

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

ORDINANCE

**AWARDING THE 2023 STREET REHABILITATION TASK ORDER
CONTRACT PACKAGE 3 TO CLARK CONSTRUCTION OF
TEXAS, INC. IN AN AMOUNT NOT TO EXCEED \$9,684,543.30 OF
WHICH \$226,000.00 WILL BE REIMBURSED BY SAN ANTONIO
WATER SYSTEM AND \$9,750.00 WILL BE REIMBURSED BY CPS
ENERGY FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING
INFRASTRUCTURE. FUNDS ARE AVAILABLE AND INCLUDED
IN THE FY 2023 – FY 2028 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.**

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WHEREAS, with the adoption of the FY 2023 Budget, City Council has approved \$116 million for the Street Maintenance Program (SMP); and

WHEREAS, this task order contract will enable Public Works to execute multiple projects delivered through the Infrastructure Management Program (IMP); and

WHEREAS, this ordinance authorizes one contract for FY 2023 totaling \$9,684,543.30 for the construction of street maintenance projects including, but 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 Rehabilitation projects located throughout the City; and

WHEREAS, this project was advertised on June 22, 2022 and five (5) bids were received and opened on August 2, 2022, with Clark Construction of Texas, Inc. submitting the lowest responsive bid; and

WHEREAS, this task order contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program and the Goal Setting Committee set a 9% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal and Clark Construction of Texas, Inc. has committed to meeting the subcontracting goal; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards 2023 Street Rehabilitation Task Order Contract Package 3 to Clark Construction of Texas, Inc. in an amount not to exceed \$9,684,543.30 of which \$226,000.00 will be reimbursed by San Antonio Water

System (SAWS) and \$9,750.00 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 accept the lowest responsive bid and award the 2023 Street Rehabilitation Task Order Contract Package 3 to Clark Construction of Texas, Inc. in an amount not to exceed \$9,684,543.30 of which \$226,000.00 will be reimbursed by San Antonio Water System (SAWS) and \$9,750.00 will be reimbursed by CPS Energy to complete street maintenance projects identified in the Infrastructure Management Program.

SECTION 2. Payment is authorized to be encumbered and made payable to Clark Construction of Texas, Inc. in an amount not to exceed \$9,684,543.30. Payment is in support of the FY 2023 Street Maintenance Program (SMP) Project, 2023 Street Rehabilitation Package 3, using Fund 40099000 with the WBS element 23-04085-08-05-02-01 and GL account 5201140. Funding for this project is provided by CO Bonds, ATD, ROW, and General Fund and is included in the FY 2023-FY 2028 CIP Budget. Reimbursement and appropriation of \$226,000.00 will be received from SAWS and reimbursement of \$9,750.00 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 __th day of September 2022.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

TG
09/29/22
Item No. 22-186904

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney