

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

ORDINANCE

AWARDING A CONSTRUCTION CONTRACT TO HARPER BROTHERS CONSTRUCTION, LLC IN THE AMOUNT OF \$2,373,704.00 OF WHICH \$549,688.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$324,910.00 WILL BE REIMBURSED BY CPS ENERGY FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING INFRASTRUCTURE FOR THE BREEDEN - W. RUSSELL PLACE AREA DRAINAGE PHASE 1B PROJECT LOCATED IN COUNCIL DISTRICT 1. FUNDS ARE AVAILABLE FROM THE STORMWATER OPERATING FUND AND INCLUDED IN THE FY 2022 – FY 2027 CAPITAL IMPROVEMENT PROGRAM.

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WHEREAS, this phase of the project will continue the drainage improvements in the area along West Russell Place from South Flores to Breeden Avenue, including an underground storm drain system and inlets to alleviate flooding issues in this neighborhood located in Council District 1; and

WHEREAS, other improvements will include street reconstruction, curbs, sidewalks and driveway approaches; and

WHEREAS, Joint-bid SAWS and CPS Energy work is also included in this project; and

WHEREAS, this project was advertised on April 29, 2022 and three (3) bids were received and opened on June 3, 2022 with Harper Brothers Construction, LLC submitting the lowest responsive; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which the Goal Setting Committee set a 19% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African American Business Enterprise (AABE) subcontracting goal, that the Economic Development Department approved a partial waiver submitted by Harper Brothers Construction, LLC because the contractor demonstrated a good faith effort to provide subcontracting opportunities for small, minority, and women-owned businesses; and

WHEREAS, construction is anticipated to begin in September 2022 and is estimated to be completed by July 2023; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards a construction contract to Harper Brothers Construction, LLC in the amount of \$2,373,704.00 of which \$549,688.00 will be reimbursed by SAWS and \$324,910.00 will be reimbursed by CPS Energy for the Breeden - W. Russell Place Area Drainage Phase 1B 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 \$2,373,704.00 from Harper Brothers Construction, LLC, of which \$549,688.00 will be reimbursed by SAWS and \$324,910.00 will be reimbursed by CPS Energy, for the Breeden - W. Russell Place Area Drainage Phase 1B project located in Council District 1. 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. Payment is authorized to be encumbered and made Harper Brothers Construction, LLC in an amount not to exceed \$2,373,704.00. Payment is in support of the Breeden-W Russell Area Drainage -Phase 1B Project using Fund 40099000 with the WBS element 23-03815-05-02-01 and GL account 5201140. Funding for this project is provided by the Stormwater Operations Fund and is in the FY2022-FY2027 CIP Budget. Reimbursement of \$549,688.00 will be received from SAWS and reimbursement of \$324,910.00 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 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

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