

AN ORDINANCE

97839

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID AND ALTERNATE NO. 5 IN THE AMOUNT OF \$1,121,706.25 FROM E-Z BEL CONSTRUCTION, LTD. (MBE) IN CONNECTION WITH THE LIBRARY AND FIRE STATION NO. 49 – DRAINAGE AND STREET PACKAGE PROJECT, LOCATED AT 8700 MYSTIC PARK STREET IN COUNCIL DISTRICT 7; AUTHORIZING \$61,538.75 FOR MISCELLANEOUS CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$1,183,245.00 TO BE FUNDED BY GENERAL OBLIGATIONS OF THE CITY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, bids were submitted in connection with the Branch Library (Mystic Park) and Fire Station No. 49-Drainage and Street Package Project located at 8700 Mystic Park Street in Council District 7; and

WHEREAS, this ordinance accepts the low bid submitted by **E-Z Bel Construction, Ltd.** in the amount of \$1,121,706.25 for the Branch Library (Mystic Park) and Fire Station No. 49-Drainage and Street Package Project, and \$61,538.75 for miscellaneous contingency expenses; and

WHEREAS, said project provides for drainage improvements at French Creek and street improvements to Mystic Park associated with a new branch library and fire station which will be addressed in the future by City Council; and

WHEREAS, approval of this ordinance will be a continuation of City policy to complete previously approved 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 **E-Z Bel Construction, Ltd.** in the amount of \$1,121,706.25 in connection with the Branch Library (Mystic Park) and Fire Station No. 49-Drainage and Street Package 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. 45-912095, 1999 Library Improvements, Sold in 2001, shall be revised by reducing Index Code 695569, entitled “Unallocated Appropriations: Proceeds”, in the amount of \$302,542.00.

SECTION 4. The amount of \$302,542.00 is appropriated in Fund No. 45-912008, 1999 Library Improvements, Sold in 2001, in Index Code 932947, entitled “Trf To 40-003405 Lib &

Fire St.” The amount of \$302,542.00 is authorized to be transferred from Fund 45-912008 to Fund 40-003405.

SECTION 5. The budget in Fund No. 40-003405, Library and Fire Station No. 49-Drainage & Street Package, shall be revised by increasing index code 137349, entitled Trf Fr 45-912008, by the amount of \$302,542.00.

SECTION 6. The budget in Fund No. 43-171095, 2001 Street Improvements, is revised by reducing Index Code 695734, entitled “Unallocated Appropriations: Proceeds”, by the amount of \$793,402.00.

SECTION 7. The amount of \$793,402.00 is appropriated in Fund No. 43-171020, 2001 Street Improvements, in Index Code 933317, entitled “Trf To 40-003405 Lib & Fire St.” The amount of \$793,402.00 is authorized to be transferred from Fund 43-171020 to Fund 40-003405.

SECTION 8. The budget in Fund No. 40-003405, Library and Fire Station No. 49-Drainage & Street Package, shall be revised by increasing Index Code 137356, entitled “Trf Fr 43-171020”, by the amount of \$793,402.00.

SECTION 9. The budget in Fund No. 43-121095, 2001 Fire Improvements, is adjusted by reducing Index Code 695619, entitled “Unallocated Appropriations: Proceeds”, by the amount of \$52,000.00.

SECTION 10. The amount of \$52,000.00 is appropriated in Fund No. 43-121005, 2001 Fire Improvements, in Index Code 933432, entitled “Trf To 40-003405 Lib & Fire St.” The amount of \$52,000.00 is authorized to be transferred from Fund 43-121005 to Fund 40-003405.

SECTION 11. The budget in Fund No. 40-003405, Library and Fire Station No. 49-Drainage & Street Package, shall be revised by increasing Index Code 137364, entitled “Trf Fr 43-121005”, by the amount of \$52,000.00.

SECTION 12. The budget in Fund No. 43-122095, 2002 Fire Improvements, shall be revised by reducing Index Code 617985, entitled “Unallocated Appropriations”, by the amount of \$35,301.00.

SECTION 13. The amount of \$35,301.00 is appropriated in Fund No. 43-122003, 2002 Fire Improvements, in Index Code 932830, entitled “Trf To 40-003405 Lib & Fire St.” The amount of \$35,301.00 is authorized to be transferred from Fund 43-122003 to Fund 40-003405.

SECTION 14. The budget in Fund No. 40-003405, Library and Fire Station No. 49-Drainage & Street Package, shall be revised by increasing Index Code 137372, entitled “Trf Fr 43-122003”, by the amount of \$35,301.00.

SECTION 15. The amount of \$1,121,706.25 is appropriated in Fund No. 40-003405, Library and Fire Station No. 49-Drainage & Street Package, in Index Code 772897, entitled “Construction Contract”, and is authorized to be encumbered and made payable to **E-Z Bel Construction, Ltd.**, for construction in connection with the Branch Library (Mystic Park) and Fire Station No. 49-Drainage and Street Package Project.

SECTION 16. The amount of \$61,538.75 is appropriated in Fund No 40-003405, Library and Fire Station No. 49-Drainage & Street Package, in index code 772905, entitled "Construction Contingency", and is authorized to be encumbered and made payable for construction contingency expenses in connection with the Branch Library (Mystic Park) and Fire Station No. 49-Drainage and Street Package Project.

SECTION 17. 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 18. This ordinance shall take effect on the 6th day of July 2003.

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



M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney