

AN ORDINANCE **99074**

**ACCEPTING THE LOW, RESPONSIVE BID OF R.L. JONES, L.P., IN THE AMOUNT OF \$824,476.70 IN CONNECTION WITH THE EVERGREEN STREET – MCCULLOUGH AVENUE TO E. EUCLID AVENUE AND EVERGREEN COURT – EVERGREEN STREET TO N. ST. MARY’S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$82,447.67 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$39,729.41 FOR EXPENSE RECOVERY; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$339,361.40 FOR SEWER AND WATER EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$946,653.78; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, the City Council has approved the Evergreen Street – McCullough Avenue to E. Euclid Avenue and Evergreen Court – Evergreen Street to N. St. Mary’s Projects, located in Council District 1 as part of the Community Development Block Grant (CDBG) Program; and

**WHEREAS**, in connection with said Projects, there exists a need for reconstruction of Evergreen Street – McCullough Avenue to E. Euclid Avenue and Evergreen Court – Evergreen Street to N. St. Mary’s to include a 2-lane roadway width of 30 feet with curbs, sidewalks, driveway approaches and drainage improvements as necessary; and

**WHEREAS**, in order to commence performance of such work, it is necessary to accept the low, responsive bid of R.L. Jones, L.P.; **NOW THEREFORE:**

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

**SECTION 1.** The low, responsive bid of R.L. Jones, L.P. in the amount of \$824,476.70 for the above-described reconstruction work in connection with the Evergreen Street – McCullough Avenue to E. Euclid Avenue and Evergreen Court – Evergreen Street to N. St. Mary’s Community Development Block Grant (CDBG) Projects is hereby accepted. The City Manager or, in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or the Director of Public Works is hereby authorized to execute a standard form public works construction contract for the job. A copy of the contractor’s bid is affixed hereto and incorporated herein as Attachment I.

**SECTION 2.** All other bids received on these Projects are rejected upon the occurrence of either the execution of a contract by the low, responsive bidder and deposit of all required bonds and insurance certificates, or the expiration of sixty (60) days from the date of this Ordinance.

**SECTION 3.** Project No. 26-013521 entitled “Evergreen Street – McCullough Avenue to E. Euclid Avenue and Evergreen Court – Evergreen Street to N. St. Mary’s” is hereby designated to account for all transactions and the amount of \$946,653.78 is appropriated as set out in the budget schedule affixed hereto and incorporated herein for all purposes as Attachment II.

**SECTION 4.** The following sums are hereby authorized for encumbrance in and payment from Project No. 26-013521:

- \$ 824,476.70 for construction expenses payable to R.L. Jones, L.P., Index Code 644419;
- \$ 82,447.67 for miscellaneous construction contingency expenses, Index Code 644450; and
- \$ 39,729.41 for expense recovery funds, Index Code 644492.

**SECTION 5.** The budget of CDBG Project No. 28-027025 entitled “District 1 Public Works Streets and Drainage” is hereby authorized to be revised as set out in the budget schedule affixed hereto and incorporated herein for all purposes as Attachment II.

**SECTION 6.** The City hereby acknowledges and accepts the commitment of the San Antonio Water System (SAWS) to pay for the cost of replacing, relocating and/or adjusting its facilities and lines as necessitated in connection with the performance of these Projects, and for the cost of any additional work which may be required. SAWS shall make payment to the City for the costs set forth in Attachment II, such cost totaling \$339,361.40. For any additional work which may be required, SAWS has manifested their intent to pay their portion. The City is hereby authorized to collect from SAWS payment for any additional costs of such nature and the project budget is hereby authorized to be revised to so reflect. SAWS shall provide a copy of its resolution to City’s Department of Public Works upon approval of these Projects. The Director of Public Works is hereby authorized to bill SAWS for the cost of replacing, relocating and/or adjusting its facilities and lines as necessitated in connection with the performance of these Projects and for any cost overruns required to complete the aforesaid SAWS sewer and water work construction. Collections from SAWS shall be forwarded to the Director of Finance and deposited in the Project No. 26-013521. The budget of Project No. 26-013521 is hereby authorized to be supplemented in the amount of the sum required to complete the cost of replacing, relocating and/or adjusting its facilities and lines as necessitated in connection with the performance of these Projects, if such additional work is required, and the construction contract herein awarded amended in accordance with the City’s field alteration procedure, administratively or by ordinance as applicable.

**SECTION 7.** 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 allocations to specific Index Codes and Project Numbers as necessary to carry out the purpose of this Ordinance.

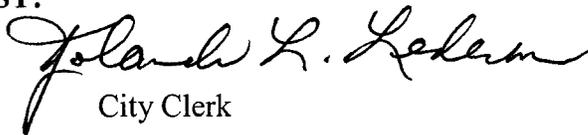
**SECTION 8.** This Ordinance shall become effective on and after the eleventh (11th) day after passage hereof.

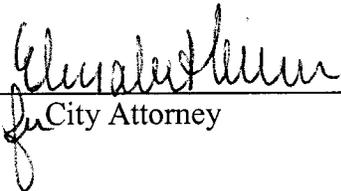
**PASSED AND APPROVED** this 1st day of April, 2004.



**M A Y O R**  
**EDWARD D. GARZA**

**ATTEST:**

  
City Clerk

**APPROVED AS TO FORM:**   
City Attorney