

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

ORDINANCE

APPROVING TWO CONTRACT AMENDMENTS IN THE TOTAL INCREASED AMOUNT OF \$378,398.15 FOR A REVISED CONSTRUCTION CONTRACT VALUE OF \$10,608,939.15 WITH E-Z BEL CONSTRUCTION, LLC, OF WHICH \$208,617.50 WILL BE REIMBURSED BY CPS ENERGY FOR GAS ADJUSTMENTS, INCLUDING ASSOCIATING STREET RESTORATION AND \$169,780.65 WILL BE FUNDED BY THE CITY FOR CONSTRUCTION SERVICES RELATED TO THE STORM DRAIN SYSTEM AND NEW SEWER BYPASS FOR THE S. GEVERS STREET DRAINAGE IMPROVEMENT PROJECT LOCATED IN COUNCIL DISTRICT 3. FUNDS ARE AVAILABLE FROM PRIOR DEBT PROCEEDS, AND STORMWATER OPERATING FUND INCLUDED IN THE FY 2023 – FY 2028 CAPITAL IMPROVEMENT PROGRAM.

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WHEREAS, the S. Gevers Street Drainage Improvement project provides for drainage improvements in the area along S. Gevers Street and adjacent streets to improve the conveyance of storm water to relieve neighborhood flooding. Improvements include installing an underground storm drain system with inlets and associated street reconstruction including curbs, sidewalks, and driveway approaches; and

WHEREAS, during project construction, a conflict was identified between a City storm drain system and a sewer line resulting in the redesign of the storm drain system which required revised design plans to incorporate a new sewer bypass system. Additionally, CPS Energy made gas main and property services adjustments which caused bid item overruns and associated street reconstruction. The CPS work was completed in January 2023 and the storm drainage work is anticipated to be complete in June 2023; and

WHEREAS, on March 24, 2022, City Council approved the construction contract with EZ Bel Construction, LLC in the amount of \$10,230,541.00 of which \$1,225,839.50 will be reimbursed by San Antonio Water System (SAWS) and \$581,910.30 will be reimbursed by CPS Energy for the S. Gevers Street Drainage Improvement project through Ordinance 2022-03-24-0216. This proposed amendment will increase the contract capacity by a total of \$378,398.15 to a revised contract value of \$10,608,939.15. These contract amendments will be the first amendments for this contract.

The following table illustrates proposed amendments for these contracts:

Item	Amount
Original Contract Value	\$10,230,541.00
Proposed Utility Contract Amendment	\$208,617.50
Proposed City Contract Amendment	\$169,780.65
Revised Contract Value	\$10,608,939.15

WHEREAS, this ordinance approving two contract amendments in the total increased amount of \$378,398.15 for a revised construction contract value of \$10,608,939.15 with E-Z Bel Construction, LLC, of which \$208,617.50 will be reimbursed by CPS Energy for gas adjustments, including associating street restoration and \$169,780.65 will be funded by the City for construction services related to the storm drain system and new sewer bypass for the S. Gevers Street Drainage Improvement project located in Council District 3. Funds are available from prior debt proceeds, and Stormwater Operating Fund included in the FY 2023 – FY 2028 Capital Improvement Program; **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 approve an amendment in the increased amount of \$378,398.15 and authorize payment to E-Z Bel construction, LLC., related to the storm drain system and new sewer bypass for the S. Gevers Street Drainage Improvement project located in Council District 3.

SECTION 2. Payment is authorized to be encumbered and made payable to E-Z Bel Construction, LLC, in an amount not to exceed \$378,398.15. Payment is in support of the South Gevers Street Drainage Improvement Project using WBS 23-03757-05-02-01 with GL 5201140. Funding for this project is provided by General Obligation Bonds, Tax Notes, Stormwater Revenue Bonds and Stormwater Operating Funds 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 is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 15th day of June, 2023.

TG/MK
06/15/2023
Item No.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney