

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

ORDINANCE

**AWARDING A CONSTRUCTION CONTRACT TO KEELEY
CONSTRUCTION GROUP, INC. IN THE AMOUNT NOT TO
EXCEED \$425,039.14 OF WHICH \$45,692.16 WILL BE
REIMBURSED BY SAN ANTONIO WATER SYSTEM FOR
NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE RELATED TO THE CONSTRUCTION OF
DISTRICT 10 DRAINAGE IMPROVEMENTS (FOX HEAD
DRAINAGE IMPROVEMENT) PROJECT. FUNDS ARE
AVAILABLE FROM CERTIFICATES OF OBLIGATION
INCLUDED IN THE FY 2024 – FY 2029 CAPITAL IMPROVEMENT
PROGRAM**

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WHEREAS, this project will construct improvements to intercept and divert the runoff overflow at the back-fence line of Fox Head properties in order to prevent current flooding events, and channel the water to an underground concrete channel; and

WHEREAS, the project will also include full pavement reconstruction of Fox Head, including curbs, sidewalks, driveway approaches, and SAWS utilities where required, and the mill and overlay for the remainder of Fox Head up to the intersection of Willow Run Street; and

WHEREAS, pursuant to Ordinance No. 2016-04-07-0240 as well as San Antonio City Code Sec. 37-3(c)(2), Sec. 29-110, Sec. 29-162, and Sec. 29-164, SAWS and CPS will be responsible for all costs related to their utility work, including but not limited to providing the precise location of its facilities in City's right of way, either by delivering accurate maps and records or by performing or reimbursing City for Subsurface Utility Engineering ("SUE"); and

WHEREAS, this project was advertised for construction bids on January 5, 2024, and six (6) bids were received and opened on February 6, 2024, of which, Keeley Construction Group, 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 be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract to maximize the amount of small, minority and women-owned business participation on the contract. The Goal Setting Committee set a 16% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal. Keeley Construction Group, Inc. has committed to meeting the subcontractor participation goal; 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 accepts the lowest responsive bid and awards a construction contract to Keeley Construction Group, Inc. in an amount not to exceed \$425,039.14 of which \$45,692.16 will be reimbursed by San Antonio Water System (SAWS) for construction of the District 10 Drainage Improvements (Fox Head Drainage Improvement) project; and

WHEREAS, funds are available from 2022 Certificates of Obligation and included in the FY 2024 – FY 2029 Capital Improvement Program; and

WHEREAS, construction is anticipated to begin in Spring 2024 and is estimated to be completed by Summer 2024; **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 a construction contract with Keeley Construction Group, Inc. in an amount not to exceed \$425,039.14 of which \$45,692.16 will be reimbursed by San Antonio Water System (SAWS) for construction of the District 10 Drainage Improvements (Fox Head Drainage Improvement) project.

SECTION 2. Funds in the amount of \$45,692.16 is authorized to be received from San Antonio Water System in the form of a reimbursement for necessary adjustments to their existing infrastructure. These funds are authorized to be appropriated into Project 23-03862.

SECTION 3. Payment not to exceed \$425,039.14 is authorized to be encumbered with purchase orders and made payable to Keeley Construction Group, Inc. construction of the District 10 Drainage Improvements (Fox Head Drainage Improvement) project. Funding is provided by Certificates of Obligation and is in the FY 2024 - FY 2029 CIP Budget.

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 11th day of April, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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