

AN ORDINANCE **99316**

AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH THE MEDICAL CENTER ALLIANCE; ACCEPTING THE LOW RESPONSIVE BASE BID OF VALEMAS, INC., INCLUDING ALTERNATES IN THE AMOUNT OF \$2,807,788.35 IN CONNECTION WITH THE MEDICAL CENTER INTERSECTION IMPROVEMENTS, PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$150,000 FOR CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$2,957,788.35, OF WHICH \$2,923,223.29 WILL BE FUNDED BY GENERAL OBLIGATIONS OF THE CITY, AND \$34,565.06 WILL BE FUNDED BY SAN ANTONIO WATER SYSTEM (SAWS); 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 City Manager or her designee is hereby authorized to execute a Development Agreement between the City and the Medical Center Alliance for the intersection improvements. A copy of said Agreement is affixed hereto as **Attachment I**.

SECTION 2. The low bid including alternates, of **Valemas, Inc.**, in the amount of \$2,807,788.35 in connection with the Medical Center Intersection Improvements, Phase II 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 II**. The amount of \$150,000.00 for construction contingency expenses is hereby authorized.

SECTION 3. 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 which form shall be in substantially the same form as **Attachment III** and is incorporated herein for all purposes.

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

- a) Budgeted revenues in the amount of \$34,565.06 shall be established in Fund No. 40-002062, Other Capital Projects, Street Improvements, in Index Code 088997, entitled Contribution from SAWS. Revenue index code 088997, entitled "Contribution from SAWS", shall be increased upon reimbursement of the project.

- b) The amount of \$2,363,187.00 is appropriated in Fund No. 43-507001, Certificates of Obligation, 2004 Streets, in Index Code 934430, entitled "Transfer to 40-002062 Medical Ctr". The amount of \$2,363,187.00 is authorized to be transferred from Fund 43-507001 to Fund 40-002062.

The budget in Fund No. 40-002062, Other Capital Projects, Street Improvements, shall be revised by increasing Index Code 130898, entitled "Trf Fr 43-507001", by the amount of \$2,363,187.00.

- c) The amount of \$298,036.29 is appropriated in Fund No. 45-801027, 2003 Street Bonds, in Index Code 934448, entitled "Transfer to 40-002062 Medical Ctr". The amount of \$298,036.29 is authorized to be transferred from Fund 45-801027 to Fund 40-002062.

The budget in Fund No. 40-002062, Other Capital Projects, Street Improvements, shall be revised by increasing Index Code 130922, entitled "Trf Fr 45-801027", by the amount of \$298,036.29.

- d) The budget in Fund No. 29-014000, Streets/Drainage Maintenance and Improvement Fund, shall be revised by reducing Index Code 726653, entitled "District 8 Current Year Appropriation", by the amount of \$37,500.00.

The budget in Fund No. 29-014000, Streets/Drainage Maintenance and Improvement Fund, shall be revised by increasing Index Code 934455, entitled "Transfer to 40-002062", in the amount of \$37,500.00. The amount of \$37,500.00 is authorized to be transferred from Fund 29-014000 to Fund 40-002062.

The budget in Fund No. 40-002062, Other Capital Projects, Street Improvements, shall be revised by increasing Index Code 130948, entitled "Trf Fr 29-014000", by the amount of \$37,500.00.

- e) Budgeted revenues in the amount of \$17,000.00 shall be established in Fund No. 40-002062, Other Capital Projects, Street Improvements, in Index Code 088195, entitled "Medical Center Alliance Contribution". Revenue Index Code 088195, entitled "Medical Center Alliance Contribution", shall be increased upon reimbursement of the project.

- f) The budget in Fund No. 40-002060, Other Capital Projects, Street Improvements, shall be revised by reducing Index Code 756148, entitled "Maint & Rep Mat'ls-Mach & Equip", by the amount of \$207,500.00.

The amount of \$207,500.00 is appropriated in Fund No. 40-002060, Other Capital Projects, Street Improvements, in Index Code 934463, entitled "Transfer to 40-002062 Medical". The amount of \$207,500.00 is authorized to be transferred from Fund 40-002060 to Fund 40-002062.

The budget in Fund No. 40-002062, Other Capital Projects, Street Improvements, shall be revised by increasing Index Code 130971, entitled "Trf Fr 40-002060", by the amount of \$207,500.00.

- g) The amount of \$2,807,788.35 is appropriated in Fund No. 40-002062, Other Capital Projects, Street Improvements, in Index Code 787911, entitled "Construction Contract", and is authorized to be encumbered and made payable to **Valemas, Inc.**, for construction in connection with the Medical Center Intersection Improvements, Phase II project.
- h) The amount of \$150,000.00 is appropriated in Fund No. 40-002062, Other Capital Projects, Street Improvements, in Index Code 787929, entitled "Construction Contingency", and is authorized to be encumbered and made payable for miscellaneous construction contingency expenses in connection with the Medical Center Intersection Improvements, Phase II project.

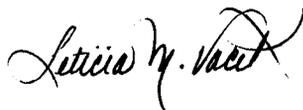
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 6. This ordinance shall take effect on the 20th day of June 2004.

PASSED AND APPROVED this 10th day of June, 2004.


M A Y O R
EDWARD D. GARZA

ATTEST:



City Clerk

APPROVED AS TO FORM:


for City Attorney