

AN ORDINANCE **97561**

**ACCEPTING THE LOW BID IN THE AMOUNT OF \$448,717.01 FROM 1999 G.O. STREET IMPROVEMENT BOND FUNDS PAYABLE TO KGME, INC. (MBE) FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE BEE STREET FROM WALTERS TO FRANK PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$28,264.71 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$476,981.72; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$166,069.90 FOR SEWER AND WATER EXPENSES; AND PROVIDING FOR PAYMENT.**

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**WHEREAS**, bids were submitted in connection with the Bee Street from Walters to Frank Project located in Council District 2; and

**WHEREAS**, this ordinance accepts the low bid submitted by **KGME, Inc.** in the amount of \$448,717.01 for the Bee Street from Walters to Frank Project, \$28,264.71 for miscellaneous construction contingency expenses; and

**WHEREAS**, said project consists of reconstructing the roadway to a width of 30 feet, including concrete curbs, sidewalks, driveway approaches and necessary drainage improvements; and

**WHEREAS**, the San Antonio Water System Board has manifested its intent to pay \$166,069.90 for the relocation/replacement of their sanitary sewer and water facilities associated with this project; and

**WHEREAS**, approval of this ordinance will be a continuation of City policy to complete previously approved 1999 General Obligation Street Improvement Bonds funded Capital Improvement Projects, **NOW THEREFORE**;

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

**SECTION 1.** The low bid of **KGME, Inc.** in the amount of \$448,717.01 in connection with the Bee Street from Walters to Frank 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 1**.

**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** is incorporated herein for all purposes.

**SECTION 3.** The budget in Fund No. 45-972095, 1999 Street Improvements, Sold in 2001, shall be revised by reducing Index Code 695577, entitled “Unallocated Appropriations: Proceeds”, by the amount of \$310,911.82.

**SECTION 4.** The amount of \$310,911.82 is appropriated in Fund No. 45-972003, 1999 Street Improvements, Sold in 2001 in Index Code 915652, entitled “Trf to 45-979048 Bee St-Walters to Fran”, The amount of \$310,911.82 is authorized to be transferred from fund 45-972003 to fund 45-979048.

**SECTION 5.** The budget in Fund No. 45-979000, 1999 Street Improvements, shall be revised by increasing Index Code 130658, entitled “Tfr Fm 45-972003 (45-979048) Bee St-Walte”, by the amount of \$310,911.82.

**SECTION 6.** Budgeted Revenues in the amount of \$166,069.90 is authorized to be established in 45-979000, 1999 Street Improvements. Revenue Index Code 088948, entitled “Contr from SAWS (45-979048)”, shall be increased upon reimbursement of the project.

**SECTION 7.** The amount of \$448,717.01 is appropriated in Fund No. 45-979048, 1999 Street Improvements, in Index Code 768887, entitled “Construction Contract”, and is authorized to be encumbered and made payable to **KGME, Inc.**, in connection with the Bee Street-Walters to Frank Project.

**SECTION 8.** The amount of \$28,264.71 is appropriated in Fund No. 45-979048, 1999 Street Improvements, in Index Code 768895, entitled “Construction Contingency”, and is authorized to be encumbered and made payable for construction contingency expenses, in connection with the Bee Street-Walters to Frank Project.

**SECTION 9.** 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 projects, and the City hereby requests that SAWS participate in the cost of such work involved in this project in an amount totaling \$166,069.90. This ordinance is contingent upon receipt of the commitment of SAWS through its approval by San Antonio Water System Board’s Resolution to reimburse the City such cost and any further cost in addition to the above costs that may be required in order to complete the SAWS facilities adjustments and required to be paid to the contractor.

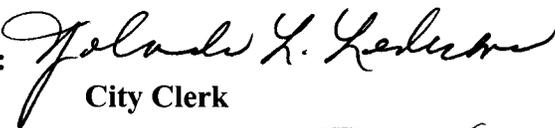
**SECTION 10.** The Director of Public Works shall bill SAWS for the above SAWS facilities adjustments work paid to the contractor including any cost overrun required to complete the SAWS facilities adjustments. Collections from SAWS shall be forwarded to the Director of Finance and deposited in Fund No. 45-979000 to the credit of Revenue Account Index Code 088948. The budget of said Project Number is authorized to be amended by the amount of the additional costs required on the SAWS facilities adjustments, and the construction contract herein awarded is authorized to be amended in accordance with the City’s SAWS field alteration procedure, administratively or by ordinance, as applicable.

**SECTION 11.** 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 12** This ordinance shall take effect on the 11th day of May 2003.

**PASSED AND APPROVED** this 1st day of May, 2003.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney