

AN ORDINANCE

**97232**

**ACCEPTING THE LOW, QUALIFIED BID IN THE AMOUNT OF \$1,610,601.45 FROM CLARK CONSTRUCTION COMPANY, INC. IN CONNECTION WITH THE ASPHALT RECYCLING AND OVERLAY - 2003 STREET MAINTENANCE PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$161,060.15 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES, \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES, \$38,000.00 FOR INSTALLATION OF VIDEO IMAGING VEHICLE DETECTION SYSTEM (VIVDS) PROCESSOR SYSTEM; APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$21,731.12; FOR AN OVERALL TOTAL OF \$1,832,642.72; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE UPON APPROVAL OF EIGHT (8) AFFIRMATIVE VOTES.**

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**WHEREAS**, bids were submitted in connection with the Asphalt Recycling and Overlay – 2003 Street Maintenance Project; and

**WHEREAS**, this ordinance accepts the low bid submitted by **Clark Construction Company, Inc.** in the amount of \$1,610,601.45 for the Asphalt Recycling and Overlay – 2003 Street Maintenance Project, \$161,060.15 for miscellaneous construction contingency expenses, \$750.00 for advertising expenses, \$500.00 for printing and reproduction expenses and \$38,000.00 for installation of Video Imaging Vehicle Detection System (VIVDS) Processor System; and

**WHEREAS**, said project consists of applying an asphalt recycling and overlay treatment to extend the life to the street surface which includes numerous potholes and cracks, heaving and rough surfaces caused by heavy truck or bus traffic; and

**WHEREAS**, this project also includes the installation of a Video Imaging Vehicle Detection System (VIVDS) in place of sawcutting to prevent degradation and deterioration of the pavement on all detection repairs and new installations; and

**WHEREAS**, this Ordinance also provides for Field Alteration No. 1 in the amount of \$21,731.12 for the increase expended due to scope modifications and corrects an error in the proposal sheet for Pay Item 245.2 which will not result in a change in quantity or cost impact; and

**WHEREAS**, approval of this ordinance will be a continuation of City policy to provide Street Maintenance budgeted for FY 2002-2003; **NOW THEREFORE**,

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

**SECTION 1.** The low, qualified bid of **Clark Construction Company, Inc.** in the amount of \$1,610,601.45 in connection with the Asphalt Recycling and Overlay – 2003 Street

Maintenance Project is hereby accepted. 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 sixty days from the effective date hereof, whichever occurs first. A copy of the proposal is attached hereto as **Attachment I**.

**SECTION 2.** The City Manager, an Assistant City Manager, or an Assistant to the City Manager, is hereby authorized to execute a standard form contract covering said project, a copy which is in substantially the same form as **Attachment II**, incorporated herein for all purposes.

**SECTION 3.** Field Alteration No. 1 in the amount of \$21,731.12 is included in the contract with **Clark Construction Company, Inc.** in connection with the Asphalt Recycling and Overlay – 2003 Street Maintenance Project. A copy of Field Alteration No. 1 is attached hereto and incorporated herein for all purposes as **Attachment III**.

**SECTION 4.** The budget in Fund No. 29-014000, Streets/Drainage Maintenance and Improvement Fund shall be revised by reducing Index Code 913517, entitled “Current Year Appropriations”, in the amount of \$1,832,642.72.

**SECTION 5.** The budget in Fund No. 29-014000, Streets/Drainage Maintenance and Improvement Fund shall be revised by increasing Index Code 937946, entitled “Transfer to 40-002032”, in the amount of \$1,832,642.72. The amount of \$1,832,642.72 is authorized to be transferred from Fund 29-014000 to Fund 40-002032.

**SECTION 6.** The budget in Fund No. 40-002032, Street Improvements, shall be revised by increasing Index Code 198187, entitled “Transfer from 29-014000 (40-002032)”, in the amount of \$1,832,642.72.

**SECTION 7.** The amount of \$1,610,601.45 is appropriated in Fund No. 40-002032, Street Improvements, in Index Code 742767, entitled “Construction Contract”, and is authorized to be encumbered and made payable to **Clark Construction Company, Inc.**, in connection with the Asphalt Recycling and Overlay 2003 Street Maintenance Project.

**SECTION 8.** The amount of \$182,791.27 is appropriated in Fund No. 40-002032, Street Improvements, in Index Code 742775, entitled “Construction Contingency”, and is authorized to be encumbered and made payable for Contingency Expenses, in connection with the Asphalt Recycling and Overlay 2003 Street Maintenance Project.

**SECTION 9.** The budget and encumbrance in Fund No. 40-002032, Street Improvements, shall be revised in the amount of \$21,731.12 by transferring said amount from the Construction Contingency, in Index Code 742775 to the Construction Contract, in Index Code 742767, and is authorized to be made payable to **Clark Construction Company Inc.**, for Field Alteration No. 1, in connection with the Asphalt Recycling and Overlay 2003 Street Maintenance Project.

**SECTION 10.** The amount of \$750.00 is appropriated in Fund No. 40-002032, Street Improvements, in Index Code 742783, entitled “advertising expense”, and is authorized to be encumbered and made payable for advertising expenses, in connection with the Asphalt Recycling and Overlay 2003 Street Maintenance Project.

**SECTION 11.** The amount of \$500.00 is appropriated in Fund No. 40-002032, Street Improvements, in Index Code 742791, entitled "printing and reproduction expenses", and is authorized to be encumbered and made payable for printing and reproduction expenses, in connection with the Asphalt Recycling and Overlay 2003 Street Maintenance Project.

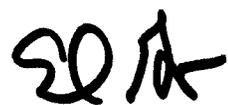
**SECTION 12.** The amount of \$28,364.80 is appropriated in Fund No. 40-002032, Street Improvements, in Index Code 742809, entitled "Video Imaging Vehicle Detection System", and is authorized to be encumbered and made payable when the purchase order is issued.

**SECTION 13.** The amount of \$9,635.20 is appropriated in Fund No. 40-002032, Street Improvements, in Index Code 725606, entitled "Video System Installation", and is authorized to be encumbered and made payable to City forces for Video System Installation, in connection with the Asphalt Recycling and Overlay 2003 Street Maintenance Project.

**SECTION 14.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 15.** This ordinance becomes effective immediately upon if passed by at least eight votes. Otherwise it shall be effective on March 2, 2003.

**PASSED AND APPROVED** this 20th day of February, 2003.



M A Y O R  
EDWARD D. GARZA

ATTEST: *Yolanda L. Redemon*  
City Clerk

APPROVED AS TO FORM: *Sally Harris*  
for City Attorney