

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

**AN ORDINANCE**

**SELECTING JOERIS GENERAL CONTRACTORS, LTD. AND  
AUTHORIZING THE NEGOTIATION AND EXECUTION OF A  
CONSTRUCTION MANAGER AT RISK CONTRACT IN THE AMOUNT  
NOT-TO-EXCEED \$3,981,450.00 FOR THE CONSTRUCTION OF THE  
HEMISFAIR PARK PLAY ESCAPE PROJECT.**

\* \* \* \* \*

**WHEREAS**, the 2012 Bond Program, \$15 million was designated for Parks, Recreation and Open Space Improvements at HemisFair Park, of which four (4) sub-projects were branded to participate within the HemisFair 2012-2017 Bond Program, 1) HemisFair Play Escape Project; 2) Magik Theater Restoration 3) Historic Homes Restoration included in this council action and 4) a Civic Park which will be designed at a later time; and

**WHEREAS**, the services to be provided in this contract includes constructability reviews, budgeting, cost estimating, phasing, scheduling, presentation to stakeholders and value engineering; and

**WHEREAS**, this Ordinance selects **Joeris General Contractors, Ltd.** and authorizes the negotiation and execution of a Construction Manager at Risk Services Contract in the amount not to exceed \$3,981,450.00 for the HemisFair Park Play Escape Project; and

**WHEREAS**, this is a one-time capital improvement expenditure in the guaranteed maximum amount not to exceed \$3,981,450.00 and funding for this Ordinance is available from 2012-2017 General Obligation Bond Program and are included in the FY 2013–2018 Capital Improvement Budget; **NOW THEREFORE**,

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

**SECTION 1.** **Joeris General Contractors, Ltd.** is hereby selected for negotiation and execution of a Construction Management at Risk Contract to provide construction of the HemisFair Play Escape at HemisFair Park.

**SECTION 2.** The City Manager or her designee is hereby authorized to negotiate and execute a Construction Management at Risk Contract with **Joeris General Contractors, Ltd.** in an amount not to exceed \$875,000.00.

**SECTION 3.** The following financial adjustments are hereby approved:

- a) Payment not-to-exceed the amount of \$3,981,450.00, Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00357, HemisFair Park, is authorized to be encumbered and made payable to **Joeris General Contractors, Ltd.**, for Construction Manager at Risk contract. Payment for services are contingent upon the

availability of funds and the sale of future City of San Antonio, General Obligation Bonds for SAP Project Definition 40-00357, HemisFair Park, in accordance with the adopted capital budget. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years..

- b) .he 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 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 4.** 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