

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

ORDINANCE

**ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING
THE 2023 – 2024 NON-SERVICE ALLEY IMPROVEMENTS TASK
ORDER CONTRACT TO BUENO PRO SERVICES, LLC, IN AN
AMOUNT NOT TO EXCEED \$898,713.50 FOR COMPLETION OF
STORM WATER PROJECTS LOCATED CITYWIDE. FUNDING
FOR THE CONTRACT'S FIRST YEAR IS AVAILABLE FROM THE
GENERAL FUND INCLUDED IN THE FY 2023 ADOPTED BUDGET.
FUNDING FOR THE SECOND YEAR OF THE CONTRACT IS
CONTINGENT UPON CITY COUNCIL APPROVAL.**

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WHEREAS, task order contracts are utilized for small construction projects to allow for the timely execution of work. They are advertised with an estimated quantity of work and unit prices are established by the bidding contractor for the duration of the contract. Bid item quantities may vary from the estimated bid amount if the contract does not exceed the awarded amount. The City makes no minimum guarantee pertaining to the volume of work; and

WHEREAS, this task order contract will be used to construct, repair, and maintain storm water-related projects throughout the City. Work may include alley improvements and street reconstruction; and

WHEREAS, this ordinance authorizes one contract for FY 2023 – 2024 in an amount not to exceed \$898,713.50. The contract will use funding over two consecutive fiscal years contingent upon the approval of the funds by the City Council each fiscal year; and

WHEREAS, this project was advertised on November 14, 2022 and four (4) bids were received and opened on December 13, 2022, with Bueno Pro Services, LLC 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 recommendation of a 10% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African American Business Enterprise (AABE) subcontracting goal that Bueno Pro Services, LLC has committed to meeting; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2023 – 2024 Non-Service Alley Improvements Task Order Contract to Bueno Pro Services, LLC in an amount not to exceed \$898,713.50 for storm water projects located citywide; **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 Task Order Contract between the City of San Antonio and Bueno Pro Services, LLC for an amount not to exceed \$898,713.50.

SECTION 2. Payment is authorized to be encumbered and made payable to Bueno Pro Services, LLC, in an amount not to exceed \$449,356.75. Payment is in support of the FY 2023 Non-Service Alley Project, using Fund 29660000, with the WBS element 23-04075-05-02-01 and GL account 5201040. Funding for this project is provided by General Fund and is in the FY2023 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. Additional funding in the amount of \$449,356.75, for subsequent years is contingent upon City Council approval of subsequent budgets within the term length of this contract.

SECTION 4. 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 5. 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 March 2023.

M A Y O R
Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney