

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

ORDINANCE

**AWARDING THE 2024 STREET REHABILITATION TASK ORDER
CONTRACT PACKAGE 6 TO CLARK CONSTRUCTION OF
TEXAS, INC. IN AN AMOUNT NOT TO EXCEED \$6,025,252.70, OF
WHICH \$117,900 WILL BE REIMBURSED BY SAN ANTONIO
WATER SYSTEM AND \$9,000 WILL BE REIMBURSED BY CPS
ENERGY FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE. FUNDS ARE INCLUDED IN THE FY 2024
ADOPTED BUDGET AND ARE AVAILABLE FROM THE
GENERAL FUND, ADVANCED TRANSPORTATION DISTRICT
FUND, 2022 GENERAL OBLIGATION BOND PROGRAM, DEBT
PROCEEDS, AND OTHER FUNDING SOURCES INCLUDED IN
THE FY 2024 – FY 2029 CAPITAL IMPROVEMENT PROGRAM**

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WHEREAS, as part of the FY 2024 Budget, adopted on September 14, 2023, City Council approved a \$116 million budget for the Street Maintenance Program (SMP), of which total \$102 million is allocated based on 100% street condition per City Council District and \$14 million funded in the 2022 Bond Program is allocated based on 50% street network size and 50% street condition per City Council District; and

WHEREAS, this ordinance authorizes one contract for FY 2024 totaling \$6,025,252.70 for the construction of street maintenance projects; and

WHEREAS, this project was advertised on for construction bids on July 7, 2023, and three (3) bids were received and opened on August 11, 2023, of which Clark Construction of Texas, Inc. submitted the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts to be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract to maximize small, minority, and women-owned business participation. The Goal Setting Committee set a 18% Minority/Women Business Enterprise (M/WBE) subcontracting goal. San Antonio Concepts Construction, LLC has committed to meeting the subcontractor participation goals; and

WHEREAS, this vendor has acknowledged to comply with the Heat Illness Prevention Ordinance, approved on August 31, 2023 through Ordinance #2023-08-31-0585; and

WHEREAS, this ordinance awards the 2024 Street Rehabilitation Task Order Contract Package 6 to Clark Construction of Texas, Inc. in an amount not to exceed \$6,025,252.70, of which

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\$117,900.00 will be reimbursed by San Antonio Water System (SAWS) and \$9,000.00 will be reimbursed by CPS Energy 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 execute and award the 2024 Street Rehabilitation Task Order Contract Package 6 to Clark Construction of Texas, Inc. in an amount not to exceed \$6,025,252.70.

SECTION 2. Funding for this ordinance will be identified when work orders are issued. If funding for any work orders is not previously appropriated, funding will be identified and appropriated through subsequent City Council action. Payment is limited to the amounts budgeted in the Operating, Grants, and/or Capital Budget funding sources identified. All expenditures will comply with Operating, Grants, and/or Capital Budgets for current and future fiscal years.

SECTION 3. Payment not to exceed \$6,025,252.70 is authorized to be encumbered with purchase orders and made payable to Clark Construction of Texas, Inc. for 2024 Street Rehabilitation Task Order Contract Package 6. Payment is in support of Project 23-04129 FY2024 Street Maintenance Program (SMP) using WBS 23-04129-01-05-02-01 with GL 5201140. Funding is provided by Tax Notes, CO Bonds, General Fund and ATD Fund and is in the FY24-FY29 CIP Budget. Reimbursement of \$117,900.00 will be received from SAWS and reimbursement of \$9,900.00 will be received from CPS.

SECTION 4. 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 5. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 19th day of October, 2023.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

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Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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