

AN ORDINANCE      **101330**

**ACCEPTING THE LOWEST, RESPONSIVE BID OF MAGRO AIR CONDITIONING AND HEATING (SBE/MBE) IN THE AMOUNT OF \$135,472.00 IN CONNECTION WITH THE FRANK GARRETT CENTER HVAC UPGRADES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING \$6,528.00 FOR PROJECT CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$142,000.00; APPROPRIATING FUNDS, REVISING THE PROJECT BUDGET AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, the City Council has approved the Frank Garrett Center HVAC Upgrades Project, located in Council District 1, as part of the Community Development Block Grant (CDBG) Program; and

**WHEREAS**, in connection with said Project, there exists a need for the replacement of one (1) existing chiller to include controls interface, associated piping connections, isolators, refrigerant in compliance with local codes, and Direct Digital Control (DDC) controllers and control loops; and

**WHEREAS**, in order to commence performance of such work, it is necessary to accept the lowest, responsive bid of Magro Air Conditioning and Heating; **NOW THEREFORE:**

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

**SECTION 1.** The lowest, responsive bid of Magro Air Conditioning and Heating in the amount of \$135,472.00 for performance of the above-described work in connection with the Community Development Block Grant (CDBG) funded Frank Garrett Center HVAC Upgrades Project is hereby accepted. The City Manager or, in his stead, an Assistant City Manager, an Assistant to the City Manager or the Director of the Public Works Department 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.** The budget of Project No. 38-00002 is authorized to be revised as set out in the detailed budget schedule affixed hereto and incorporated herein for all purposes as Attachment II. Funding for the above said Project is appropriated in the CDBG 30<sup>th</sup> Year reprogrammed budget and is authorized to be transferred to Project No. 38-00002, WBS Element 38-00002-90-01, GL Account #6101100, Interfund Transfers In.

**SECTION 4.** Funding in the amount of \$142,000.00 for Project No. 38-00002 entitled "Frank Garrett Center HVAC Upgrades" shall be encumbered and made payable, upon purchase order, to Magro Air Conditioning and Heating as follows:

City Construction, WBS Element 38-00002-05-02-01, GL Account #5201140 entitled "Construction Costs" in the amount of \$135,472.00; and

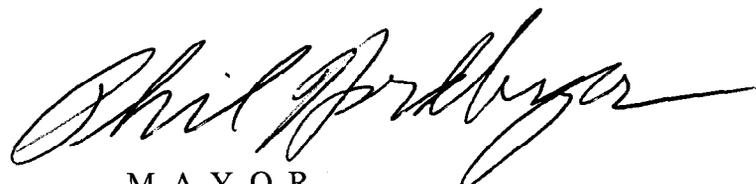
Construction Contingency, WBS Element 38-00002-05-03, GL Account #5201140 entitled "Construction Costs" in the amount of \$6,528.00.

**SECTION 5.** City staff is hereby authorized to adjust line items within the budget of Project No. 38-00002 through the normal budget adjustment process.

**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, Internal Orders, WBS Elements and GL Account Numbers as necessary to carry out the purpose of this Ordinance.

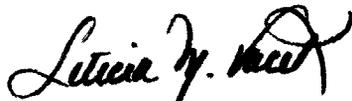
**SECTION 7.** This Ordinance shall become effective on and after the 11<sup>th</sup> day of September, 2005.

PASSED AND APPROVED this 1<sup>st</sup> day of September, 2005.

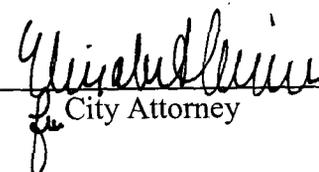


M A Y O R  
PHIL HARDBERGER

ATTEST:



City Clerk

APPROVED AS TO FORM:   
City Attorney