

AN ORDINANCE 2006-04-06-0454

ACCEPTING THE LOWEST RESPONSIVE BID AND AUTHORIZING A CONSTRUCTION CONTRACT WITH CLARK CONSTRUCTION OF TEXAS, LTD. IN CONNECTION WITH THE ASPHALT OVERLAY PROJECT LOCATED IN VARIOUS DISTRICTS; AND APPROPRIATING A TOTAL AMOUNT OF \$20,191,454.44 OF WHICH \$602,500.00 WILL BE REIMBURSED BY SAWS AND \$10,000.00 WILL BE REIMBURSED BY CPS ENERGY, FROM THE FY 2006 AND FY 2007 STREET MAINTENANCE PROGRAM, ATD, AND STREET CONTRACTUAL MAINTENANCE BUDGET FUNDS.

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WHEREAS, this Ordinance accepts the lowest responsive base bid and alternates submitted by Clark Construction of Texas, Ltd. in the amount of \$19,033,005.15 in connection with the Asphalt Overlay Project, located in various Districts, from FY05 Street Maintenance Improvements funds; and

WHEREAS, the San Antonio Water System Board will reimburse the City \$602,500.00 and CPS Energy will reimburse the City for \$10,000.00 of the cost for relocation/replacement of their utilities associated with this Project; and

WHEREAS, approval of this Ordinance will be an implementation of Council policy to provide a two-year Street Maintenance program for FY 2006 and FY 2007; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive base bid with alternates of **Clark Construction of Texas, Ltd.**, in the amount of \$19,033,005.15 for construction services in connection with the Asphalt Overlay 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 bid is appended hereto as **Attachment I**.

SECTION 2. The City Manager or her designee is hereby authorized to execute a standard form contract covering said Project, a copy which is in substantially the same form as **Attachment II**, incorporated herein for all purposes.

SECTION 3. The City Manager or her designee is hereby further authorized to negotiate and execute an interlocal agreement with Bexar County to add them as a third party to this project.

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

- a) The amount of \$1,423,885.01 is appropriated in fund 29084000, Advanced Transportation District, I/O# 390000000403 GL account 6102100 – Interfund Transfer

out entitled Transfer to 23-00073-90-04. The amount of \$333,525.59 is authorized to be transferred to fund 29050000.

- b) The budget in fund 29050000, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, shall be revised by increasing WBS element 23-00073-90-04 entitled Trf Fr I/O# 390000000403, GL account 6101100 – Interfund Transfer In, by the amount of \$1,423,885.01.
- c) The amount of \$5,692,218.55 is appropriated in fund 29050000, Streets/Drain Maintenance and Improvements, for Project Definition 23-00073 FY2006 & FY2007 Street Maintenance Program and is to be encumbered and made payable for project costs.
- d) Funds are authorized to be received from SAWS, to fund 29050000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, shall be revised by increasing WBS element 23-00073-90-01, entitled SAWS Reimbursement, GL Account 4502280 – Contribution from other Agencies, by the amount of \$217,450.00.
- e) The amount of \$6,878,679.53 is appropriated in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, WBS element 23-00073-03-01-01, entitled COSA, G/L account 5201140 -- Construction, and is authorized to be encumbered and made payable Clark Construction of Texas, Ltd.
- f) The amount of \$217,450.00 is appropriated in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, WBS element 23-00073-03-01-02, entitled SAWS, G/L account 5201140 -- Construction, and is authorized to be encumbered and made payable Clark Construction of Texas, Ltd.
- g) The budget in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, shall be revised by increasing WBS element 23-00073-03-03, entitled Printing & Reproduction, G/L account 5201040 in the amount of \$500.00.
- h) The budget in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, shall be revised by increasing WBS element 23-00073-03-04, entitled Advertising, G/L account 5201040 in the amount of \$750.00.
- i) The budget in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, shall be revised by increasing WBS element 23-00073-03-05, entitled Material Testing, G/L account 5201040 in the amount of \$184,205.05.
- j) The amount of \$5,446.98 is appropriated in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, WBS element 23-00073-03-06, entitled VIVIDS-Labor, G/L

account 5101010 and is authorized to be encumbered and made payable Public Works City Forces.

- k) The amount of \$41,587.00 is appropriated in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, WBS element 23-00073-03-06, entitled VIVIDS-Material, G/L account 5301010 and is authorized to be encumbered and made payable Public Works City Forces.
- l) The amount of \$4,935.00 is appropriated in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, WBS element 23-00073-03-06, entitled VIVIDS-Equipment, G/L account 5301020 and is authorized to be encumbered and made payable Public Works City Forces.
- m) This ordinance is also a declaration of the City's official intent to reimburse itself from the proceeds derived from the sale of the City of San Antonio, Certificates of Obligation, Series 2007 for any authorized expenditures from any lawfully available funds of the City. This reimbursement is contingent upon the sale of the City of San Antonio, Certificates of Obligation, Series 2007 for the FY2006 & FY2007 Street Maintenance Program, Asphalt Overlay.
- n) The amount of \$11,541,825.62 is appropriated in fund 29050000, Streets/Drain Maintenance and Improvements, for Project Definition 23-00073 FY2006 & FY2007 Street Maintenance Program and is to be encumbered and made payable for project costs.
- o) Funds are authorized to be received from SAWS, to fund 29050000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, shall be revised by increasing WBS element 23-00073-90-01, entitled SAWS Reimbursement, GL Account 4502280 – Contribution from other Agencies, by the amount of \$385,050.00.
- p) Funds are authorized to be received from CPS, to fund 29050000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, shall be revised by increasing WBS element 23-00073-90-02, entitled CPS Reimbursement, GL Account 4502280 – Contribution from other Agencies, by the amount of \$10,000.00.
- q) The amount of \$11,541,825.62 is appropriated in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, WBS element 23-00073-03-01-01, entitled COSA, G/L account 5201140 -- Construction, and is authorized to be encumbered and made payable Clark Construction of Texas, Ltd.
- r) The amount of \$385,050.00 is appropriated in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, WBS element 23-00073-03-01-02, entitled SAWS, G/L

account 5201140 -- Construction, and is authorized to be encumbered and made payable Clark Construction of Texas, Ltd.

- s) The amount of \$10,000.00 is appropriated in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, WBS element 23-00073-03-01-03, entitled CPS, G/L account 5201140 -- Construction, and is authorized to be encumbered and made payable Clark Construction of Texas, Ltd.
- t) The budget in Fund 2905000, Streets/Drain Maintenance and Improvements, Project Definition 23-00073, FY06/FY07 Street Maintenance Program, Asphalt Overlay, shall be revised by increasing WBS element 23-0073-03-02, entitled Construction Contingency, in the amount of \$921,025.26.
- u) The amount \$12,857,900.88 is subject to availability and appropriation for FY2007.

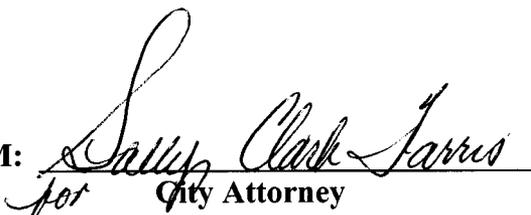
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. This ordinance shall be effective immediately if passed by eight (8) affirmative votes. Otherwise, it shall be effective on the 16th day of April 2006.

PASSED AND APPROVED this 6th day of April, 2006.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

ATTACHMENT 1
 2006/2007 STREET MAINTENANCE CONTRACT
 BIDS SUMMARY

Contract	Bidder	Base Bid	Alternates Added	Total Contract Base Amount
ASPHALT RECYCLING OVERLAY	Clark Construction of Texas, Ltd. SAC	6,263,692.98	156,400.00	6,420,092.98 ¹
	Cutler Construction	7,402,054.35 8,240,112.65	156,400.00 252,450.00	7,558,454.35 8,492,562.65
HOTPAVER LAID	Clark Construction of Texas, Ltd.	8,127,333.15	218,100.00	8,345,433.15 ²
	J.D. Ramming Paving Company., Ltd.	9,923,592.40	447,150.00	10,370,742.40
ASPHALT OVERLAY	Clark Construction of Texas, Ltd.	18,420,505.15	612,500.00	19,033,005.15
	J.D. Ramming Paving Company., Ltd. Texas Sterling	23,673,763.10 24,955,657.70	67,500.00 899,600.00	23,741,263.10 25,855,257.70
SLURRY SEAL	J.D. Ramming Paving Company, Ltd.	592,567.00	1,056,576.00	1,649,143.00 ³
	Clark Construction of Texas, Ltd.	757,495.00	1,383,052.98	2,140,547.98
MICROSURFACE	Clark Construction of Texas, Ltd.	793,549.00	1,582,627.26	2,376,176.26

¹ Contract Base Amount (\$6,420,092.98) is increased by a Field Alteration (\$24,966.54) for the Ordinance Contract Amount of \$6,445,59.52.
² Contract Base Amount (\$8,345,433.15) is increased by a Field Alteration (\$445,558.44) for the Ordinance Contract Amount of \$8,790,991.59.
³ Contract Base Amount (\$1,649,144.00) is decreased by a Field Alteration (\$108,701) for the Ordinance Contract Amount of \$1,540,443.00