

**AN ORDINANCE**

**AUTHORIZING PAYMENT IN THE TOTAL AMOUNT OF \$22,685.78 FROM 1996 CERTIFICATES OF OBLIGATION FUNDS TO EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P., FOR ENVIRONMENTAL CONSTRUCTION SERVICES UNDER AN EXISTING ON CALL ENVIRONMENTAL PROFESSIONAL SERVICES-ENVIRONMENTAL REMEDIATION AND CONSTRUCTION CONTRACT IN CONNECTION WITH THE SOUTH FLORES FROM DURANGO TO FRANCISCAN PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 3 AND 5; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, Ordinance No. 95847 dated May 30, 2002, authorized the execution of an On-Call Professional Services Agreement for environmental remediation and environmental construction services; and

**WHEREAS**, the South Flores from Durango to Franciscan Project provides for the reconstruction of base and pavement, four lanes with turn lanes at Durango and Alamo, with minimal curb and sidewalk replacement; and

**WHEREAS**, a Phase II Environmental Subsurface Investigation was performed to address an area of concern that identified lead contamination along South Flores between Lubbock and Mitchell Streets; and

**WHEREAS**, Eagle Construction & Environmental Services, L.P., was engaged under the existing contract to provide mechanical equipment and qualified personnel to perform street milling operations, removal, transportation and legal disposal services associated with the contamination, all performed according to applicable regulation; and

**WHEREAS**, approval of this ordinance will be continuation of City policy to complete previously approved 1996 Certificates of Obligation funded Capital Improvement Projects in an environmentally responsible manner when contamination is identified; **NOW THEREFORE**,

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

**SECTION 1.** The amount of \$22,685.78 to be paid to Eagle Construction & Environmental Services, L.P., is hereby authorized for remediation and environmental construction services associated with the South Flores from Durango to Franciscan Project. Said work is within the scope of an existing Environmental Professional Services-Environmental Remediation and Environmental Construction Contract that was originally authorized by Ordinance 95847 dated

May 30, 2002. Copies of the invoices for services performed under the existing contract are incorporated herein as **Attachment I**.

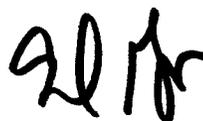
**SECTION 2.** The amount of \$22,685.78 is appropriated in Fund No. 43-617262, 1996 Certificates of Obligation – Streets Improvements – MPO, in Index Code 937078, entitled “Trf to 40-002082 Flores Durango to Franciscan”. The amount of \$22,685.78 is authorized to be transferred from fund 43-617262 to fund 40-002082.

**SECTION 3.** The budget in Fund No. 40-002082, On Call Prof Services-Environ Consulting Svc FY2001-2002, shall be revised by reducing Index Code 129437, entitled “Funds to be Identified”, and increasing Index Code 133280, entitled “Transfer from 43-617262” by the amount of \$22,685.78.

**SECTION 4.** 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.

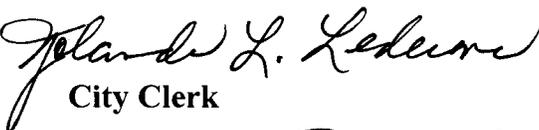
**SECTION 5.** This ordinance shall take effect on the 25th day of May, 2003.

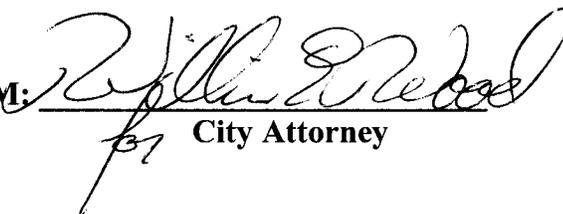
**PASSED AND APPROVED** this 15th day of May, 2003.



M A Y O R

EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney