

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 TO ASD CONSULTANTS, INC., IN THE AMOUNT OF \$414,500.00 FOR THE STONE OAK PARK IMPROVEMENT PROJECT, A 2012-2017 BOND-FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 9.

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WHEREAS, under the voter approved 2012-2017 Bond Program, \$400,000.00 was approved for park improvements at Stone Oak Park; and

WHEREAS, in addition, \$170,002.00 in Unified Development Code UDC park dedication funds were allocated to the project for a total project budget of \$570,002.00; and

WHEREAS, the balance of the project funds approved by voters will be used for design services, environmental services, advertising, and project management; and

WHEREAS, any remaining funds are to be realized as bond savings; and

WHEREAS, the Stone Oak Park Improvement Project provides for installation of a new concrete trail, a trail connection to the adjacent Barbara Bush Middle School, and an outdoor classroom; and

WHEREAS, one alternate was accepted in the deductive amount of \$50,500.00 as a modification of the width of trail from eight feet to six feet; and

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

WHEREAS, coordination with the Parks and Recreation Department will be made to allow portions of the park to remain open to patrons and residents during construction; and

WHEREAS, this project was advertised for construction bids in September 2015 in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily and on TVSA; and

WHEREAS, bids for this project were opened on October 13, 2015 and seven (7) bidders responded and of these, ASD Consultants, Inc. submitted the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the new 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 21% Minority/Women Business Enterprise (M/WBE) subcontracting goal and 16% African-American Business Enterprise (AABE) subcontractor participation for the contract; and

WHEREAS, this construction contract was developed utilizing the low bid process; therefore, a Discretionary Contracts Disclosure Form is not required; and

WHEREAS, the Economic Development Department approved a partial waiver submitted by ASD Consultants, Inc., because the contractor demonstrated a good faith effort to provide subcontracting opportunities for small, minority and women-owned businesses; **NOW THEREFORE:**

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

SECTION 1. The lowest responsive bid in the amount of \$414,500.00, from ASD Consultants, Inc., for the Stone Oak Park Improvement Project, a 2012-2017 Bond-funded project located in Council District 9 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. A copy of ASD Consultants, Inc.'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 \$414,500.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00395, Stone Oak Park, is authorized to be encumbered and made payable to ASD Consultants, 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 _____, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney

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