

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

**ORDINANCE**

**ORDINANCE AMENDING A UTILITY CONTRACT IN THE INCREASED AMOUNT OF \$346,903.00 TO THE \$10,636,237.51 CONSTRUCTION CONTRACT WITH E-Z BEL CONSTRUCTION, LLC, OF WHICH \$346,903.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM FOR CONSTRUCTION SERVICES RELATED TO REPLACING EXISTING BRICK SANITARY SEWER UTILITY HOLE STRUCTURES AS PART OF THE NORTH MAIN AVENUE & SOLEDAD STREET (PECAN STREET TO NAVARRO STREET) PROJECT, A 2017 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 1; AND AUTHORIZING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$346,903.00 FROM SAWS FOR CONSTRUCTION SERVICES RELATED TO THIS AMENDMENT.**

\* \* \* \* \*

**WHEREAS**, On May 6, 2017, San Antonio voters approved the City of San Antonio's 2017-2022 Bond Program, of which \$9,000,000.00 was approved for roadway reconstruction for the North Main Avenue & Soledad Street (Pecan Street to Navarro Street) Project located in Council District 1. An additional \$9,000,000.00 was authorized in the 2017 Bond Program for District 1 Pedestrian Mobility & Streets, of which \$660,000.00 will be used to fund pedestrian enhancements on North Main Avenue & Soledad Street; and

**WHEREAS**, on December 16, 2021, City Council approved the construction contract with EZ Bel Construction, LLC in the amount of \$9,696,608.40 of which \$2,309,173.20 was reimbursed by SAWS and \$919,558.11 was reimbursed by CPS Energy for the North Main Avenue & Soledad Street (Pecan Street to Navarro Street) Project through Ordinance 2021-12-0971; and

**WHEREAS**, on October 20, 2022, City Council approved a contract amendment for \$513,886.69 through Ordinance 2022-10-20-0786, of which \$513,886.69 was reimbursed by CPS Energy for additional gas construction services. Contract amendments to modify and enhance the project have increased this contract by a total of \$939,629.11; and

**WHEREAS**, this proposed amendment will increase the contract capacity by \$346,903.00 to a revised contract value of \$10,983,140.51.

The following table illustrates the previously authorized amendments since the execution of this agreement:

Item	Amount
Original Contract Value	\$9,696,608.40
Previous Contract Amendments	\$939,629.11
Proposed Contract Amendment	\$346,903.00
Revised Contract Value	\$10,983,140.51

This contract amendment will compensate the contractor for work and costs associated with replacing existing SAWS brick sanitary sewer utility hole structures with new concrete structures for the North Main Avenue & Soledad Street project; and

**WHEREAS**, this ordinance approves a utility contract amendment adding additional scope, work, and quantities costs associated with replacing three existing brick sanitary sewer structures with new concrete structures to meet TCEQ sewer utility hole vacuum testing requirements in the increased amount of \$346,903.00. The ordinance authorizes payment to EZ Bel Construction, LLC for the North Main Avenue & Soledad Street (Pecan Street to Navarro Street) Project, a 2017 Bond funded roadway reconstruction project, of which \$346,903.00 will be reimbursed by SAWS for construction services related to replacement of existing SAWS brick sanitary sewer utility hole structures with new concrete structures related to the project; **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 executing a utility contract amendment in the increased amount not to exceed \$346,903.00 and accepting reimbursement from SAWS for construction services related to this amendment.

**SECTION 2.** Payment is authorized to be encumbered and made payable E-Z Bel Construction, LLC in an amount not to exceed \$346,903.00. Payment is in support of the N Main Ave & Soledad St (Pecan - Navarro) Project using Fund 45099000 with the WBS element 23-01598-05-02-03 and GL account 5201245. Funding for this project is provided by GO Bonds and is in the FY2022-FY2027 CIP Budget. Reimbursement of \$346,903.00 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 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,

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Item No. 22-189052

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 January, 2023.**

**M      A      Y      O      R**  
Ron Nirenberg

**ATTEST:      APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney