

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

**ORDINANCE**

**APPROVING A CONSTRUCTION CONTRACT WITH D&S CONCRETE CONTRACTORS IN AN AMOUNT NOT TO EXCEED \$1,863,556.12 FOR THE CULEBRA TRIBUTARY GREENWAY TRAIL PROJECT (CATHEDRAL ROCK PARK TO TEZEL RD.), LOCATED IN COUNCIL DISTRICT 6. FUNDING IN THE AMOUNT OF \$1,863,556.12 IS AVAILABLE FROM THE VOTER APPROVED SALES TAX VENUE FUNDS AND IS A PART OF THE FY 2021 – FY 2026 CAPITAL IMPROVEMENT PROGRAM.**

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**WHEREAS**, this ordinance approves a construction contract with D&S Concrete Contractors, LLC for the Culebra Tributary Greenway Trail project which will provide walkable/bikeable access from Cathedral Rock Park to Tezel Road; and

**WHEREAS**, this project has been designed and will be constructed in coordination with the 2017 Bond-funded Tezel Road City Facility project being implemented by the Public Works Department; and

**WHEREAS**, the trail project consists of a concrete, multi-use trail and is 1.8 miles long and 10 feet wide; and

**WHEREAS**, the project also includes construction of a trailhead, several drainage culverts, retaining walls, rest nodes, signage, and other minor amenities; and

**WHEREAS**, design work was performed by Bain Medina Bain, Inc.; and

**WHEREAS**, the proposed project is part of a growing network of interconnected hike and bike trails known as the Howard W. Peak Greenway Trails system which is funded through sales tax initiatives approved by voters in 2000, 2005, 2010, and 2015; and

**WHEREAS**, the objectives of the program are to acquire and preserve open space along San Antonio creekways and to develop multi-use hike and bike trails, trailheads, signage, and associated amenities for use by San Antonio residents and visitors; and .

**WHEREAS**, this project was advertised on November 9, 2020 in the Hart Beat, the Texas Electronic State Business Daily, the City's website, TVSA and the electronic bidding site CivCast. Bids were opened on December 15, 2020 and eight (8) bids were received; and

**WHEREAS**, after reviewing the bids, D&S Concrete Contractors, LLC was deemed the lowest responsive bidder; and

**WHEREAS**, it is anticipated that construction will begin in Summer 2021 and be completed in late 2022 for this project.

**WHEREAS**, this contract will be executed in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts to be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority and women-owned business participation on the contract; and

**WHEREAS**, the Goal Setting Committee set a 28% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal. D&S Concrete Contractors, LLC is a small minority owned firm that will be self-performing the subcontracting goal; and

**WHEREAS**, additionally, they have agreed to meet the 3% AABE subcontracting goal; and

**WHEREAS**, this construction contract was developed utilizing the low bid process. Therefore, a Contracts Disclosure Form is not required; **NOW THEREFORE:**

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

**SECTION 1.** The lowest responsive bid from D&S Concrete Contractors, LLC in an amount not to exceed \$1,863,556.12 for the Culebra Tributary Greenway Trail 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 ninety (90) days from the effective date hereof, whichever occurs first.

**SECTION 2.** Payment is authorized to be encumbered and made payable to D&S Concrete Contractors in an amount not to exceed \$1,863,556.12. Payment is in support of the Culebra Tributary Greenway Project, using Fund 40005000, with the WBS 26-00668-5-02-01 and GL 5201140. Funding for this project is provided by the Linear Parks 2015 Fund and is in the FY2021-FY2026 CIP Budget.

**SECTION 3.** 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.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

SW  
Xx/xx/xx  
Item No. 21-1625

**PASSED AND APPROVED this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2021.**

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Tina J. Flores, City Clerk

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Andrew Segovia, City Attorney