

AN ORDINANCE **99195**

ACCEPTING THE PROPOSAL OF FMG CONTRACTING COMPANY, L.L.C. (MBE), IN THE AMOUNT OF \$3,220,315.00 IN CONNECTION WITH THE JULIA YATES SEMMES BRANCH LIBRARY AT COMANCHE LOOKOUT PARK PROJECT, LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$150,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AMENDING A PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZING \$75,000.00 TO REHLER, VAUGHN & KOONE, INC. FOR ADDITIONAL ARCHITECTURAL SERVICES, FOR A TOTAL AMOUNT OF \$3,445,315.00, OF WHICH \$2,733,203.00 WILL BE FUNDED BY GENERAL OBLIGATIONS OF THE CITY AND \$712,112.00 WILL BE FUNDED BY THE LIBRARY FOUNDATION; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

SECTION 1. The proposal of **FMG Contracting Company, L.L.C.** including alternates, in the total amount of \$3,220,315.00, in connection with the Julia Yates Semmes Branch Library at Comanche Lookout Park Project is hereby accepted. All other proposals will be considered rejected upon the execution of a contract 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**. The amount of \$150,000.00 for construction contingency expenses is hereby authorized.

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 of which is in substantially the same form as **Attachment II** and is incorporated herein for all purposes.

SECTION 3. The professional service contract between the City of San Antonio and Rehler, Vaughn & Koone, Inc., originally authorized by Ordinance 96782 on November 21, 2002, is hereby amended to provide additional architectural services for this Project.

SECTION 4. The following financial adjustments area hereby authorized to effect this Ordinance:

- a) The amount of \$712,112.00 is appropriated in Fund No. 62-014009, San Antonio Library Foundation: Gift & Memorial Fund, in Index Code 941104, entitled

“Transfer to 45-912004 Comanche Library”. The amount of \$712,112.00 is authorized to be transferred from Fund 62-014009 to Fund 45-912004.

The budget in Fund No. 45-912000, 1999 Library Improvements, Sold in 2001, shall be revised by increasing Index Code 141259, entitled “Trf Fr 62-014009 (45-912004) Comanche”, by the amount of \$712,112.00.

- b) The budget in Fund No. 45-913095, 1999 Library Improvements, Sold In 2002, shall be revised by reducing Index Code 758268, entitled “Unallocated Appropriations: Proceeds”, by the amount of \$2,075,888.00.

The amount of \$2,075,888.00 is appropriated in Fund No. 45-913002, 1999 Library Improvements, Sold In 2002, in Index Code 941112, entitled “Transfer to 45-912004 Comanche Library”. The amount of \$2,075,888.00 is authorized to be transferred from Fund 45-913002 to Fund 45-912004.

The budget in Fund No. 45-912000, 1999 Library Improvements, Sold in 2001, shall be revised by increasing Index Code 141267, entitled “Trf Fr 45-913002 (45-912004) Comanche”, by the amount of \$2,075,888.00.

- c) The budget in Fund No. 45-983095, 1999 Park Improvements, Sold In 2002, shall be revised by reducing Index Code 758276, entitled “Unallocated Appropriations: Proceeds”, by the amount of \$150,000.00.

The amount of \$150,000.00 is appropriated in Fund No. 45-983002, 1999 Park Improvements, Sold In 2002, in Index Code 941120, entitled “Transfer to 45-912004 Comanche Library”. The amount of \$150,000.00 is authorized to be transferred from Fund 45-983002 to Fund 45-912004.

The budget in Fund No. 45-912000, 1999 Library Improvements, Sold in 2001, shall be revised by increasing Index Code 141275, entitled “Trf Fr 45-983002 (45-912004) Comanche”, by the amount of \$150,000.00.

- d) The budget in Fund No. 43-112095, 2002 Library Improvements, shall be revised by reducing Index Code 758177, entitled “Unallocated Appropriations: Proceeds”, by the amount of \$507,315.00.

The amount of \$507,315.00 is appropriated in Fund No. 43-112004, 2002 Library Improvements, in Index Code 941138, entitled “Transfer to 45-912004 Comanche Library”. The amount of \$507,315.00 is authorized to be transferred from Fund 43-112004 to Fund 45-912004.

The budget in Fund No. 45-912000, 1999 Library Improvements, Sold in 2001, shall be revised by increasing Index Code 141283, entitled “Trf Fr 43-112004 (45-912004) Comanche”, by the amount of \$507,315.00.

- e) The amount of \$3,220,315.00 is appropriated in Fund No. 45-912004, 1999 Library Improvements, Sold in 2001, in Index Code 781625, entitled "Construction Contract", and is authorized to be encumbered and made payable to **FMG Contracting Company, LLC**, for construction in connection with the Julia Yates Semmes Branch Library at Comanche Lookout Park project.
- f) The amount of \$150,000.00 is appropriated in Fund No. 45-912004, 1999 Library Improvements, Sold in 2001, in Index Code 781633, entitled "Construction Contingency", and is authorized to be encumbered and made payable for miscellaneous construction contingency expenses in connection with the Julia Yates Semmes Branch Library at Comanche Lookout Park project.
- g) The amount of \$220,000.00 is appropriated in Fund No. 45-912004, 1999 Library Improvements, Sold in 2001, in Index Code 798314, entitled "Architectural/Additional Services", and is authorized to be encumbered and made payable to **Rehler, Vaughn & Koone, Inc.**, for additional architectural services in connection with the Comanche Lookout Branch Library Project.

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 23rd day of May 2004.

PASSED AND APPROVED this 13th day of May, 2004.



M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney