

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

**ORDINANCE**

**APPROVING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH VIA METROPOLITAN TRANSIT TO ACCEPT FUNDS IN THE AMOUNT OF \$500,000.00 FROM VIA METROPOLITAN TRANSIT AND AUTHORIZES THE APPROPRIATION OF THESE FUNDS TO THE ZARZAMORA PEDESTRIAN IMPROVEMENTS PROJECT. THIS ORDINANCE ALSO APPROVES A ONE-TIME CAPITAL IMPROVEMENT EXPENDITURE IN THE AMOUNT NOT TO EXCEED \$5,384,027.96, OF WHICH \$208,803.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, PAYABLE TO ELECNOR BELCO ELECTRIC, INC., FOR THE CONSTRUCTION OF THE ZARZAMORA PEDESTRIAN IMPROVEMENTS PROJECT. FUNDS ARE INCLUDED IN THE FY 2024 - FY 2029 CAPITAL IMPROVEMENT PROGRAM.**

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**WHEREAS**, the Zarzamora Pedestrian Improvements project was selected for funding through the Alamo Area Metropolitan Planning Organization (AAMPO) Transportation Alternatives Program (TAP) for the FY 2017-2020 Transportation Improvement Program (TIP) to improve pedestrian safety along Zarzamora Street to support VIA Metropolitan Transit (VIA)'s implementation of PRIMO rapid transit. The City of San Antonio partnered with VIA Metropolitan Transit to provide matching funds for the AAMPO application; and

**WHEREAS**, the Zarzamora Pedestrian Improvements project provides pedestrian enhancement and safety improvements along Zarzamora Street between Fredericksburg Road and SW Military, a high-demand pedestrian generator. The proposed multi-modal vehicular and pedestrian safety improvements include sidewalks, driveway approaches, traffic signal upgrades, signage, and striping throughout the 7-mile corridor with dedicated bus lanes from SW Military to Nogalitos. These improvements support the VIA PRIMO Route service, which was opened in 2018 and fulfills the goals of the Regional Pedestrian Study, VIA Vision 2040, and SA Tomorrow; and

**WHEREAS**, the selected bid additive alternates on this contract will include tree planting, vegetative watering, barricades, traffic control, traffic signal, utility and cabling work. The project will also include SAWS utility infrastructure adjustments and associated work where required. 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 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**, under the terms of the proposed Interlocal Agreement (ILA), the City of San Antonio will design and construct the improvements leveraging AAMPO and VIA Metropolitan Transit funding. Construction is anticipated to begin in Spring 2024 and is estimated to be completed by Winter 2025; and

**WHEREAS**, this project was advertised on January 10, 2024, and two (2) bids were received and opened on February 13, 2024, with Elecnor Belco Electric, Inc. submitting the lowest responsive bid; and

**WHEREAS**, Due to the utilization of federal dollars, the Disadvantaged Business Enterprise (DBE) program of the State of Texas was utilized in place of the Small Business Economic Development Advocacy (SBEDA) Program. Elecnor Belco Electric, Inc. has committed to meeting the 7.5% DBE subcontracting goal; and

**WHEREAS**, staff recommends approval of the execution of an Interlocal Agreement with VIA Metropolitan Transit to accept funds in the amount of \$500,000.00 from VIA Metropolitan Transit and authorizing the appropriation of these funds to the Zarzamora Pedestrian Improvements Project. Staff further recommends approval of a one-time capital improvement expenditure in the amount not to exceed \$5,384,027.96, payable to Elecnor Belco Electric, Inc., for the construction of the Zarzamora Pedestrian Improvements project. Funding for this contract in the amount of \$208,803.00 will be reimbursed by the San Antonio Water System (SAWS), \$260,061.00 is available from the Tree Preservation Fund, \$500,000.00 is available from VIA Metropolitan Transit, \$883,032.79 is available from General Obligation Bond funds, and \$3,532,131.17 is available from TXDOT related to the Zarzamora Pedestrian Improvements project. Funds are included in the FY 2024 - FY 2029 Capital Improvement Program; **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 Interlocal Agreement between VIA Metropolitan Transit and the City of San Antonio to accept funds in the amount of \$500,000.00 for the construction of the Zarzamora Pedestrian Improvements project. A copy of the Agreement in substantially final form is attached hereto and incorporated herein for all purposes as **Exhibit I**.

**SECTION 2.** The City Manager or designee, or the Director of the Public Works Department or designee, is authorized to accept the lowest responsive bid and award a construction contract to Elecnor Belco Electric, Inc. in an amount not to exceed \$5,384,027.96, of which \$208,803.00 will be reimbursed by SAWS for the construction of the Zarzamora Pedestrian Improvements project.

**SECTION 2.** Funds in the amount of \$500,000.00 are authorized to be received from VIA Metropolitan Transit for vehicular and pedestrian safety improvements along Zarzamora Street. These funds are authorized to be appropriated into Project 23-01782.

**SECTION 3.** Payment not to exceed \$5,384,027.96 is authorized to be encumbered with a purchase order and made payable to Elecnor Belco Electric, Inc. Payment is in support of Project 23-01782 Zarzamora Pedestrian Improvements using various WBS elements with various GL Accounts. Funding is provided by the General Obligations funds and TXDOT funding and is in the FY 2024 - FY 2029 CIP Budget. \$208,803.00 will be reimbursed by San Antonio Water System. This reimbursement is authorized to be appropriated into Project 23-01782.

**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 May, 2024.**

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Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney