

AN ORDINANCE **98923**

ACCEPTING THE LOW RESPONSIVE BID IN THE AMOUNT OF \$1,976,444.21 FROM CLARK CONSTRUCTION OF TEXAS, LTD., IN CONNECTION WITH THE ASPHALT OVERLAY – 2004 STREET MAINTENANCE PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$98,822.21 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; AUTHORIZING \$39,528.88 FOR CONSULTANT MATERIAL TESTING; AUTHORIZING \$108,931.53 FOR REIMBURSEMENT OF CITY FORCES FOR TRAFFIC MARKINGS, VIDEO IMAGE VEHICLE DETECTION SYSTEM AND OTHER TRAFFIC IMPROVEMENTS; APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$25,634.00 AND FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$29,150.30, FOR A TOTAL AMOUNT OF \$2,279,761.13; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT VOTES.

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

**SECTION 1.** The low, qualified bid from Clark Construction of Texas, Ltd. for the amount of \$1,976,444.21 to perform the Asphalt Overlay-2004 Street Maintenance Project is hereby accepted. Attachment I attached hereto and incorporated herein for all purposes identifies specific streets in connection with the Project. The bid proposal is attached hereto and incorporated herein for all purposes as Attachment II. The City Manager, or her designee is hereby authorized to execute a standard form construction contract for the Asphalt Overlay-2004 Street maintenance Project in substantially the same form as Attachment III 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.** Field Alteration No.1 to the above mentioned construction contract with Clark Construction of Texas, Ltd., in the amount of \$25,634.00, to add resurfacing of 39<sup>th</sup> Street from Commerce to Fridell, is hereby approved. A copy of Filed Alteration No. 1 is attached hereto and incorporated herein for all purposes as Attachment IV.

**SECTION 3.** Field Alteration No.2 to the above mentioned construction contract with Clark Construction of Texas, Ltd., in the amount of \$29,150.30, to add resurfacing of 40<sup>th</sup> Street from Commerce to Fridell, is hereby approved. A copy of Field Alteration No. 2 is attached herto and incorporated herein for all purposes as Attachment V.

**SECTION 4.**

a) The budget in fund 29-014000, Streets/Drainage Maintenance and Improvement Fund, shall be revised by reducing index code 913517, entitled Current Year Appropriations, in the amount of \$1,901,127.57.

b) The amount of \$1,901,127.57 is appropriated in fund 29-014000, Streets/Drainage Maintenance and Improvement Fund, in index code 942458, entitled Transfer to 40-002203 Asphalt Overlay 2004. The amount of \$1,901,127.57 is authorized to be transferred from fund 29-014000 to fund 40-002203.

c) The budget in fund 40-002203, Other Capital Projects, Street Improvements, shall be revised by increasing index code 138545, entitled Transfer From 29-014000, by the amount of \$1,901,127.57.

d) The budget in fund 29-014000, Streets/Drainage Maintenance and Improvement Fund, shall be revised by reducing index code 726612, entitled District 6 Current Year Appropriation, in the amount of \$237,341.10.

e) The amount of \$237,341.10 is appropriated in fund 29-014000, Streets/Drainage Maintenance and Improvement Fund, in index code 942458, entitled Transfer to 40-002203 Asphalt Overlay 2004. The amount of \$237,341.10 is authorized to be transferred from fund 29-014000 to fund 40-002203.

f) The budget in fund 40-002203, Other Capital Projects, Street Improvements, shall be revised by increasing index code 138545, entitled Transfer From 29-014000, by the amount of \$237,341.10.

g) The amount of \$1,976,444.21 is appropriated in fund 40-002203, Other Capital Projects, Street Improvements, in index code 677575, entitled Construction Contract, and is authorized to be encumbered and made payable to Clark Construction of Texas, Ltd., for construction in connection with the Asphalt Overlay – 2004 Street Maintenance Project.

h) The amount of \$25,634.00 is appropriated in fund 40-002203, Other Capital Projects, Street Improvements, in index code 677575, entitled Construction Contract, and is authorized to be encumbered and made payable to Clark Construction of Texas, Ltd., for Field Alteration No. 1, in connection with the Asphalt Overlay – 2004 Street Maintenance Project.

i) The amount of \$29,150.30 is appropriated in fund 40-002203, Other Capital Projects, Street Improvements, in index code 677575, entitled Construction Contract, and is authorized to be encumbered and made payable to Clark Construction of Texas, Ltd., for Field Alteration No. 2, in connection with the Asphalt Overlay – 2004 Street Maintenance Project.

j) The amount of \$98,822.21 is appropriated in fund 40-002203, Other Capital Projects, Street Improvements, in index code 674648, entitled Construction Contingency, and is authorized to be encumbered and made payable for miscellaneous construction contingency expenses, in connection with the Asphalt Overlay – 2004 Street Maintenance Project.

k) The amount of \$750.00 is appropriated in fund 40-002203, Other Capital Projects, Street Improvements, in index code 674663, entitled Advertising, and is authorized to be encumbered and made payable for advertising expenses, in connection with the Asphalt Overlay – 2004 Street Maintenance Project.

l) The amount of \$500.00 is appropriated in fund 40-002203, Other Capital Projects, Street Improvements, in index code 676148, entitled Printing and Reproduction, and is authorized to be encumbered and made payable for printing and reproduction expenses, in connection with the Asphalt Overlay – 2004 Street Maintenance Project.

m) The amount of \$39,528.88 is appropriated in fund 40-002203, Other Capital Projects, Street Improvements, in index code 676742, entitled Consultant Material Testing, and is authorized to be encumbered and made payable for consultant material testing expenses, in connection with the Asphalt Overlay – 2004 Street Maintenance Project.

n) The amount of \$108,931.53 is appropriated in fund 40-002203, Other Capital Projects, Street Improvements, in index code 676783, entitled City Forces, and is authorized to be encumbered and made payable to City Forces in connection with the Asphalt Overlay – 2004 Street Maintenance Project.

o) This is a one-time capital improvement expenditure. Funds in the amount of \$2,279,761.13 are available from Street Maintenance and Improvements Funds, City Council District 6 and District 9 Neighborhood Access and Mobility (NAMP) Funds, reimbursement from developers and from other funds as identified by the Director of Finance.

**SECTION 5.** 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 6.** This ordinance shall be effective immediately if it receives eight affirmative votes. Otherwise, it shall be effective on the 14th day of March 2004.

**PASSED AND APPROVED this the 4<sup>th</sup> day of March, 2004.**



M A Y O R

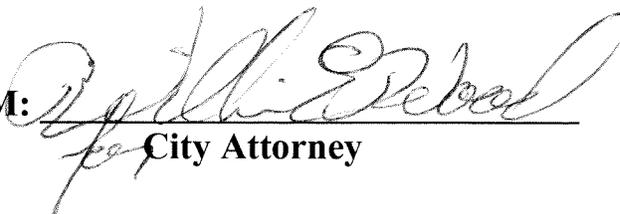
EDWARD D. GARZA

**ATTEST:**



CITY CLERK

**APPROVED AS TO FORM:**



City Attorney