

AN ORDINANCE 2009-11-19-0930

AUTHORIZING ASPHALT OVERLAY CONSTRUCTION CONTRACT CHANGE ORDER NO. 5 TO A CONSTRUCTION CONTRACT WITH CLARK CONSTRUCTION OF TEXAS INC. IN THE AMOUNT OF \$709,529.27 FOR THE ADDITION OF SIX PROJECTS AUTHORIZED FROM \$30 MILLION IN TAX NOTES, NEIGHBORHOOD ASSESS AND MOBILITY PROGRAM (NAMP) FUNDS AND SAN ANTONIO WATER SYSTEMS FUNDS (SAWS) LOCATED IN COUNCIL DISTRICTS 8 AND 10.

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WHEREAS, a contract with **Clark Construction of Texas, Inc.** in the amount of \$24,844.806.06 was authorized by Ordinance No. 2008-06-05-0477 in connection with the FY 2008 & FY 2009 Street Maintenance Program, a component of the Infrastructure Management Program Projects; and

WHEREAS, this Ordinance approves Change Order No. 5 in the amount of \$709,529.27 to add six projects to the Asphalt Overlay Contract that will be funded from the \$30 million in tax notes, NAMP and SAWS funds; and

WHEREAS, this Change Order will allow for the adjustments of manholes and water valves on these projects; and

WHEREAS, SAWS will reimburse the City for costs associated with making adjustments on SAWS' facilities; **NOW THEREFORE**,

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

SECTION 1. Change Order No. 5 in the amount of \$709,529.27 is hereby approved. The City Manager or her designee is hereby authorized to execute Change Order No. 5 to the Contract with **Clark Construction of Texas, Inc.** Said contract was approved by Ordinance No. 2008-06-05-0477 in connection with the FY 2008 & FY 2009 Street Maintenance Program.

SECTION 2. The following financial adjustment is hereby approved:

- a) The amount of \$10,616.00 is appropriated in SAP Fund 11001000, General Fund, SAP Internal Order # 390000001103, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 23-01152-90-02. The amount of \$10,616.00 is authorized to be transferred to SAP Fund 43099000.
- b) The budget in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01152, Tophill Road-Chevy Chase to N. Braunfels, shall be revised by increasing SAP WBS Element 23-01152-90-02 entitled Trf Fr I/O# 390000001103, SAP GL Account 6101100 – Interfund Transfer In, by the amount \$10,616.00.

- c) The amount of \$10,616.00 is appropriated in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01152, Tophill Road-Chevy Chase to N. Braunfels, 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
23-01152-05-06	\$30M Tax Note	5201140	Construction Cost	\$163,015.58	\$278.10	\$163,293.68
23-01152-05-06	\$30M Tax Note	5202020	Contractual Services	\$7,165.52	-\$59.56	\$7,105.96
23-01152-05-06	\$30M Tax Note	5201040	Fees to Pro	\$1,791.38	-\$158.98	\$1,632.40
23-01152-05-06	\$30M Tax Note	5402010	Capital Admin	\$7,165.52	-\$59.56	\$7,105.96
23-01152-05-02-01	City Construction	5201140	Construction Cost	\$0.00	\$10,616.00	\$10,616.00
			TOTALS	\$179,138.00	\$10,616.00	\$189,754.00

- d) The budget in SAP Fund 43099000, Certificates of Obligation Capital Projects, 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
23-01153-05-03	Construction Contingency	5201140	Construction Cost	\$31,640.00	-\$5,000.00	\$26,640.00
23-01153-04-02	Environmental Cost	5201040	Fees to Pro	\$0.00	\$5,000.00	\$5,000.00
23-01156-05-02-01	Construction	5201140	Construction Cost	\$118,900.00	-\$802.86	\$118,097.14
23-01156-05-03	Construction Contingency	5201140	Construction Cost	\$14,500.00	\$1,071.89	\$15,571.89
23-01156-05-07	Material Testing	5201040	Fees to Pro	\$1,450.00	-\$269.03	\$1,180.97
23-01178-05-02-01	Construction	5201140	Construction Cost	\$66,400.32	\$1,832.50	\$68,232.82
23-01178-05-03	Construction Contingency	5201140	Construction Cost	\$8,097.60	-\$1,832.50	\$6,265.10
23-01179-05-02-01	Construction	5201140	Construction Cost	\$32,706.52	\$2,603.83	\$35,310.35
23-01179-05-03	Construction Contingency	5201140	Construction Cost	\$3,988.60	-\$1,224.22	\$2,764.38
23-01179-05-04	Construction Capital Admin	5402010	Capital Admin	\$2,792.02	-\$1,379.61	\$1,412.41
			TOTALS	\$280,475.06	\$0.00	\$280,475.06

- e) Funds are authorized to be received from SAWS to SAP Fund 43099000, Certificates of Obligation Capital Projects, and the budgets shall be revised by increasing WBS elements by the amount of \$128,300.00 as shown in the following table:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
23-01131-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$11,500.00	-\$11,500.00
23-01133-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$3,250.00	-\$3,250.00

23-01134-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$1,850.00	-\$1,850.00
23-01135-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$2,700.00	-\$2,700.00
23-01136-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$4,550.00	-\$4,550.00
23-01138-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$4,650.00	-\$4,650.00
23-01139-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$4,650.00	-\$4,650.00
23-01144-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$1,700.00	-\$1,700.00
23-01145-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$3,550.00	-\$3,550.00
23-01148-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$1,000.00	-\$1,000.00
23-01149-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$3,950.00	-\$3,950.00
23-01152-90-03	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$6,450.00	-\$6,450.00
23-01154-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$3,550.00	-\$3,550.00
23-01155-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$4,400.00	-\$4,400.00
23-01156-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$6,700.00	-\$6,700.00
23-01159-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$850.00	-\$850.00
23-01161-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$7,150.00	-\$7,150.00
23-01165-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$3,950.00	-\$3,950.00
23-01166-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$4,400.00	-\$4,400.00
23-01171-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$2,550.00	-\$2,550.00
23-01174-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$6,500.00	-\$6,500.00
23-01175-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$4,100.00	-\$4,100.00
23-01176-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$5,350.00	-\$5,350.00
23-01178-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$8,250.00	-\$8,250.00
23-01179-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$3,650.00	-\$3,650.00
23-01180-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$8,650.00	-\$8,650.00
23-01182-90-02	SAWS	4502280	Contribution fr Other Agency	\$0.00	-\$8,450.00	-\$8,450.00
			TOTALS	\$0.00	-\$128,300.00	\$128,300.00

f) The amount of \$128,300.00 is appropriated in SAP Fund 43099000, Certificates of Obligation Capital Projects, and the budgets shall be revised by increasing WBS elements by the amount of \$128,300.00 as shown in the following table:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
23-01131-06-01	Construction	5201140	Construction Cost	\$0.00	-\$11,500.00	-\$11,500.00
23-01133-06-01	Construction	5201140	Construction Cost	\$0.00	-\$3,250.00	-\$3,250.00
23-01134-06-01	Construction	5201140	Construction Cost	\$0.00	-\$1,850.00	-\$1,850.00
23-01135-06-01	Construction	5201140	Construction Cost	\$0.00	-\$2,700.00	-\$2,700.00
23-01136-06-01	Construction	5201140	Construction Cost	\$0.00	-\$4,550.00	-\$4,550.00
23-01138-06-01	Construction	5201140	Construction Cost	\$0.00	-\$4,650.00	-\$4,650.00
23-01139-06-01	Construction	5201140	Construction Cost	\$0.00	-\$4,650.00	-\$4,650.00
23-01144-06-01	Construction	5201140	Construction Cost	\$0.00	-\$1,700.00	-\$1,700.00
23-01145-06-01	Construction	5201140	Construction Cost	\$0.00	-\$3,550.00	-\$3,550.00
23-01148-06-01	Construction	5201140	Construction Cost	\$0.00	-\$1,000.00	-\$1,000.00
23-01149-06-01	Construction	5201140	Construction Cost	\$0.00	-\$3,950.00	-\$3,950.00
23-01152-90-03	Construction	5201140	Construction Cost	\$0.00	-\$6,450.00	-\$6,450.00
23-01154-06-01	Construction	5201140	Construction Cost	\$0.00	-\$3,550.00	-\$3,550.00

23-01155-06-01	Construction	5201140	Construction Cost	\$0.00	-\$4,400.00	-\$4,400.00
23-01156-06-01	Construction	5201140	Construction Cost	\$0.00	-\$6,700.00	-\$6,700.00
23-01159-06-01	Construction	5201140	Construction Cost	\$0.00	-\$850.00	-\$850.00
23-01161-06-01	Construction	5201140	Construction Cost	\$0.00	-\$7,150.00	-\$7,150.00
23-01165-06-01	Construction	5201140	Construction Cost	\$0.00	-\$3,950.00	-\$3,950.00
23-01166-06-01	Construction	5201140	Construction Cost	\$0.00	-\$4,400.00	-\$4,400.00
23-01171-06-01	Construction	5201140	Construction Cost	\$0.00	-\$2,550.00	-\$2,550.00
23-01174-06-01	Construction	5201140	Construction Cost	\$0.00	-\$6,500.00	-\$6,500.00
23-01175-06-01	Construction	5201140	Construction Cost	\$0.00	-\$4,100.00	-\$4,100.00
23-01176-06-01	Construction	5201140	Construction Cost	\$0.00	-\$5,350.00	-\$5,350.00
23-01178-06-01	Construction	5201140	Construction Cost	\$0.00	-\$8,250.00	-\$8,250.00
23-01179-06-01	Construction	5201140	Construction Cost	\$0.00	-\$3,650.00	-\$3,650.00
23-01180-06-01	Construction	5201140	Construction Cost	\$0.00	-\$8,650.00	-\$8,650.00
23-01182-06-01	Construction	5201140	Construction Cost	\$0.00	-\$8,450.00	-\$8,450.00
			TOTALS	\$0.00	-\$128,300.00	-\$128,300.00

g) The amount of \$709,529.27 from SAP Fund 43099000, Certificates of Obligation Capital Projects is authorized to be encumbered and made payable to **Clark Construction of Texas, Inc.** for construction services.

SECTION 3. 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 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 19th day of November, 2009.



M A Y O R

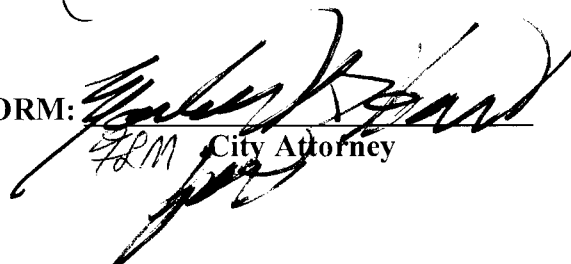
JULIÁN CASTRO

ATTEST:



Lucia N. Vaca
City Clerk

APPROVED AS TO FORM:



72PM City Attorney

Agenda Item:	20D (in consent vote: 6, 7, 8, 9, 10, 12, 13, 15, 16A, 16B, 16D, 17A, 17B, 17D, 18B, 19A, 20A, 20B, 20C, 20D, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33A, 33B, 33C, 33D, 33E, 33F, 34A, 34B)						
Date:	11/19/2009						
Time:	01:19:13 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing Asphalt Overlay Contract Change Order No. 5 to a construction contract in the amount of \$709,529.27 for the addition of six projects authorized from \$30 Million in Tax Notes, located in Council Districts 8 and 10.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor	x					
Mary Alice P. Cisneros	District 1		x			x	
Ivy R. Taylor	District 2	x					
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8	x					
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				x