023 –  
FY 2028 CAPITAL IMPROVEMENT PROGRAM.**

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**WHEREAS**, on September 15, 2022, City Council adopted the FY 2023 budget and approved a \$116 million budget in annual spending for the Street Maintenance Program; and

**WHEREAS**, this ordinance authorizes one (1) contract totaling \$9,846,050.69 in FY 2023 for the construction of street maintenance projects; and

**WHEREAS**, this task order contract will enable Public Works to execute multiple projects delivered through the Street Maintenance Program and to expedite delivery of projects and completion of street maintenance projects; and

**WHEREAS**, this task order contract was advertised on October 5, 2022, and four (4) bids were received on November 18, 2022, where H. L. Zumwalt Construction, Inc. submitted 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 9% Minority/Women Business Enterprise (M/WBE) and 3% African American Business Enterprise (AABE) subcontracting goals and H. L. Zumwalt Construction, Inc. has committed to meet these subcontracting goals; and

**WHEREAS**, this ordinance accepts the lowest responsive bid and awards the 2023 Street Rehabilitation Task Order Contract Package 9 in an amount not to exceed \$9,846,050.69 to H. L. Zumwalt Construction, Inc. for the construction of street maintenance projects; **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 9 in an amount not to exceed \$9,846,050.69 to H. L. Zumwalt Construction, Inc. for the construction of street maintenance projects.

**SECTION 2.** Payment is authorized to be encumbered and made payable H. L. Zumwalt Construction, inc., in an amount not to exceed \$9,846,050.69.

Payment of \$2,673,278.87 is in support of the District 1 F- Streets Reconstruction Project using Fund 45099000 with the WBS elements and GL accounts in the table below. Funding for this project is provided by GO Bonds and is in the FY2023-FY2028 CIP Budget.

Payment of \$844,488.36 is in support of the District 3 F- Streets Reconstruction Project using Fund 45099000 with the WBS elements and GL accounts in the table below. Funding for this project is provided by GO Bonds and is in the FY2023-FY2028 CIP Budget.

Payment of \$1,056,025.67 is in support of the District 4 F- Streets Reconstruction Project using Fund 45099000 with the WBS elements and GL accounts in the table below. Funding for this project is provided by GO Bonds and is in the FY2023-FY2028 CIP Budget.

Payment of \$1,368,822.70 is in support of the District 9 F- Streets Reconstruction Project using Fund 45099000 with the WBS elements and GL accounts in the table below. Funding for this project is provided by GO Bonds and is in the FY2023-FY2028 CIP Budget.

Payment of \$3,903,435.09 is in support of the FY2023 Street Maintenance Program Project using Fund 40099000 with the WBS elements and GL accounts in the table below. Funding for this project is provided by CO Bonds, Tax Notes, ARPA, Genera Fund, ADT and ROW and is in the FY2023-FY2028 CIP Budget. Reimbursement of \$296,577.50 will be received from SAWS and \$4,500.00 received from CPS.

WBS	GL	AMOUNT
23-03875-11-05-02-01	5201140	\$1,773,278.87
23-03875-03-05-02-01	5201140	900,000.00
23-03879-02-05-02-01	5201140	844,488.36
23-03881-06-05-02-01	5201140	1,056,025.67
23-03893-11-05-02-01	5201140	900,000.00
23-03893-10-05-02-01	5201140	468,822.70
23-04085-11-05-02-01	5201140	1,362,105.84
23-04085-10-05-02-01	5201140	2,240,251.75
23-04085-10-05-02-02-07	5201245	191,420.00

MR  
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23-04085-10-05-02-02-08	5201245	105,157.50
23-04085-10-06-03	5201245	4,500.00
TOTAL		\$9,846,050.69

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 Februrary 2023.**

**M      A      Y      O      R**  
Ron Nirenberg

**ATTEST:      APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney