

AN ORDINANCE **97382**

**ACCEPTING THE LOW, QUALIFIED BID IN THE AMOUNT OF \$2,595,287.35 FROM TEXAS STERLING CONSTRUCTION, L.P., FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE NAVAJO AREA STREETS PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; AUTHORIZING \$249,643.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$26,385.00 PAYABLE TO CDS/MUERY SERVICES, INC. FOR ENGINEERING CONSTRUCTION SERVICES; AUTHORIZING \$9,482.00 FOR ENGINEERING CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$2,880,797.35; ALLOCATING AND APPROPRIATING \$2,781,949.65 FROM 2002 CERTIFICATES OF OBLIGATION FOR THE PROJECT; \$47,672.10 WILL BE FUNDED FROM SAN ANTONIO WATER SYSTEM FOR SEWER AND WATER WORK; AND \$51,175.60 WILL BE FUNDED BY CITY PUBLIC SERVICE FOR GAS LINE REPLACEMENT; AND PROVIDING FOR PAYMENT.**

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**WHEREAS**, the Navajo Area Streets Project provides for the reconstruction of Navajo and Hutchins to two lanes from Palo Alto to Interstate Highway 35, and Barlite to two lanes from Interstate 35 to Navajo; and

**WHEREAS**, the Project also includes construction of sidewalks, curbs, driveway approaches, and an underground storm drain outfall under Interstate Highway 35 Frontage road to Upper Six-Mile Creek; and

**WHEREAS**, the project was advertised for bid and six (6) bidders responded; and

**WHEREAS**, the low, responsive bidder is Texas Sterling Construction, L.P. in the amount of \$2,595,287.35; and

**WHEREAS**, Ordinance Number 81786 passed on March 9, 1995, authorized a professional services contract with CDS/Muery Services in connection with the Navajo Area Streets Project; and

**WHEREAS**, it is necessary to provide for additional compensation to CDS/Muery Services in the amount of \$26,385.00 for professional engineering services related to final design for, and contract administration of, the above described Project; and

**WHEREAS**, the San Antonio Water System has manifested their intent to pay \$47,672.10 for the relocation/replacement of their facilities associated with this Project including any additional work which may be required; and

**WHEREAS**, City Public Service has manifested their intent to pay \$51,175.60 for the relocation/replacement of their facilities associated with this Project including any additional work which may be required; and

**WHEREAS**, approval of this Ordinance will be a continuation of City Council policy to complete previously approved 1994 G. O. Street Bond funded Capital Improvement Projects; **NOW THEREFORE**,

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

**SECTION 1.** The low, qualified bid of Texas Sterling Construction, L.P., for the amount of \$2,595,287.35 to perform the Navajo Area Streets Project is hereby accepted. A copy of the bid tabulation and bid proposal is attached hereto and incorporated herein for all purposes as Attachment I. The City Manager, or her designee is hereby authorized to execute a standard form construction contract for the Navajo Area Streets Project in substantially the same form as Attachment II attached hereto and incorporated herein for all purposes. 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.

**SECTION 2.** The budget in fund 43-171095, 2001 Street Improvements, shall be revised by reducing index code 695734, entitled Unallocated Appropriations: Proceeds by the amount of \$2,781,949.65.

**SECTION 3.** The amount of \$2,781,949.65 is appropriated in fund 43-171014, 2001 Street Improvements, in index code 938712, entitled Trf to 45-447005 Navajo Area Streets. The amount of \$2,781,949.65 is authorized to be transferred from 43-171014 to 45-447005.

**SECTION 3.** The budget in fund 45-447000, 1994 Street Improvements, Sold 1994, shall be revised by increasing index code 136564, entitled Trf Fr 43-171014 (45-447005) Navajo St, by the amount of \$2,781,949.65.

**SECTION 4.** Budgeted Revenues in the amount of \$47,672.10 is authorized to be established in fund 45-447000, 1994 Street Improvements, Sold 1994. Revenue index code 078550, entitled Cont fr SAWS (45-447005) Water/Sewer, shall be increased upon reimbursement of the project.

**SECTION 5.** Budgeted Revenues in the amount of \$51,175.60 is authorized to be established in fund 45-447000, 1994 Street Improvements, Sold 1994. Revenue index code 078568, entitled Cont fr CPS (45447005) Gas Lin Repl, shall be increased upon reimbursement of the project.

**SECTION 6.** The budget in fund 45-447005 1994 Street Improvements, Sold 1994, shall be revised by increasing index code 436170, entitled Construction Contract, by the amount of \$2,595,287.35. The amount of \$2,595,287.35 is authorized to be encumbered and made payable to Texas Sterling Construction L.P., for construction in connection with the Navajo Area Streets project.

**SECTION 7.** The budget in fund 45-447005 1994 Street Improvements, Sold 1994, shall be revised by increasing index code 436188, entitled Construction Contingency, by the amount of \$249,643.00. The amount of \$249,643.00 is authorized to be encumbered and made payable for miscellaneous construction contingency expenses in connection with the Navajo Area Streets project.

**SECTION 8.** The budget in fund 45-447005 1994 Street Improvements, Sold 1994, shall be revised by increasing index code 436147, entitled Engineering Contract, by the amount of \$26,385.00. The amount of \$26,385.00 is authorized to be encumbered and made payable to CDS/Muery for engineering services in connection with the Navajo Area Streets project.

**SECTION 9.** The budget in fund 45-447005 1994 Street Improvements, Sold 1994, shall be revised by increasing index code 436154, entitled Engineering Contingency, by the amount of \$9,482.00. The amount of \$9,482.00 is authorized to be encumbered and made payable for miscellaneous engineering contingency expenses in connection with the Navajo Area Streets project.

**SECTION 10.** The San Antonio Water System (SAWS) participates in the cost of replacement, relocation, or adjustment to SAWS water and sewer work required in city public Works, and the City

hereby requests that SAWS participate in the cost of such work involved in this project in an amount totaling \$47,672.10. This Ordinance is contingent upon the receipt of the approval of the commitment of SAWS through the San Antonio Water System Board to reimburse the City such cost and any further cost in addition to the above costs that might be required in order to complete the SAWS facilities adjustments and required to be paid to the contractor.

**SECTION 11.** The City Public Service Board (CPSB) participates in the cost of gas line replacement, relocation or adjustment to CPSB lines required in the cost of such work involved in this project in an amount totaling \$51,175.60. This Ordinance is contingent upon the receipt of the approval of the commitment of CPS through the City Public Service Board to reimburse the City such cost and any further cost in addition to the above costs that might be required in order to complete the CPS facilities adjustments and required to be paid to the contractor.

**SECTION 12.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director 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 13.** This Ordinance shall be effective on the 6<sup>th</sup> day of April, 2003.

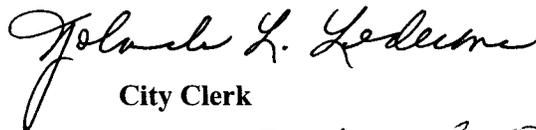
**PASSED AND APPROVED** this 27<sup>th</sup> day of March, 2003.



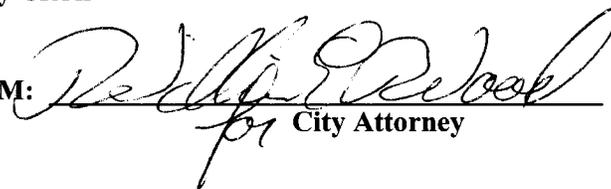
M A Y O R

EDWARD D. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney