

AN ORDINANCE

97883

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID IN THE AMOUNT OF \$2,930,659.00 FROM YANTIS CORPORATION IN CONNECTION WITH THE CULEBRA/410 (LEON CREEK) REGIONAL STORM WATER DETENTION FACILITIES PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$293,065.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$3,223,724.00, OF WHICH \$1,738,000.00 WILL BE FUNDED FROM 1999 G.O. FLOOD CONTROL WITH PARK IMPROVEMENT BONDS AND \$1,485,724.00 WILL BE FUNDED BY THE STORM WATER UTILITY REGIONAL FACILITIES FUND; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT; EFFECTIVE IMMEDIATELY IF PASSED BY AT LEAST EIGHT VOTES.

* * * * *

WHEREAS, bids were submitted in connection with the Culebra/410 (Leon Creek) Regional Storm Water Detention Facilities Project located on Southwest Research Institute property; and

WHEREAS, this ordinance accepts the low bid submitted by **Yantis Corporation** in the amount of \$2,930,659.00 for the project and \$293,065.00 for miscellaneous construction contingency expenses; and

WHEREAS, this project provides for development of a regional storm water facility with capacity of 2,400 acre feet to reduce flooding in the adjacent area and to isolate and reserve the ponding area for overflows from Leon Creek during large storm events; and

WHEREAS, development of this facility will reduce the frequent flooding that occurs within the proposed facility area, and

WHEREAS, approval of this ordinance will be a continuation of City policy to complete previously approved 1999 General Obligation Flood Control with Park Improvement Bond and Storm Water Utility Regional Facilities 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 **Yantis Corporation** in the amount of \$2,930,659.00 in connection with the Culebra/410 (Leon Creek) Regional Storm Water Detention Facilities 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** is incorporated herein for all purposes.

SECTION 3. The budget in Fund No. 45-959095, 1999 Flood Control with Park Improvements, Sold 2001, is revised by decreasing Index Code 695593, entitled "Unallocated Appropriations: Proceeds", by the amount of \$1,738,000.00.

SECTION 4. The amount of \$1,738,000.00 is appropriated in Fund No. 45-952006, 1999 Flood Control with Park Improvements, Sold 2001, in Index Code 932426, entitled "Trf To 45-959003 Culebra/410 (Leon Creek) Regional Storm Water Detention Facility". The amount of \$1,738,000.00 is authorized to be transferred from fund 45-952006 to fund 45-959003.

SECTION 5. The budget in Fund No. 45-959000, 1999 Flood Control with Park Improvements, is adjusted by increasing Index Code 115055, entitled "Trf Fr 45-952006 (45-959003)", by the amount of \$1,738,000.00.

SECTION 6. The budget in Fund No. 29-023001, Storm Water Utility Regional Facilities Fund, shall be revised by reducing Index Code 928275, entitled "Trf to 45-959003 Leon Creek Regional Facility & Detention", by the amount of \$1,485,724.00.

SECTION 7. The budget in Fund No. 29-023001, Streets/Drainage Maintenance and Improvement Fund, shall be revised by increasing Index Code 932434, entitled "Transfer to 45-959003", in the amount of \$1,485,724.00. The amount of \$1,485,724.00 is authorized to be transferred from Fund 29-023001 to Fund 45-959003.

SECTION 8. The budget in Fund No. 45-959000, 1999 Flood Control with Park Improvements, is adjusted by increasing Index Code 115063, entitled "Trf Fr 29-023001 (45-959003)" in the amount of \$1,485,724.00.

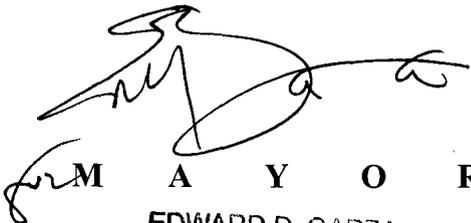
SECTION 9. The amount of \$2,930,659.00 is appropriated in Fund No. 45-959003, in Index Code 763029, entitled "Construction Contract", and is authorized to be encumbered and made payable to **Yantis Corporation**, for construction expenses in connection with the Culebra/410 (Leon Creek) Regional Storm Water Detention Facilities Project.

SECTION 10. The amount of \$293,065.00 is appropriated in Fund No. 45-959003, in Index Code 763037, entitled "Construction Contingency", and is authorized to be encumbered and made payable for miscellaneous construction contingency expenses in connection with the Culebra/410 (Leon Creek) Regional Storm Water Detention Facilities Project.

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 July 6, 2003.

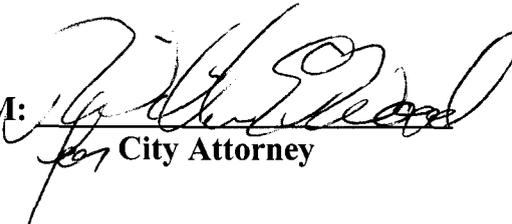
PASSED AND APPROVED this 26th day of June, 2003.


for M A Y O R
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney