

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

ORDINANCE

**AWARDING THE 2022 STREET REHABILITATION PROJECT
SPECIFIC CONTRACT PACKAGE 9 TO CLARK CONSTRUCTION OF
TEXAS, INC. IN AN AMOUNT NOT TO EXCEED \$10,353,064.65 WITH
REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM AND CPS
ENERGY IN AN AMOUNT CONSISTENT WITH NECESSARY
ADJUSTMENTS TO THEIR EXISTING INFRASTRUCTURE.**

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WHEREAS, City Council, with the adoption of the FY 2022 Budget on September 16, 2021 approved a \$110 million Street Maintenance Program (SMP) budget, comprised of both \$12 million in-house and \$98 million contractual street maintenance projects; and

WHEREAS, this contract will provide construction services for the 2022 Street Rehabilitation Project Specific Contract Package 9 includes, but are not limited to, the repair of a street's base structure, asphalt surface overlay, wheelchair ramps improvements and any other required work for the completion of the IMP Rehabilitation projects located throughout the City; and

WHEREAS, the City advertised for construction bids for the 2022 Street Rehabilitation Project Specific Contract Package 9 on August 20, 2021, received and opened four bids on October 1, 2021 with Clark Construction of Texas, Inc. submitted the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract to maximize small, minority, and women-owned business participation on the contract. The Goal Setting Committee set a 9% Minority/Women Business Enterprise (M/WBE) subcontracting goal and 3% African American Business Enterprise (AABE) subcontracting goal.

WHEREAS, this ordinance accepts the lowest responsive bid and awards the 2022 Street Rehabilitation Project Specific Contract Package 9 to Clark Construction of Texas, Inc. in an amount not to exceed \$10,353,064.65 of which \$219,350.00 will be reimbursed by San Antonio Water System (SAWS) and \$12,000.00 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 lowest responsive bid submitted by Clark Construction of Texas, Inc. in an amount not to exceed \$10,353,064.65 of which \$219,350.00 will be reimbursed by San Antonio Water System (SAWS) and \$12,000.00 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure, for 2022 Street Rehabilitation Project Specific

Contract Package 9, is hereby accepted and a contract awarded. All other bids will be considered rejected upon the deposit of all required bonds and insurance certificates.

SECTION 2. Payment is authorized to be encumbered and made payable Clark Construction of Texas, Inc in an amount not to exceed \$10,353,064.65. Payment is in support of the FY 2022 Street Maintenance Program (SMP) Project using Fund 40099000 with the WBS element 23-03838-04-05-02-01 and GL account 5201140. Funding for this project is provided by CO Bonds, Tax Notes, ATD, Right of Way, and General Fund. Funding is in the FY2021-FY2026 CIP Budget. Reimbursements of \$12,000.00 will be received from CPS and \$219,350.00 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, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this _____ day of _____, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, Acting City Clerk

Andrew Segovia, City Attorney