

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

ORDINANCE

AWARDING A CONSTRUCTION CONTRACT TO SUNDT CONSTRUCTION, INC. IN THE AMOUNT OF \$30,160,684.89 OF WHICH \$5,139,444.75 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$1,241,105.85 WILL BE REIMBURSED BY CPS ENERGY FOR THE ZONA CULTURAL STREETS - COMMERCE STREET (FRIO STREET TO SANTA ROSA STREET), SAN SABA STREET (NUEVA STREET TO MARTIN STREET), SANTA ROSA STREET (CESAR E. CHAVEZ BOULEVARD TO MARTIN STREET) PROJECTS. FUNDS ARE AVAILABLE FROM PREVIOUSLY AUTHORIZED DEBT PROCEEDS AND THE 2017 - 2022 GENERAL OBLIGATION BOND PROGRAM AND ARE INCLUDED IN THE FY 2022 - FY 2027 CAPITAL IMPROVEMENT PROGRAM.

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WHEREAS, On May 6, 2017, voters approved the 2017 Bond Program which authorized \$14,000,000.00 for Commerce Street (Frio Street to Santa Rosa Street), \$6,000,000.00 for San Saba Street (Nueva Street to Martin Street), and \$12,000,000.00 for Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) projects located in Council District 1; and

WHEREAS, these projects are within close proximity of each other within the Zona Cultural District and will provide for the reconstruction of each street including pedestrian and landscape amenities as appropriate and within available funding; and

WHEREAS, this project will provide for the reconstruction of Commerce Street from Frio Street to Santa Rosa Street, San Saba Street from (Nueva Street to Martin Street) and Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) to include traffic and pedestrian signal upgrades, new street lighting, sidewalk widening along with streetscape and landscape improvements, new bus shelters and pedestrian amenities including lighting in accordance with Zona Cultural themes and materials; and

WHEREAS, the project will also include joint-bid utility work in coordination with the San Antonio Water System (SAWS) and CPS Energy. The Zona Cultural Streets - Commerce Street (Frio Street to Santa Rosa Street), San Saba Street (Nueva Street to Martin Street), Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) project is a continuation of the 2012 Bond Commerce Corridor and Cesar Chavez Corridor funded projects that provided for pedestrian connectivity and aesthetic improvements; and

WHEREAS, following the City Council "B" Session high profile pre-solicitation briefing on May 19, 2021, the Public Works Department issued a Request for Competitive Sealed Proposals

(RFCSP) on June 21, 2021, pre-submittal conference was held on July 15, 2021 and responses were due on August 27, 2021 with three firms submitted proposals and were deemed eligible for evaluation by the selection committee consisting of representatives from the City Manager's Office, the Public Works Department, San Antonio Water System and an outside representative from La Familia Cortez Restaurant evaluated and ranked the submissions with Sundt Construction, Inc being selected; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program and Marc III General Contractors, LLC has committed to satisfying the 29% Minority and/ or Women-Owned Business Enterprise (M/WBE) subcontracting goal and the 5% African American Business Enterprise (AABE) subcontracting goal; and

WHEREAS, Construction is anticipated to begin in January 2022 and is estimated to be completed in July 2024; and

WHEREAS, this ordinance awards a construction contract to Sundt Construction, Inc. in the amount of \$30,160,684.89 of which \$5,139,444.75 will be reimbursed by San Antonio Water System (SAWS) and \$1,241,105.85 will be reimbursed by CPS Energy for the Zona Cultural Streets - Commerce Street (Frio Street to Santa Rosa Street), San Saba Street (Nueva Street to Martin Street), and Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) project located in Council District 1; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or designee, is authorized to execute a construction contract for the Zona Cultural Streets - Commerce Street (Frio Street to Santa Rosa Street), San Saba Street (Nueva Street to Martin Street), Santa Rosa Street (Cesar E. Chavez Boulevard to Martin Street) project with Sundt Construction, Inc. in an amount not to exceed \$30,160,684.89, of which \$5,139,444.75 will be reimbursed by SAWS and \$1,241,105.85 will be reimbursed by CPS. Funds are available from the previously authorized debt proceeds and the 2017 - 2022 General Obligation Bond Program and are included in the FY 2022 - FY 2027 Capital Improvement Program.

SECTION 2. Payment is authorized to be encumbered and made payable to Sundt Construction, Inc, in an amount not to exceed \$30,160,684,89.

Payment of \$11,811,759.48 is in support of the Santa Rosa (César E Chávez Blvd - Martin) Project using Fund 45099000 with the WBS element 23-01608-05-02-01 with GL account 5201140. Funding for this project is provided by GO Bonds and is in the FY2022-FY2027 CIP Budget. Reimbursement of \$2,990,851.98 will be received from SAWS and reimbursement of \$717,996.94 from CPS.

Payment of \$5,129,203.73 is in support of the San Saba St (Nueva St to Martin St) Project using Fund 45099000 with the WBS element 23-01607-05-02-01 with GL account 5201140. Funding for this project is provided by GO Bonds and is in the FY2022-FY2027 CIP Budget. Reimbursement of \$1,275,590.80 will be received from SAWS and reimbursement of \$353,001.35 from CPS.

Payment of \$10,558,305.02 is in support of the Commerce St (Frio St to Santa Rosa St) Project using Fund 45099000 with the WBS element 23-01569-05-02-01 with GL account 5201140. Funding for this project is provided by GO Bonds and is in the FY2022-FY2027 CIP Budget. Reimbursement of \$873,001.97 will be received from SAWS and reimbursement of \$170,107.56 from CPS.

Payment of \$1,582,103.99 is in support of the Commerce Corridor Project using Fund 45099000 with the WBS element 40-00299-05-02-01 with GL account 5201140. Funding for this project is provided by GO Bonds and is in the FY2022-FY2027 CIP Budget.

Payment of \$1,079,312.67 is in support of the Cesar Chavez Corridor Project using Fund 45099000 with the WBS element 40-00298-05-02-01 with GL account 5201140. Funding for this project is provided by GO Bonds and is in the FY2022-FY2027 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 its passage by eight or more affirmative votes; otherwise it is effective on the tenth day 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