

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

ORDINANCE

**AWARDING THE FY 2024 NON-SERVICE ALLEY
IMPROVEMENTS TASK ORDER CONTRACT PACKAGE A TO
KEELEY CONSTRUCTION GROUP, INC. IN AN AMOUNT NOT TO
EXCEED \$727,808.14. FUNDS ARE AVAILABLE FROM THE
GENERAL FUND AND INCLUDED IN THE FY 2024 – FY 2029
CAPITAL IMPROVEMENT PROGRAM**

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WHEREAS, non-service alleys – those alleys that do not receive collection services from the Solid Waste Management Department – are the responsibility of the property owner to maintain, per Chapters 14 and 35 of the Unified Development Code (UDC); and

WHEREAS, many of these alleys are neglected in the form of overgrown vegetation and rutting, resulting in drainage and ponding issues in these alleys; and

WHEREAS, as part of the FY 2024 Adopted Budget, \$1.35 million was approved to implement a three-year plan to develop a maintenance schedule for non-service alleys with no utilities to address non-service alleys without utilities in the worst condition based on the completed FY 2023 condition assessment; and

WHEREAS, construction improvements may include regrading, leveling, clearing, or implementing asphalt, sidewalks, driveway approaches, concrete curbs, striping, signs, utility repairs, and adjustments, as necessary to complete non-service alley projects.

WHEREAS, Task Order Contracts (TOC) are utilized for small construction projects to allow for the timely execution of work; they are advertised with an estimated quantity of work, although the City makes no minimum guarantee about the volume of work, and unit prices are established by the bidding contractor for the duration of the contract; and

WHEREAS, this project was advertised on for construction bids January 29, 2024, and five (5) bids were received and opened on February 27, 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 10% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African-American Business Enterprise (AABE) subcontracting goal.

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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 awards the FY 2024 Non-Service Alley Improvements Task Order Contract Package A to Keeley Construction Group, Inc. in an amount not to exceed \$727,808.14;
and

WHEREAS, funds are available from General Funds 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 the FY 2024 Non-Service Alley Improvements Task Order Contract Package A with Keeley Construction Group, Inc. in an amount not to exceed \$727,808.14.

SECTION 2. Funding in the amount of \$727,808.14 is available in Fund 40099000, WBS Element 23-04118-05-02-01 and GL Account 5201140.

SECTION 3. Payment not to exceed \$727,808.14 is authorized to be encumbered with a purchase order and made payable to Keeley Construction Group, Inc. to construct improvements to alleviate minor ponding issues associated with non-service alleys. Funding is provided by the General Fund and is in the FY 2024 - FY 2029 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 11th day of April, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

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Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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