

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

**ORDINANCE**

**APPROVING A CONSTRUCTION CONTRACT WITH FLATIRON CONSTRUCTORS, INC. IN AN AMOUNT NOT TO EXCEED \$9,510,031 FOR THE RECONSTRUCT TAXIWAY NOVEMBER NORTH OF TAXIWAY D PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROVING SUBMISSION OF GRANT APPLICATIONS TO, EXECUTION OF GRANT DOCUMENTS, AND ACCEPTANCE AND APPROPRIATION OF FUNDS FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE FY 2024 FAA AIRPORT INFRASTRUCTURE GRANT PROGRAM IN THE AMOUNT OF \$751,566; AND AMENDING THE FY 2024 - FY 2029 CAPITAL IMPROVEMENT PROGRAM WITH FUNDING FROM THE FAA AIG PROGRAM FUNDS.**

\* \* \* \* \*

**WHEREAS**, the Reconstruct Taxiway November (Taxiway N) North of Taxiway D project will provide for the full-depth reconstruction of a portion of Taxiway N from the intersection with Taxiway D to between Taxiway N6 and Taxiway N7, to include airfield electrical improvements, and will also provide for the full-depth reconstruction of the taxiway shoulder pavement along the same portion of the taxiway; and

**WHEREAS**, on June 2, 2023 the City issued an invitation for construction bids for the Reconstruct Taxiway November (Taxiway N) North of Taxiway D project and received two responsive bids on July 7, 2023, of which Flatiron Constructors, Inc. submitted the lowest responsive bid; and

**WHEREAS**, this ordinance accepts the lowest responsive base bid and one bid alternative and awards a construction contract to Flatiron Constructors, Inc. in the amount not-to-exceed \$9,510,031 for the Reconstruct Taxiway November (Taxiway N) North of Taxiway D project and amends the FY 2024 to FY 2029 Capital Improvement Program; and

**WHEREAS**, the City regularly partners with the FAA for continued Airport Improvement Program grant funding for eligible projects at the Airport which allows the City to share costs with the FAA on large and critical airfield projects, which projects can receive grant funding of up to 75% of eligible project costs with the City providing the remaining matching share; and

**WHEREAS**, this project is eligible for FAA AIG funding and this ordinance authorizes the submittal of a grant application, the acceptance of a grant offer for FY 2024 FAA AIG program funds in the amount of \$751,566 and the appropriation of the same amount from available AIG funds with \$751,566 from the FAA grant with the City's share of \$250,522; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The lowest responsive bid, to include one bid alternative, by Flatiron Constructors, Inc. in an amount not to exceed \$9,510,031 for the Reconstruct Taxiway November (Taxiway N) North of Taxiway D project, is hereby accepted. All other bids will be considered rejected upon the deposit of all required bonds and insurance certificates.

**SECTION 2.** The City Manager or designee, or the Director of the Aviation, or designee is hereby authorized to submit a grant application and accept grant funds for the Federal Aviation Administration (FAA) grant program, FY 2024 Airport Infrastructure Grant program in the total amount of \$1,002,088.00 with the FAA's share of \$751,566.00 and the City's share of \$250,522.00. Funding for the City's share is available from Interim Airport Financing, contingent upon City Council's approval of the FY 2024 Budget. This action will appropriate \$250,522.00 for the City's match and amend the FY 2024 – FY 2029 Capital Improvement Program.

**SECTION 3.** Upon award, a new fund and internal order will be created, upon which the sum of up to \$751,566.00 from the FAA will be appropriated in said fund. A formal budget will also be provided once funds are awarded.

**SECTION 4.** Upon appropriation a transfer of \$751,566.00 is authorized from the new grant fund to Fund 51099000 Project 33-03302 Reconstruct Taxiway N North of Taxiway D. The budget in Project 33-03302 shall be revised by increasing WBS 33-03302-90-07-XX-XX with GL 6101100 and WBS 33-03302-05-02-01 with GL 5201140 each by \$751,566.00.

**SECTION 5.** The City Manager or designee, is further authorized to initiate, negotiate, and execute any and all necessary documents and a grant contract to effectuate the acceptance of the grant referenced in Section 1 of this ordinance and to execute contract amendments pertaining to this contract to include a) carry-over funds, when ascertained and approved by the funding agency through a revised notice of award; b) line item budget revisions authorized by the funding agency; c) modifications to the performance measures authorized by the funding agency and listed in the contract so long as the terms of the amendment stay within the general parameters of the intent of the grant; d) no cost extensions; 3) amendments which will provide supplemental grant funds to the grant by the funding agency in an amount up to 20% of the total amount awarded to the grant; f) reimbursement increases of administrative funds for each participant served; g) amendments funding one time equipment purchases or defined program services; and h) changes in regulations mandated by the funding agency.

**SECTION 6.** Funds in the amount of \$6,926,574.00 are authorized to be reappropriated from Project 33-03005 Reconstruct Taxiway N to Project 33-03002 Reconstruct Taxiway N North of Taxiway.

**SECTION 7.** The budget in Project 33-03005 shall be revised by decreasing WBS 33-03305-90-10-02 with GL 6101100 and WBS 33-03305-05-02 with GL 5201140 each by \$6,926,574.00.

**SECTION 8.** The budget in Project 33-03002 shall be revised by increasing WBS 33-03302-90-07-01-01 with GL 6101100 and WBS 33-03302-05-02-01 with GL 5201140 each by \$6,926,574.00.

KRH  
09/29/2022  
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**SECTION 9.** Payment not to exceed \$7,847,046.06 is authorized to be encumbered with a purchase order and made payable to Flatiron Constructors, Inc., for construction services. Payment is in support of the Reconstruct Taxiway N North of Taxiway D Project using Fund 51099000, WBS 33-03302-05-02-01 with GL 5201140. Funding for this project is provided by FAA Grants, and Interim Airport Financing and is in the FY2023-FY2027 CIP Budget as amended above.

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 10.** Additional funding in the amount of \$1,662,984.94, for subsequent years is contingent upon City Council approval of subsequent budgets within the term length of this contract.

**SECTION 11.** 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 SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 12.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

*PASSED and APPROVED this 9th day of September 2022.*

**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