

**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 DAVILA CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$3,777,711.77 FOR THE SALADO CREEK HIKE AND BIKE TRAIL PROJECT (SOUTHSIDE LIONS PARK TO SE MILITARY DRIVE), LOCATED IN COUNCIL DISTRICT 3. FUNDING IN THE AMOUNT OF \$3,716,362.02 IS AVAILABLE FROM THE VOTER APPROVED SALES TAX VENUE FUNDS AND IS A PART OF THE ADOPTED FY 2021 – FY 2026 CAPITAL IMPROVEMENT PROGRAM. THIS ORDINANCE ALSO APPROPRIATES \$61,349.75 FROM THE FY 2021 TREE CANOPY PRESERVATION AND MITIGATION FUND WHICH WILL BE USED FOR TREE PLANTINGS AROUND THE TRAILHEAD AND SUPPORTING IRRIGATION.**

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**WHEREAS**, this ordinance approves a construction contract with Davila Construction, Inc. for the Salado Creek Hike and Bike Trail, which will extend the Salado Creek Hike and Bike trail system and provide walkable/bikeable access from Southside Lions Park to SE Military Drive; and

**WHEREAS**, the Salado Creek trail project consists of a concrete, multi-use trail and is 3.1 miles long and 10 feet wide; and

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

**WHEREAS**, the Tree Canopy Preservation and Mitigation Fund will be used for tree plantings around the trailhead and supporting irrigation; and

**WHEREAS**, design work was performed by Vickrey & Associates, 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 8, 2020 and eight (8) bids were received; and

**WHEREAS**, after reviewing the bids, Davila Construction, Inc. was deemed the lowest responsive bidder, a summary of the bids received is shown on Attachment I; and

**WHEREAS**, one bidder was deemed nonresponsive due to submitting an incomplete bid; and

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

**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; and

**WHEREAS**, Davila Construction, Inc. is a small minority owned firm that will be self-performing the 94% M/WBE 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 Davila Construction, Inc. in an amount not to exceed \$3,777,711.77 for the Salado Creek Hike and Bike Trail project (Southside Lions Park to SE Military Drive), 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 Davila Construction in an amount not to exceed \$3,777,711.77.

**SECTION 3.** Payment of \$3,212,693.99 is in support of the Salado Creek (Southside Lions Park to SE Military) Project, using Fund 40005000, with the WBS 26-00616-05-05 and GL 5201140. Funding for this project is provided by the Parks Acquisition and Development Fund and Linear Parks 2015 Fund and is in the FY2021-FY2026 CIP Budget.

**SECTION 4.** Payment of \$503;668.03 is in support of the Creekway Low Impact Development Project, using Fund 40005000, with the WBS 26-00653-05-02-09 and GL 5201140. Funding for this project is provided by the Linear Parks 2015 Fund and is in the FY2021-FY2026 CIP Budget.

**SECTION 5.** Funding and payment in the amount of \$61,349.75 is authorized to be appropriated in Fund 29646000, Cost Center 2616020001 and General Ledger 5202025.

**SECTION 6.** 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 7.** 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 8.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**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