

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

AN ORDINANCE

FOR THE DISTRICT 2 NEW BRANCH LIBRARY (SCHAEFER BRANCH LIBRARY) A 2012-2017 GENERAL OBLIGATION BOND PROJECT, LOCATED IN COUNCIL DISTRICT 2, AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT TO DAVILA CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED \$3,840,934.00 AND AUTHORIZING THE REALLOCATION OF \$200,000.00 FROM 2006 CERTIFICATES OF OBLIGATION TO THE DISTRICT 2 NEW BRANCH LIBRARY (SCHAEFER BRANCH LIBRARY).

* * * * *

WHEREAS, under the voter approved 2012-2017 Bond Program, \$6 million was allocated for a new branch library in Council District 2; and

WHEREAS, of these funds, two separate public meetings were held in September 2013 and February 2014 to gather feedback for the branch library; and

WHEREAS, as a result of the community input, branch library will provide a full complement of branch services to the community including books (both print and electronic), media, a public computing lab with broadband internet access, WiFi, laptops for checkout, programming for all ages (children, teens and adults) and reference and research assistance from professional librarians; and

WHEREAS, the physical space is planned for communal learning, individual study spaces, and lounge areas; and

WHEREAS, additionally, a large community meeting room for civic and other activities is envisioned; and

WHEREAS, on April 22, 2015, the San Antonio Public Library Board of Trustees approved the naming of District 2 new branch library as Schaefer Branch Library in honor of the donor of the land; and

WHEREAS, this library will promote literacy, learning and community engagement; and

WHEREAS, project construction is anticipated to begin in July 2015 and estimated to be completed by July 2016; and

WHEREAS, a Request for Competitive Sealed Proposals (RFCSP) was released in October 2014; and

WHEREAS, this RFCSP was advertised in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on TVSA and through the Transportation and Capital Improvements Small Business Office; and

WHEREAS, responses were due on December 2, 2014; and

WHEREAS, a selection committee consisting of representatives from Transportation and Capital Improvements Department, representatives from the San Antonio Public Library Department, and the City Manager's Office evaluated and ranked the submissions and scored the proposals; and

WHEREAS, scoring was based on the published evaluation criteria, which included Evaluation of Experience and Qualifications of the Prime Firm, Key Sub-Contractors and Key Personnel, Team's Experience with San Antonio Region issues, past experience with City of San Antonio contracts, Price Proposal and participation in the SBE Prime Contractor Program; and

WHEREAS, based on the evaluation and rankings, the selection committee ranked F.A. Nunnelly the highest, however, the City was unable to successfully negotiate a contract within budget with F.A. Nunnelly; and

WHEREAS, once negotiations with F.A. Nunnelly, were discontinued, the City opened negotiations with the second ranked firm, Davila Construction, and has been able to negotiate a contract within \$200,000.00 of the construction budget; and

WHEREAS, in order to move forward with the contract with Davila, the City is reallocating 2006 Certificates of Obligation; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts 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 applied the Small Business Enterprise (SBE) Prime Contract Program to this solicitation and awarded fifteen (15) evaluation preference points to Davila Construction, as they are certified SBE and located within the San Antonio Metropolitan Statistical Area; and

WHEREAS, additionally, the Goal Setting Committee set a 22% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal; and

WHEREAS, Davila Construction has committed to 31.7% M/WBE and 4% AABE subcontractor participation; and

WHEREAS, this contract was developed utilizing a formal request for qualifications process; therefore, as required by the Ethics Ordinance, a Discretionary Contracts Disclosure Form has been included herein as an attachment; **NOW THEREFORE:**

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

SECTION 1. The qualified proposal in the amount of \$3,840,934.00 from Davila Construction, Inc., for the District 2 New Branch Library (Schaefer Branch Library) a 2012-2017 General Obligation Bond Project, located in Council District 2, is hereby accepted. The proposal described herein shall become effective upon the deposit of all required bonds and insurance certificates so long as such deposits are accomplished within sixty (60) days from the effective date of this ordinance. A copy of the contractor's proposal is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Payment in the amount of \$3,840,934.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00407, District 2 New Branch Library, is authorized to be encumbered and made payable to Davila Construction, 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 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 is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this ____ day of _____.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney