

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

**ORDINANCE**

**APPROVING A CONSTRUCTION CONTRACT WITH RCO CONSTRUCTION, LLC, IN AN AMOUNT NOT TO EXCEED \$3,106,713.00, OF WHICH \$800,000.50 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS) FOR THE JO MARIE PHASE 1 DRAINAGE IMPROVEMENTS PROJECT LOCATED IN COUNCIL DISTRICT 3, A STORM WATER OPERATING AND PREVIOUSLY AUTHORIZED DEBT PROCEEDS FUNDED PROJECT; AND AUTHORIZING THE APPROPRIATION AND AMENDING OF THE FY 2022-FY 2027 CAPITAL IMPROVEMENT PROGRAM WITH FUNDS IN THE AMOUNT OF 475,000.00 FROM THE STORM WATER OPERATING FUND BALANCE TO THE MARY JO PHASE 1 DRAINAGE IMPROVEMENT PROJECT.**

\* \* \* \* \*

**WHEREAS**, necessary drainage improvements to Jo Marie Street will relieve properties affected by area flooding, and provide drainage improvements, including the replacement of the existing roadside grass channels with an underground storm drain, inlets, a drainage easement acquisition establishing the underground storm drain alignment and associated joint-bid utility work; and

**WHEREAS**, this project was advertised on August 27, 2021, for construction bids in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on TVSA, and through the electronic bidding website CivCast, and bids were opened on October 1, 2021 with RCO Construction, LLC, submitting 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 in an effort to maximize the amount of small, minority, and women-owned business participation on the contract; and

**WHEREAS**, construction is anticipated to begin in February 2022 and is estimated to be completed in December 2022; and

**WHEREAS**, this is a one-time capital improvement expenditure in the amount of \$3,106,713.00 payable to RCO Construction, L.L.C., and of this amount, \$800,000.50 will be reimbursed by SAWS for the Jo Marie Phase 1 Drainage Improvements project with funds in the amount of \$2,101,886.22 available from the Storm Water Operating Fund and previously authorized debt proceeds and also authorizing the appropriation and amending of the FY 2022 – FY 2027 Capital Improvement Program in the amount of \$475,000.00 from the Storm Water Operating Fund balance to the Jo Marie Area Drainage Improvement project.; **NOW THEREFORE**,

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

**SECTION 1.** The lowest responsive bid of RCO Construction, LLC, in the total amount not to exceed \$3,106,713.00, of which \$800,000.50 will be reimbursed by SAWS, for the Jo Marie Phase 1 Drainage Improvements Project, is hereby approved and a copy of which is included as Attachment I. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

**SECTION 2.** A contract is hereby awarded to RCO Construction, LLC.

**SECTION 3.** The amount of \$475,000 is authorized to be transferred from Fund 29070000 Storm Water Operations, IO # 390000002241, GL Account 6102100 Transfer out, to Fund 40099000, WBS 23-01789-90-14-01, GL Account 6101100 Transfer in.

**SECTION 4.** The budget in SAP Fund 40099000 GO Capital Projects, Project 23-01789 Jo Marie Area Drainage Improvement -Interim, shall be revised by increasing WBS 23-23-01789-90-14-01 with GL 6101100 and WBS 23-01789-05-02-01 with GL 5201140 each by \$475,000.00.

**SECTION 5.** Payment is authorized to be encumbered and made payable to RCO Construction, L.L.C. in an amount not to exceed \$3,106,713.00. Payment is in support of the Jo Marie Area Drainage Improvement -Interim Project using Fund 40099000 with the WBS elements and GL accounts in the table below. Funding for this project is provided by GO Bonds Revenue Bonds and the Storm Water Operating Fund and is in the FY2022-FY2027 CIP Budget as amended above. Reimbursement of \$800,000.50 will be received from SAWS.

WBS	GL	AMOUNT
23-01789-05-02-01	5201140	\$2,306,712.50
23-01789-05-02-04	5201245	286,922.00
23-01789-05-02-03	5201245	513,078.50
TOTAL		\$3,106,713.00

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 6.** 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 7.** This Ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

**PASSED and APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

JH  
0/0/2022  
Item No.

M A Y O R  
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Debbie Racca-Sittre, Acting City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

DRAFT