

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

ORDINANCE

**APPROVING A CONTRACT AMENDMENT IN THE INCREASED
AMOUNT OF \$1,047,713.11 TO A REVISED CONSTRUCTION
CONTRACT AMOUNT \$8,456,315.05 WITH J3 COMPANY, LLC FOR
ADDITIONAL CONSTRUCTION SERVICES RELATED TO STREET
AND SIDEWALK IMPROVEMENTS FOR THE ENRIQUE M. BARRERA
PARKWAY PHASE 1 (OLD HIGHWAY 90 AREA) PROJECT LOCATED
IN COUNCIL DISTRICT 6; AND, AUTHORIZING THE REALLOCATION
OF FUNDS IN THE TOTAL AMOUNT OF \$1,250,000.00 FROM STREET
PROPOSITION 2017 GENERAL OBLIGATION BOND FUNDS TO
ENRIQUE M. BARRERA PARKWAY PHASE 1 (OLD HIGHWAY 90
AREA) PROJECT. FUNDS ARE AVAILABLE FROM 2017 GENERAL
OBLIGATION BOND FUNDS INCLUDED IN THE FY 2023 - FY 2028
CAPITAL IMPROVEMENT PROGRAM.**

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WHEREAS, on May 6, 2017, voters approved the 2017 Bond Program which authorized \$9,000,000.00 for street and sidewalk improvements for the Enrique M. Barrera Parkway Phase 1 (Old Highway 90 Area) project located in Council District 6; and

WHEREAS, this project is the first phase of a multiphase plan to improve the street, drainage and sidewalks along the Highway 90 area of Enrique M. Barrera Parkway. Phase 1 improvements includes a pavement mill and overlay with curbs, new sidewalks, storm drainage and traffic signal upgrades between State Highway 151 to 36th Street; and

WHEREAS, the additive alternate includes new underground storm sewer, water and gas utilities, which will be installed starting from the intersection of State Highway 151 and Enrique M. Barrera Parkway extending east of 36th Street. Construction began in November 2020. Due to unforeseen underground utility conflicts, as well as roadway elevation and grading discrepancies encountered after construction began, additional time was required to investigate and provide solutions to those issues. With these measures, construction is anticipated to be complete by early Summer 2023; and

WHEREAS, on November 5, 2020 City Council approved the construction contract including an additive alternate to J3 Company, LLC in the amount of \$6,765,052.04 of which \$485,525.19 would be reimbursed by San Antonio Water System (SAWS) and \$543,634.46 would be reimbursed by CPS Energy for the Enrique M. Barrera Parkway Phase 1 (Old Highway 90 Area) project, a 2017 Bond funded project through Ordinance 2020-11-05-0782. Contract amendments to modify and enhance the project have increased this contract by \$643,549.90. This proposed

amendment will increase the contract capacity by \$1,047,713.11 to a revised contract amount of \$8,456,315.05; and

WHEREAS, the following table illustrates the previously authorized amendments which have occurred since the construction of this project began:

Item	Amount
Original Contract Value	\$6,765,052.04
Previous Contract Amendments	\$ 643,549.90
Proposed Contract Amendment	\$1,047,713.11
Revised Contract Value	\$8,456,315.05

This contract amendment will compensate the contractor for work and costs associated with the unforeseen underground utility conflicts, roadway elevation and grading discrepancies encountered during construction; and

WHEREAS, this ordinance approves a contract amendment in the increased amount of \$1,047,713.11 to a revised construction contract amount \$8,456,315.05 with J3 Company, LLC for additional construction services related to street and sidewalk improvements for the Enrique M. Barrera Parkway Phase 1 (Old Highway 90 Area) project located in Council District 6; and, authorizes the reallocation of funds in the total amount of \$1,250,000.00 from street proposition 2017 General Obligation Bond funds to Enrique M. Barrera Parkway Phase 1 (Old Highway 90 Area) project; **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 \$1,047,713.11 and authorize payment to J3 Company, LLC. for construction services related to street and sidewalk improvements for the Enrique M. Barrera Parkway Phase 1 (Old Highway 90 area) project.

SECTION 2. Payment is authorized to be encumbered and made payable to J3 Company, LLC in an amount not to exceed \$1,047,713.11. Payment is in support of the Enrique M. Barrera Pkwy. Ph. 1 project and is in Fund 45099000, WBS Element 23-01579-05-02-01 and GL Account 5201140. Funding for this project is available from General Obligation bonds and included in the FY 2023 - FY 2028 Capital Improvement Program.

SECTION 3. 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 4. The reallocation of funds in the amount of \$1,250,000.00 is authorized and shall be appropriated in SAP per the table below and amends the FY 2023 – FY 2028 Capital Improvement Program.

Amount	WBS Element/Internal Order	GL Account
\$150,000.00	GO-00283-01-01-23	6102100
\$177,916.11	GO-00289-01-01-23	6102100
\$94,017.14	RN-13003-01-01-12	6102100
\$3,115.00	TN-20222-01-01-05	6102100
\$296,134.97	CO-20187-01-01-12	6102100
\$528,776.78	390000002936	6102100
-\$150,000.00	23-01579-90-01-17-02	6101100
-\$177,916.11	23-01579-90-01-17-03	6101100
-\$94,017.14	23-01579-90-03-01-01	6101100
-\$3,115.00	23-01579-90-03-02-01	6101100
-\$296,134.97	23-01579-90-02-01-01	6101100
-\$528,776.78	23-01579-90-14-01	6101100
\$1,250,000.00	23-01579-05-02-01	5201140

Total Amount: \$1,250,000.00

SECTION 5. 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 6. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 22nd day of June, 2023.

DAH/MK
06/22/2023
Item No.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney