

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

ORDINANCE

FOR THE FRANK GARRETT COMMUNITY CENTER HVAC SYSTEM UPGRADE PROJECT, LOCATED IN COUNCIL DISTRICT 1, ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT, INCLUDING ADDITIVE ALTERNATES, TO ACCU-AIR MECHANICAL LLC., IN AN AMOUNT NOT TO EXCEED \$922,880.00, FUNDED BY THE DEFERRED MAINTENANCE PROGRAM.

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WHEREAS, this project will upgrade the existing HVAC system at the Frank Garrett Community Center in which upgraded controls will allow schedules to be programmed as well as provide remote access to adjust temperatures and improve overall system efficiency; and

WHEREAS, additive alternatives also provide for ductwork cleaning, and replacement of existing air handling units and hot and chilled water piping systems; and

WHEREAS, the Frank Garrett Community Center HVAC System upgrade project is scheduled for the Fall of 2018 and estimated to be completed by February 2019; and

WHEREAS, this project was advertised for bids in March 2018, with bids opened on April 17, 2018, and of the three bidders responding, one bidder was deemed non-responsive and Accu-Air Mechanical LLC., submitted the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program and Accu-Air Mechanical LLC. is a small, minority, women-owned firm that will be self-performing the 25% Minority and/or Women-Owned Business Enterprise (M/WBE) subcontracting goal; and

WHEREAS, this ordinance for the Frank Garrett Community Center HVAC System upgrade project accepts the lowest responsive bid and awards a construction contract, including additive alternates, to Accu-Air Mechanical LLC., for a one-time capital improvement expenditure in a total amount not to exceed \$922,880.00; and

WHEREAS, funds are available from the FY 2017 and FY 2018 Deferred Maintenance Programs; **NOW THEREFORE:**

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

SECTION 1. The lowest responsive bid from Accu-Air Mechanical LLC., in the amount not to exceed \$922,889.00 for the Frank Garrett Community Center 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. A construction contract is hereby awarded to Accu-Air Mechanical LLC.

SECTION 3. Payment in the amount not to exceed \$959,656.28 in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 35-00085, Frank Garrett, is authorized to be encumbered and made payable to Accu-Air Mechanical LLC., for construction services. Payments for services are contingent upon the availability of funds and the sale of future City of San Antonio, Certificate of Obligation Bonds in accordance with the adopted capital budget. 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 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 5. This ordinance is effective immediately upon passage by eight affirmative votes; otherwise it is effective on the tenth day after passage.

PASSED and APPROVED this ___ day of _____, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney