

**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 TASK ORDER CONTRACT FOR  
FLATWORK AND STREET IMPROVEMENTS PACKAGE 3 TO H.  
L. ZUMWALT CONSTRUCTION, INC. IN AN AMOUNT NOT TO  
EXCEED \$2,386,178 OF WHICH \$58,150 WILL BE REIMBURSED  
BY SAN ANTONIO WATER SYSTEM FOR NECESSARY  
ADJUSTMENTS TO THEIR EXISTING INFRASTRUCTURE.  
FUNDING IS FROM THE GENERAL FUND AND THE ADVANCED  
TRANSPORTATION DISTRICT FUND INCLUDED IN THE FY 2023-  
FY 2028 CAPITAL IMPROVEMENTS PROGRAM.**

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**WHEREAS**, on September 15, 2022, City Council adopted the FY 2023 budget and approved \$19.5 million for the Sidewalk Maintenance Program as a component of the Infrastructure Management Mobility Program for projects related to sidewalks and pedestrians citywide; and

**WHEREAS**, this ordinance authorizes one (1) contract totaling \$2,386,178.00 in FY 2023 for the construction of sidewalks, wheelchair ramps, or any other required work; and

**WHEREAS**, this task order contract will enable Public Works to execute multiple projects delivered through the Infrastructure Management Program and to expedite delivery of projects and completion of infrastructure projects; and

**WHEREAS**, this task order contract was advertised on October 24, 2022, and two (2) bids were received on November 29, 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 26% 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 Task Order Contract for Flatwork and Street Improvements Package 3 to H. L. Zumwalt Construction, Inc. in an amount not to exceed \$2,386,178.00 of which \$58,150.00 will be reimbursed by San Antonio Water System (SAWS) 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 Task Order Contract for Flatwork and Street Improvements Package 3 to H. L. Zumwalt Construction, Inc. in an amount not to exceed \$2,386,178.00 of which \$58,150.00 will be reimbursed by San Antonio Water System (SAWS) for necessary adjustments to their existing infrastructure.

**SECTION 2.** Payment is authorized to be encumbered and made payable to H.L. Zumwalt Construction, Inc., in an amount not to exceed \$2,386,178.00. Payment is in support of the ATD FY2023 Sidewalks Project using Fund 40099000 with WBS 23-04071-05-02-01 and GL account 5201140. Funding for this project is provided by ATD and General Fund and is in the FY2023-FY2028 CIP Budget. Reimbursement of \$58,150.00 will be received from SAWS.

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 February 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