

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

AN ORDINANCE

ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT, INCLUDING TWO ADDITIVE ALTERNATES, IN THE AMOUNT OF \$1,629,000.00 AUTHORIZED PAYABLE TO AMSTAR, INC., FOR CONSTRUCTION OF THE PANTHER SPRINGS PARK IMPROVEMENT PROJECT.

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WHEREAS, this project is part of the voter approved 2012-2017 Bond Program for Parks and Recreation and Open Space Improvements; and

WHEREAS, as part of that program, funds in the total amount of \$2,500,000.00 in Parks, Recreation and open Space Improvements Bond funds was approved for park improvements at Panther Springs Park located in Council District 9; and

WHEREAS, this project provides for construction of an initial phase of development at the Panther Springs Park in order to open the park to the general public; and

WHEREAS, improvements will include a park entry with associated deceleration and turn lanes on Wilderness Oak Drive, an entry monument sign, parking lot, utilities for parking lot lighting and a drinking fountain, restroom enclosure, trail head with interpretive signage, walking trails, site amenities such as picnic tables, trash/recycle receptacles and a dog park with associated perimeter fencing, gates and equipment; and

WHEREAS, project construction is anticipated to begin January 2014 and estimated to be completed by July 2014; and

WHEREAS, this project was advertised as the Panther Springs Park Improvement Project for construction bids in the San Antonio Hart Beat, on the City's website and the Texas Electronic State Business Daily in October 2013; and

WHEREAS, in addition, the bid announcement was made on TVSA and through the Small Business Economic Development Advocacy (SBEDA) Office; and

WHEREAS, plans were also available for potential bidders at the office of the Terra Design Group located at 816 Camaron, San Antonio, Texas 78212; and

WHEREAS, bids for this project were opened on November 12, 2013 and nine (9) bidders responded; and

WHEREAS, of these, Amstar, Inc. submitted the lowest responsive bid; 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 set a 23% Small Business Enterprise (SBE) subcontracting goal and a 16% Minority/Women Business Enterprise (M/WBE) subcontracting goal; and

WHEREAS, Amstar, Inc. has committed to meeting 23% SBE and 16% M/WBE subcontractor participation; and

WHEREAS, in addition, Amstar, Inc., is also a certified small business; and

WHEREAS, this construction contract was developed utilizing the low bid process; therefore, a Discretionary 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 qualified bid in the amount of \$1,629,000.00 from Amstar, Inc., including two additive alternates, for construction of the Panther Springs Park Improvement Project, is hereby accepted. The contract 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. All other bids will be considered rejected upon the contract becoming effective or the expiration of sixty (60) days from the effective date hereof, whichever occurs first. A copy of the contractor's executed Formal Invitation for Bids and Contract is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Payment in the amount of \$1,629,000.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00384, Panther Springs Park, is authorized to be encumbered with a purchase order and made payable to Amstar, Inc., for a construction contract.

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
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney

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