

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

ORDINANCE

**AWARDING THE 2023 STREET REHABILITATION TASK ORDER
CONTRACT PACKAGE 10 TO CLARK CONSTRUCTION OF TEXAS,
INC. IN AN AMOUNT NOT TO EXCEED \$4,488,597.70, OF WHICH
\$126,235.00 WILL BE REIMBURSED BY SAN ANTONIO WATER
SYSTEM AND \$5,625.00 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, DEBT
PROCEEDS AND OTHER FUNDING SOURCES 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 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 Street Maintenance Program (SMP); and

WHEREAS, this ordinance authorizes one contract for FY 2023 totaling \$4,488,597.70 to Clark Construction of Texas, Inc. for 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 street maintenance projects located throughout the City; and

WHEREAS, this project was advertised on February 22, 2023 and four (4) bids were received and opened on March 24, 2023, with Clark Construction of Texas, 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. Clark Construction of Texas, Inc. has committed to satisfying the 9% Minority/Women Business Enterprise (M/WBE) subcontracting goal and 3% African American Business Enterprise (AABE) subcontracting goal; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2023 Street Rehabilitation Task Order Contract Package 10 to Clark Construction of Texas, Inc. in an amount not to exceed \$4,488,597.70; **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 10 to Clark Construction of Texas, Inc. in an amount not to exceed \$4,488,597.70, of which \$126,235.00 will be reimbursed by San Antonio Water System and \$5,625.00 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure.

SECTION 2. Payment is authorized to be encumbered and made payable Clark Construction of TX, Inc., in an amount not to exceed \$4,488,597.70. Payment is in support of the FY 2023 Street Maintenance Program (SMP) Project using WBS 23-04085-08-05-02-01 with GL 5201140. Funding for this project is provided by CO Bonds, Tax Notes, ARPA, General Fund, ADT and ROW, and is in the FY2023 – FY2028 CIP Budget. Reimbursement of \$126,235 will be received from SAWS and \$5,625 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 18th day of May 2023.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

TG/MK
05/18/2023
Item No. 23-191636

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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