

100512

AN ORDINANCE

ACCEPTING THE LOW, RESPONSIVE BID OF VALEMAS, INC. (MBE) IN THE AMOUNT OF \$323,167.56 IN CONNECTION WITH THE POTOMAC - MITTMAN TO WALTERS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$19,565.55 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$13,695.88 FOR EXPENSE RECOVERY; AUTHORIZING \$2,000.00 FOR ADVERTISING EXPENSES; AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING FUNDS IN AN AMOUNT NOT TO EXCEED \$8,602.25 PAYABLE TO GREG GOMEZ, INC. D/B/A G.G.I. ENGINEERS (MBE) FOR CONSTRUCTION PHASE SERVICES; AUTHORIZING \$440.22 FOR ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$131,712.07 FOR SEWER AND WATER EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$367,471.46; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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WHEREAS, the City Council has approved the Potomac – Mittman to Walters Project, located in Council District 2 as part of the Community Development Block Grant (CDBG) Program; and

WHEREAS, in connection with said Project, there exists a need for reconstruction of Potomac from Mittman to Walters to widen the street to a thirty-foot width and to include curbs, sidewalks, and driveway approaches; and

WHEREAS, in order to commence performance of such work, it is necessary to accept the low, responsive bid of Valemas, Inc.; and

WHEREAS, by Ordinance No. 83616, passed February 22, 1996, a professional services contract was awarded to Greg Gomez, Incorporated, doing business as G.G.I. Engineers, for engineering services; and

WHEREAS, in order to proceed with said Project, additional professional services are required for the construction phase of the Project; and

WHEREAS, performance of such additional professional services will necessitate payment of additional fees to Greg Gomez, Incorporated, doing business as G.G.I. Engineers; **NOW THEREFORE:**

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

SECTION 1. The low, responsive bid of Valemas, Inc. in the amount of \$323,167.56 for the above-described construction work in connection with the Potomac – Mittman to Walters Community Development Block Grant (CDBG) Project is hereby accepted. The Interim City Manager or, in the Interim City Manager's stead, either 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 this Project 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. Funding in the amount of \$189,994.40 has been appropriated in the CDBG 29th Year Program budget, Fund 28029000, CP2300132000, Project No. 23-00182 entitled "Potomac (Mittman to Walters)". Additional funding of \$45,764.99 for above said project from the CDBG Program budget, is authorized to be revised as set out in the attachment affixed hereto and incorporated herein for all purposes as Attachment II.

SECTION 4. The amount of \$323,167.56 is hereby authorized to be encumbered and made payable, upon issuance of a purchase order, to Valemas, Inc. from Fund No. 28029000, CP2300132000, Project No. 23-00182, entitled "Potomac (Mittman to Walters)" as follows:

- \$195,655.49 for construction costs in GL #5201140 from WBS Element #:23-00182-05-02-01 entitled "City Construction"; and
- \$ 57,410.50 for construction costs in GL #5201140 from WBS Element #:23-00182-05-02-02-01 entitled "SAWS SEWER "; and
- \$ 70,101.57 for construction costs in GL #5201140 from WBS Element #:23-00182-05-02-02-02 entitled "SAWS WATER ".

SECTION 5. The amount of \$8,602.25 is hereby authorized to be encumbered and made payable, upon issuance of a purchase order, to Greg Gomez, Inc. (dba G.G.I. Engineers) from Fund No. 28029000, CP2300132000, Project No. 23-00182, entitled "Potomac (Mittman to Walters)" as follows:

- \$ 4,402.25 for engineering fees in GL #5201170 from WBS Element #:23-00182-01-02 entitled "Design Costs"; and
- \$ 2,200.00 for engineering fees in GL #5201170 from WBS Element #:23-00182-05-02-02-01 entitled "SAWS SEWER "; and
- \$ 2,000.00 for engineering fees in GL #5201170 from WBS Element #:23-00182-05-02-02-02 entitled "SAWS WATER ".

SECTION 6. The amount of \$35,701.65 is hereby authorized to be appropriated in CDBG Project No. 23-00182, CP2300132000 entitled "Potomac (Mittman to Walters)" and encumbered as follows:

- \$ 19,565.55 for construction contingency costs in GL #5201140 from WBS Element #:23-00182-05-03 entitled "Construction Contingency"; and
- \$ 13,695.88 for administrative charges in GL #5402010 from WBS Element #:23-00182-05-04 entitled "Capital Program Administrative"; and
- \$ 2,000.00 for advertising costs in GL #5201150 from WBS Element #:23-00182-05-01 entitled "Advertise "; and .
- \$ 440.22 for engineering fees in GL #5201170 from WBS Element #:23-00182-01-03 entitled "Consultant Contingency ".

SECTION 7. The professional services contract with Greg Gomez, Incorporated, doing business as G.G.I. Engineers authorized by Ordinance No. 83616 and approved on February 22, 1996, is hereby authorized to be amended to reflect the additional services and costs therefor.

SECTION 8. The budget of CDBG Project No. 23-00182 entitled "Potomac (Mittman to Walters)" 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 9. 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 this Project, 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 \$131,712.07. For any additional work which may be required, SAWS has manifested its intent to pay its 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 this Project. 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 this Project 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. 23-00182. The budget of Project No. 23-00182 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 this Project, 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 10. 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 Interim City Manager or Interim City Manager's designee, correct allocations to specific SAP Fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 11. This ordinance shall be effective on and after the 20th day of March, 2005.

PASSED AND APPROVED this 10th day of March, 2005.



M A Y O R

ATTEST:


City Clerk

APPROVED AS TO FORM: 
City Attorney