

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**AN ORDINANCE**

**APPROVING A UTILITY-DRIVEN CHANGE ORDER IN THE  
DECREASED AMOUNT NOT TO EXCEED \$1,242,629.00 TO THE  
\$36,298,583.23 CONSTRUCTION CONTRACT WITH CAPITAL  
EXCAVATION COMPANY FOR THE REALIGNMENT OF MARKET  
STREET.**

\* \* \* \* \*

**WHEREAS**, the Market Street Realignment Project originated in association with the proposed Convention Center Expansion and HemisFair Park Area Master Plan to include the realignment of Market Street and Bowie Street towards the east of the proposed Convention Center expansion; and

**WHEREAS**, the Project includes the realignment of Market Street, to run parallel with Commerce Street and east of the proposed Convention Center expansion; and

**WHEREAS**, a contract with **Capital Excavation Company** in the amount of \$37,352,903.74 was approved by Ordinance 2013-03-21-0178 and change orders have decreased the contract amount by \$1,054,320.51 to a total contract amount of \$35,055,954.23 ; and

**WHEREAS**, this Ordinance authorizes a utility driven change order in the decreased amount of \$1,242,629.00 for work associated with SAWS chilled water line, and

**WHEREAS**, approval of the ordinance will be a continuation of City Council policy to complete previously approved 2012 – 2017 General Obligation Bond funded project; **NOW THEREFORE**,

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

**SECTION 1.** The Utility Driven Change Order for the Culebra 58F Drainage Phase 2B Project in the decreased amount of \$1,242,629.00 is hereby approved. The City Manager or her designee is hereby authorized to execute a Change Order to the Contract with **Capital Excavation Company**.

**SECTION 2.** The following financial adjustments are hereby approved:

- a) .
- b) 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 3.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this \_\_\_ day of \_\_\_\_\_, 2013.

M A Y O R  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Michael D. Bernard, City Attorney