

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

ORDINANCE

**AWARDING THE 2023 PAVEMENT PRESERVATION PACKAGE 2 -
BASE REPAIR TASK ORDER CONTRACT TO CLARK
CONSTRUCTION OF TEXAS, INC. IN AN AMOUNT NOT TO EXCEED
\$1,978,903.40 OF WHICH \$28,900.00 WILL BE REIMBURSED BY SAN
ANTONIO WATER SYSTEM AND \$6,160.00 WILL BE REIMBURSED BY
CPS ENERGY FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE. FUNDS ARE AVAILABLE AND INCLUDED IN
THE FY 2022 – FY 2027 CAPITAL IMPROVEMENTS PROGRAM AND
MAY ALSO BE FUNDED FROM VARIOUS FUNDING SOURCES
INCLUDING, BUT NOT LIMITED TO, THE GENERAL FUND, THE
ADVANCED TRANSPORTATION DISTRICT FUND, DEBT PROCEEDS,
OR OTHER FUNDING SOURCES. FUNDING FOR FY 2023 AND BEYOND
IS CONTINGENT UPON CITY COUNCIL APPROVAL OF THE ANNUAL
OPERATING AND CAPITAL BUDGET.**

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WHEREAS, as part of the adopted FY 2022 Budget, City Council approved \$110 million for the Street Maintenance Program (SMP), comprised of \$12 million for in-house and \$98 million for contractual street maintenance projects; and

WHEREAS, as part of the proposed FY 2023 budget, City Council will be considering the approval of a \$130 million budget for the Street Maintenance Program (SMP); and

WHEREAS, this budget will be comprised of both \$12 million in-house and \$118 million contractual street maintenance projects; and

WHEREAS, this authorizes one contract for FY 2023 totaling \$1,978,903.40 for the construction of street maintenance projects with additional contracts scheduled to be awarded at a later date for the remaining SMP; and

WHEREAS, the 2023 Pavement Preservation Package 2 - Base Repair Task Order Contract includes, but is not limited to, the repair of a street's base structure, asphalt surface overlay, wheelchair ramp improvements and any other required work for the completion of the IMP Preservation projects located throughout the City; and

WHEREAS, the 2023 Pavement Preservation Package 2 - Base Repair Task Order Contract was advertised on May 27, 2022 and three (3) bids were received and opened on July 1, 2022 with Clark Construction of Texas, Inc. submitting the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, the Goal Setting Committee setting a 17% Minority/Women Business Enterprise (M/WBE) and 4% African American Business Enterprise (AABE) subcontracting goal that Clark Construction of Texas, Inc. has committed to meeting; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2023 Pavement Preservation Package 2 - Base Repair Task Order Contract to Clark Construction of Texas, Inc. in an amount not to exceed \$1,978,903.40 of which \$28,900.00 will be reimbursed by San Antonio Water System (SAWS) and \$6,160.00 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure; **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 approve a task order contract to Clark Construction of Texas in the amount not to exceed \$1,978,903.40, of which \$28,900.00 will be reimbursed by San Antonio Water System (SAWS) and \$6,160.00 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure, for the 2023 Pavement Preservation Package 2 - Base Repair Task Order Contract. Funds are available and included in the FY 2022 – FY 2027 Capital Improvements Program and may be funded from various funding sources to include, but not limited to, the General Fund, the Advanced Transportation District Fund, debt proceeds, or other funding sources.

SECTION 2. Payment is authorized to be encumbered and made payable to Clark Construction of Texas, Inc. in an amount not to exceed \$1,978,903.40. Payment is in support of the FY2022 Street Maintenance Program (SMP) Project, 2023 Pavement Preservation Package 2 using Fund 40099000 with the WBS element 23-03838-05-05-02-03-22 and GL account 5201140. Funding for this project is provided by CO Bonds, Tax Notes, ATD, ROW, and General Fund and is in the FY2022-FY2027 CIP Budget. Reimbursement of \$28,900.00 will be received from SAWS and reimbursement of \$6,160.00 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, Acting City Clerk

Andrew Segovia, City Attorney