

AN ORDINANCE 2009-11-19-0920

AWARDING A CONSTRUCTION CONTRACT TO H. L. ZUMWALT CONSTRUCTION, INC. IN THE AMOUNT OF \$8,083,107.30, OF WHICH \$237,000.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, FOR AUTHORIZED FY 2010 STREET MAINTENANCE PROGRAM ASPHALT OVERLAY PROJECTS LOCATED CITY WIDE.

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WHEREAS, the Street Maintenance Program (SMP) involves the rehabilitation of existing streets using one of four applications (i.e., Asphalt Overlay, Asphalt Recycle and Overlay, Hot Paver-Laid Micro-Surface, and Slurry Seal); and

WHEREAS, the total FY 2010 SMP was budgeted at \$20 million and was approved by City Council on September 17, 2009, as part of the FY 2010 Adopted Budget; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **H.L. Zumwalt Construction, Inc.** in the amount of \$8,083,107.30; and

WHEREAS, San Antonio Water Systems will be participating in this project in order to complete the necessary adjustments that will be made to their existing infrastructure and will reimburse the City a total of \$237,000.00; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid of **H.L. Zumwalt Construction, Inc.** in the amount of \$8,083,107.30 in connection with the FY 2010 Street Maintenance Program Asphalt Overlay Projects 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 ninety (90) days from the effective date hereof, whichever occurs first.

SECTION 2. A construction contract is hereby awarded to **H.L. Zumwalt Construction, Inc.**

SECTION 3. The following financial adjustments are hereby authorized to effect this Ordinance:

- a) The amount of \$8,331,093.74 is authorized to be transferred from SAP Fund 11001000, General Fund, SAP Internal Order # 390000001101, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 23-01198-90-03 to SAP Fund 40099000, Other Capital Projects.
- b) The budget in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01198, FY 2010 Street Maintenance Program, shall be revised by increasing SAP WBS Element 23-01198-90-03 entitled Trf Fr I/O# 390000001101, SAP GL Account 6101100 – Interfund Transfer In, by the amount \$8,331,093.74.
- c) Funds are authorized to be received from SAWS to SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01198, FY 2010 Street Maintenance Program, shall be revised by increasing WBS element 23-01198-90-01, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$237,000.00.

- d) The amount of \$8,560,093.74 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01198, FY 2010 Street Maintenance Program, and the budget shall be revised by increasing/decreasing SAP WBS Element as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
23-01198-03-01-01	Construction	5201140	Construction Cost	\$0.00	\$7,846,107.30	\$7,846,107.30
23-1198-03-01-02	Construction - SAWS Water	5201140	Construction Cost	\$0.00	\$87,000.00	\$87,000.00
23-01198-03-01-02	Construction - SAWS Sewer	5201140	Construction Cost	\$0.00	\$150,000.00	\$150,000.00
23-01198-03-02	Project Contingency	5201040	Fees to Pro	\$0.00	\$404,155.37	\$404,155.37
23-01198-03-05	Material Testing	5201040	Fees to Pro	\$0.00	\$80,831.07	\$80,831.07
			TOTALS	\$0.00	\$8,568,093.74	\$8,568,093.74

- e) The amount of \$8,083,107.30 from SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01198, FY 2010 Street Maintenance Program, is authorized to be encumbered and made payable to **H. L. Zumwalt Construction, Inc.** for construction services.

SECTION 4. 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 5. 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 19th day of November, 2009.


 M A Y O R

ATTEST:


 City Clerk

APPROVED AS TO FORM:


 City Attorney