

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

ORDINANCE

**APPROVING AN AMENDMENT IN THE INCREASED AMOUNT
OF \$501,070.48 TO THE \$11,450,320.98 CONSTRUCTION
CONTRACT WITH HARPER BROTHERS CONSTRUCTION, LLC
FOR SERVICES RELATED TO STREET RECONSTRUCTION AS
PART OF THE WEST COMMERCE STREET (FRIO STREET TO
COLORADO STREET) PROJECT, A 2017 GENERAL OBLIGATION
BOND FUNDED PROJECT. FUNDING IS FROM 2017 GENERAL
OBLIGATION BOND FUNDS INCLUDED IN THE FY 2023 - FY 2028
CAPITAL IMPROVEMENT PROGRAM.**

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WHEREAS, On May 6, 2017, voters approved the 2017 Bond Program, which authorized \$10,000,000.00 for street and drainage work related to the West Commerce Street (Frio Street to Colorado Street) project in Council District 5. This project provides for the reconstruction of West Commerce Street from Frio Street to Colorado Street, including the addition of bike facilities, pedestrian lighting, landscaping, and drainage improvements to Alazan Creek. Joint-bid utility work and structural bridge improvements to the Commerce Street, Buena Vista Street and Guadalupe Street bridges are also included in the project; and

WHEREAS, on September 10, 2020, through Ordinance 2020-09-10-0630 City Council approved a construction contract with Harper Brothers Construction, LLC for the West Commerce Street (Frio Street to Colorado Street) project in the total amount of \$10,384,984.94, of which \$1,417,706.50 would be reimbursed by San Antonio Water System and \$538,868.00 would be reimbursed by CPS Energy; and

WHEREAS, previous contract amendments have increased contract capacity by \$1,065,336.04. this proposed amendment will increase the contract capacity by \$501,070.48 to a revised contract amount of \$11,951,391.46.

The following table illustrates the previously authorized amendments which have occurred since the construction of this project began:

Item	Amount
Original Contract Value	\$10,384,984.94
Previous Contract Amendments	\$1,065,336.04
Proposed Contract Amendment	\$501,070.48
Revised Contract Value	\$11,951,391.46

This contract amendment will compensate the contractor for work and costs associated with the removal of unforeseen trolley tracks encountered during the construction of the West Commerce Street project. Construction is estimated to be completed in March 2023; **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 execute a contract amendment in the increased amount not to exceed \$501,070.48 for construction services related to street reconstruction as part of the West Commerce Street (Frio Street to Colorado Street) project.

SECTION 2. Payment is authorized to be encumbered and made payable to Harper Brothers Construction, LLC., in an amount not to exceed \$501,070.48. Payment is in support of the West Commerce St (Frio St to Colorado St) Project using Fund 45099000 with WBS 23-01617-05-02-01 and GL account 5201140. Funding for this project is provided by GO Bonds and is in the FY2023-FY2028 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 __th day of February, 2023.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

TG
02/09/23
Item No. 23-189628

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney