

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

**ORDINANCE**

**AMENDING THE CONTRACT WITH H.L. ZUMWALT CONSTRUCTION, INC. IN THE INCREASED AMOUNT OF \$2,339,000 FOR A REVISED 2023 STREET REHABILITATION TASK ORDER CONTRACT PACKAGE 6 CONTRACT VALUE OF \$11,695,685.75 FOR ADDITIONAL CONSTRUCTION SERVICES TO COMPLETE STREET REHABILITATION PROJECTS. 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**, on November 3, 2022, City Council approved Ordinance 2022-11-03-0834 awarding the 2023 Street Rehabilitation Task Order Contract Package 6 to H.L. Zumwalt Construction, Inc. in an amount not to exceed \$9,356,685.75, of which \$294,800.00 would be reimbursed by San Antonio Water System and \$8,500.00 would be reimbursed by CPS Energy for related necessary adjustments to their existing infrastructure, repair of a street's base structure, asphalt surface overlay, wheelchair ramp improvements and any other required work for the completion of the IMP Rehabilitation projects located throughout the City; and

**WHEREAS**, the Public Works Department desires to amend the contract with H.L. Zumwalt Construction, Inc. to include additional construction services and contract capacity. This proposed amendment will increase the contract capacity by a total of \$2,339,000.00 to a revised contract value of \$11,695,685.75. This will be the first amendment for this contract. The following table illustrates the amendment(s) since the execution of this contract:

Item	Amount
Original Contract Value	\$9,356,685.75
Proposed Amendment	\$2,339,000.00
Revised Contract Amount	\$11,695,685.75

This amendment will compensate the contractor for work and costs associated with street rehabilitation projects to expedite the completion of these projects citywide. The amendment amount does not exceed the permissible threshold authorized by state law.

**WHEREAS**, all of the other provisions of the task order contract authorized by Ordinance 2022-11-03-0834, including the Small Business Economic Development Advocacy (SBEDA) Program goals will continue in full force and effect; and

**WHEREAS**, this ordinance approves a contract amendment in the increased amount of \$2,339,000.00 for a revised 2023 Street Rehabilitation Task Order Contract Package 6 contract value of \$11,695,685.75 with H.L. Zumwalt Construction, Inc.; **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 amend the 2023 Street Rehabilitation Task Order Contract Package 6 with H.L. Zumwalt Construction, Inc. to an amount not to exceed \$11,695,685.75.

**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 \$2,339,000.00 is authorized to be encumbered with purchase orders and made payable to H.L. Zumwalt Construction, Inc., for a change order increase to 2023 Street Rehabilitation Task Order Contract Package 6. Payment is in support of Project 23-04129 F2024 Street Maintenance Program (SMP) using WBS 23-04129-08-05-02-01 with GL 5201140. Funding is provided by Tax Notes, CO Bonds, General Fund and ATD Fund, and is in the FY24-FY29 CIP Budget.

**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 \_\_\_\_ day of October, 2023.**

**M     A     Y     O     R**  
Ron Nirenberg

TG  
10/19/2023  
Item No.

**ATTEST:      APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney

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