

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

ORDINANCE

**APPROVING AN AMENDMENT IN THE INCREASED AMOUNT NOT
TO EXCEED \$6,662,053.97 TO THE \$31,700,000.00 DESIGN-BUILD
CONTRACT WITH J.D. ABRAMS, L.P. FOR ADDITIONAL DESIGN AND
CONSTRUCTION SERVICES FOR COMPLETION OF REGIONAL
STORM WATER FLOODING IMPROVEMENTS ASSOCIATED WITH
THE PRUE ROAD (BABCOCK ROAD TO LAUREATE DRIVE) PROJECT
LOCATED IN COUNCIL DISTRICT 8. FUNDS ARE AVAILABLE FROM
GENERAL OBLIGATION BOND FUNDS AND ARE 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 funds in the amount of \$27,600,000.00 to reconstruct and widen Prue Road from Babcock Road to Laureate Drive, including curbs, sidewalks, driveway approaches, signal modifications and drainage improvements as appropriate and within available funding; and

WHEREAS, on April 19, 2018, City Council authorized the negotiation and execution of a Design-Build Agreement in an amount not to exceed \$31,700,000.00 through Ordinance No. 2018-04-19-0284. On June 4, 2020, City Council approved Amendment No. 1 through Ordinance 2020-06-04-0361 and 2020-06-04-0362 to the Design-Build contract between the City of San Antonio and J.D. Abrams, L.P. in an amount not to exceed \$600,000.00 for joint-bid utility design and preconstruction services for the Prue Road (Babcock Road to Laureate Drive) project of which \$600,000.00 will be reimbursed by Grey Forest Utilities; and

WHEREAS, this second amendment will provide additional design and construction services for the addition of an Outfall C drainage facility as part of the overall project, including the acquisition of the required utility easements and utility relocation as part of the work related to the installation of the Outfall C drainage facility at a total additional cost of Six Million Six Hundred Sixty-Two Thousand Fifty-Three Dollars and 97/100 cents (\$6,662,053.97); and

WHEREAS, it is necessary to amend the Design-Build contract accordingly and authorize the execution of such amendment increasing the agreement with J.D. Abrams, L.P. by \$6,662,053.97 for the Prue Road Project; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or his designee, is authorized to execute an amendment with J.D. Abrams, L.P. in an amount not to exceed \$6,662,053.97 for the construction of the Prue Road Project. A copy of the amendment in substantially final form is attached as **Exhibit A**.

SECTION 2. Payment is authorized to be encumbered and made payable to J.D. Abrams, L.P, in an amount not to exceed \$6,662,053.97. Payment is in support of Orsinger LWC#35 Project using Fund 45099000 with the WBS element 23-01603-05-02-01 and GL account 5201140. Funding for this project is provided by GO Bonds and is in the FY2022-FY2027 CIP Budget.

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 _____, 2022.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

EXHIBIT A

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