

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

ORDINANCE

**AWARDING THE 2022 PAVEMENT PRESERVATION PACKAGE 1 –
BASE REPAIR TASK ORDER CONTRACT TO NERIE CONSTRUCTION
LIMITED LIABILITY COMPANY IN AN AMOUNT NOT TO EXCEED
\$1,723,232.00 WITH REIMBURSEMENT FROM SAN ANTONIO WATER
SYSTEM FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE.**

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WHEREAS, with the anticipated adoption of the FY 2022 Budget on September 16, 2021, City Council is expected to approve a \$110 million Street Maintenance Program (SMP) budget, comprised of both \$12 million in-house and \$98 million contractual street maintenance projects. This ordinance authorizes one contract for FY 2022 totaling \$1,289,517.20 for the construction of street maintenance projects with additional contracts are scheduled to be awarded at a later date for the remaining SMP; 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 2021-2022 Task Order Contract Pavement Preservation Package 1 – Base Repair Task Order Contract includes, but is 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 Preservation projects located throughout the City.

WHEREAS, this 2021-2022 Task Order Contract Pavement Preservation Package 1 Base Repair was advertised on July 23, 2021 and six bids were received and opened in August 24, 2021 with Nerie Construction Limited Liability Company submitting the lowest responsive bid with the deductive alternate; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, the Goal Setting Committee set a 10% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African American Business Enterprise (AABE) subcontracting goal; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2022 Pavement Preservation Package 1 – Base Repair Task Order Contract to Nerie Construction Limited Liability Company in an amount not to exceed \$1,723,232.00 of which \$15,000.00 will be reimbursed by San Antonio Water System (SAWS) 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 \$1,723,232.00 from Nerie Construction Limited Liability Company for the 2021-2022 Task Order Contract Pavement Preservation Package 1 Base Repair, which 15,000.00 will be reimbursed by SAWS. 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 Nerie Construction Limited Liability Company in an amount not to exceed \$1,723,232.00. Payment is in support of the FY2022 Street Maintenance Program (SMP) Project, using Fund 40099000, with the WBS Elements and GL Accounts in the table below. Funding is provided by CO Bonds, Tax Notes, ATD, ROW, and General Fund and is in the FY2022-FY2027 CIP Budget. Reimbursement of \$15,000.00 will be received from SAWS.

WBS	GL	AMOUNT
23-03838-05-05-02-01	5201140	\$1,708,232.00
23-03838-05-05-02-02-15	5201245	7,500.00
23-03838-05-05-02-02-16	5201245	7,500.00
TOTAL		\$1,723,232.00

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

Andrew Segovia, City Attorney

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