

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

**ORDINANCE**

**AWARDING A CONSTRUCTION CONTRACT TO E-Z BEL CONSTRUCTION, LLC IN THE AMOUNT OF \$2,047,150.58, OF WHICH \$348,333.00 WILL BE REIMBURSED BY CPS ENERGY; RE-APPROPRIATING \$255,677.39 IN 2012 GENERAL OBLIGATION BONDS FROM THE HEMISFAIR AREA STREET DEVELOPMENT PROJECT INTENDED FOR THIS PURPOSE AND TO PROPERLY ACCOUNT FOR THE ASSET UPON COMPLETION; AND AMENDING THE FY 2022 - FY 2027 CAPITAL IMPROVEMENT PROGRAM FOR THE HEMISFAIR PARK STREETS PHASE 2 PROJECT, A 2017 BOND PROJECT, LOCATED IN COUNCIL DISTRICT 1. FUNDS ARE AVAILABLE FROM THE 2017 - 2022 GENERAL OBLIGATION BOND PROGRAM AND PREVIOUSLY AUTHORIZED GENERAL OBLIGATION BOND FUNDS INCLUDED IN THE FY 2022 – FY 2027 CAPITAL IMPROVEMENT PROGRAM.**

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**WHEREAS**, On May 6, 2017, voters approved the 2017 Bond Program, which authorized \$5,000,000.00 for roadway reconstruction for Hemisfair Park Streets Phase 2 Project located in Council District 1; and

**WHEREAS**, this project will provide for the extension of Hemisfair Boulevard from East Nueva Street to Tower of the Americas Plaza and associated roadway improvements. Improvements include constructing a roadway, sidewalks, pedestrian illumination, landscaping, irrigation, storm sewer upgrades and underground digital infrastructure; and

**WHEREAS**, included in the project is joint-bid CPS Energy gas and electric work consisting of the installation of gas mains and an electric underground distribution duct bank; and

**WHEREAS**, this project was advertised on February 25, 2022 and one bid was received and opened on March 29, 2022 with E-Z Bel Construction, LLC submitting the lowest responsive bid; and

**WHEREAS**, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program and E-Z Bel Construction, LLC has committed to satisfying the 22% Minority and/ or Women-Owned Business Enterprise (M/WBE) subcontracting goal and the 3% African American Business Enterprise (AABE) subcontracting goal; and

**WHEREAS**, construction is anticipated to begin in June 2022 and is estimated to be completed in August 2023; and

**WHEREAS**, this ordinance accepts the lowest responsive bid and awards a construction contract to E-Z Bel Construction, LLC in the amount of \$2,047,150.58, of which \$348,333.00 will be reimbursed by CPS Energy for the Hemisfair Park Streets Phase 2 Project; re-appropriates \$255,677.39 in 2012 General Obligation Bonds from the Hemisfair Area Street Redevelopment Project to properly account for the asset upon completion; and amends the FY 2022 – FY 2027 Capital Improvement Program for the Hemisfair Park Streets Phase 2 Project, a 2017 Bond project, located in Council District 1; **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 in an amount not to exceed \$2,047,150.58, of which \$348,333.00 will be reimbursed by CPS Energy, from E-Z Bel Construction, LLC for the Hemisfair Park Streets Phase 2 Project located in Council District 1. Funds are available from the re-appropriating \$255,677.39 in 2012 General Obligation Bonds from the Hemisfair Area Street Redevelopment Project intended for this purpose and to properly account for the asset upon completion; and amending the FY 2022 – FY 2027 Capital Improvement Program for the Hemisfair Park Streets Phase 2 Project. 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.** The amount of \$255,677.39 in Fund 45099000 is authorized to be transferred from WBS GO-00261-01-01-24 entitled Trf to 40-00421-0-01-12-03, GL account 6102100 Transfer Out to WBS GO-00261-01-01-55 entitled Trf to 23-01588-90-01-12-03, GL account 6102100 Transfer Out.

Payment is authorized to be encumbered and made payable to J3 Company, LLC, in an amount not to exceed \$1,128,652.00. Payment is in support of Orsinger LWC#35 Project using Fund 40099000 with the WBS element 23-03803-05-02-01 account 5201140. Funding for this project is provided by the Drainage Detention Project Fund and is in the FY2022-FY2027 CIP Budget. Reimbursement of \$218,157.00 will be received from SAWS.

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 budget in SAP Fund 45099000 General Obligation Projects, Project 23-00421 Hemisfair Area Street Redevelopment, shall be revised by decreasing WBS 40-00421-90-01-12-03 with GL 6101100 by \$255,677.39 and by decreasing the WBS elements and GL accounts by the amounts in the table below totaling \$255,677.39.

WBS	GL	AMOUNT
40-00421-01-01	5402030	\$19,654.96
40-00421-04-02-01	5201040	13,492.50
40-00421-05-01-01	5402030	113,271.57
40-00421-05-01-01	5402050	68,134.48
40-00421-05-06	5201140	41,123.88
TOTAL		\$255,677.39

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.** The budget in SAP Fund 45099000 General Obligation Projects, Project 23-01588 Hemisfair Park Streets Phase 2, shall be revised by increasing WBS 23-01588-90-01-12-03 with GL 6101100 by \$255,677.39 and WBS 23-01588-05-02-01 with GL 5201140 each by \$255,677.39.

**SECTION 5.** Payment is authorized to be encumbered and made payable to E-Z Bel Construction, LLC, in an amount not to exceed \$2,047,150.58. Payment is in support of the Hemisfair Park Streets Phase 2 Project using WBS 23-01588-05-02-01 with GL 5201140. Funding for this project is provided by GO Bonds and is in the FY2022-FY2027 CIP Budget as amended above. Reimbursement of \$255,677.39 will be received from CPS.

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 6.** 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 7.** 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 \_\_\_\_\_, 2022.

**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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