

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

**ORDINANCE**

**AWARDING 2022 STREET REHABILITATION TASK ORDER  
PACKAGE 2 TO H.L. ZUMWALT CONSTRUCTION, INC. IN AN  
AMOUNT NOT TO EXCEED \$4,160,887.50 WITH REIMBURSEMENT  
FROM SAN ANTONIO WATER SYSTEM AND CPS ENERGY IN AN  
AMOUNT CONSISTENT WITH NECESSARY ADJUSTMENTS TO  
THEIR EXISTING INFRASTRUCTURE.**

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**WHEREAS**, with the adoption of the FY 2022 Budget on September 16, 2021, City Council approved a \$110 million Street Maintenance Program (SMP) budget, comprised of both \$12 million in-house and \$98 million contractual street maintenance projects; and

**WHEREAS**, this ordinance authorizes one contract for FY 2022 totaling \$4,160,887.50 for the construction of street maintenance projects; and

**WHEREAS**, as part of the Department's continuing efforts to expedite project delivery and complete infrastructure projects, the task order contract will enable Public Works to execute multiple projects delivered through the Infrastructure Management Program (IMP).

**WHEREAS**, the 2022 Street Rehabilitation Task Order Package 2 includes, but are not limited to, the repair of a street's base structure, asphalt surface overlay, wheelchair ramps improvements and any other required work for the completion of the IMP Rehabilitation projects located throughout the City; and

**WHEREAS**, this 2022 Street Rehabilitation TOC Package 2 – Flatwork was advertised on June 21, 2021 and six bids were received and opened in August 10, 2021 with H.L. Zumwalt Construction, Inc.; and

**WHEREAS**, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, the Goal Setting Committee set a 20% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal; and

**WHEREAS**, this ordinance accepts the lowest responsive bid and awards the 2022 Street Rehabilitation Task Order Package 2 to H.L. Zumwalt Construction, Inc. in an amount not to

exceed \$4,160,887.50 of which \$119,000.00 will be reimbursed by San Antonio Water System (SAWS) and \$5,000.00 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 lowest responsive bid in the amount of not to exceed \$4,160,887.50 from H.L. Zumwalt Construction, Inc. for the 2022 Street Rehabilitation TOC Package 2 - Flatwork 2021-2022, which \$119,000.00 will be reimbursed by San Antonio Water System (SAWS) and \$5,000.00 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

**SECTION 2.** Payment is authorized to be encumbered and made payable to H.L. Zumwalt Construction, Inc. in an amount not to exceed \$4,160,887.50. Payment is in support of the FY 2022 Street Maintenance Program (SMP) Project, using Fund 40099000, with the WBS Element 23-03838-08-05-02-01 and GL Account 5201140. Funding is provided by CO Bonds, Tax Notes, ATD, ROW, and General Fund and is in the FY2022-FY2027 CIP Budget. Reimbursement of \$119,000.00 will be received from SAWS and \$5,000.00 from CPS Energy.

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 \_\_\_\_ day of \_\_\_\_\_, 2021.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Debbie Racca-Sittre, Acting City Clerk

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Andrew Segovia, City Attorney

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