

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

AN ORDINANCE

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION MANAGER AT RISK (CMR) CONTRACT WITH GUIDO BROTHERS CONSTRUCTION COMPANY INC., IN THE AMOUNT NOT TO EXCEED \$2,250,000.00 FOR THE RIVER WALK CAPITAL IMPROVEMENTS PHASE 5 PROJECT, AN AUTHORIZED CERTIFICATES OF OBLIGATION AND RIVER WALK CAPITAL IMPROVEMENT FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1; AND AMENDING THE CAPITAL IMPROVEMENT BUDGET WITH THE APPROPRIATION OF AN ADDITIONAL \$1,010,000.00 IN RIVER WALK CAPITAL IMPROVEMENTS FUNDS TO THE RIVER WALK CAPITAL IMPROVEMENTS PROJECT.

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WHEREAS, a River Walk Master Plan was completed in August 2008, which identifies specific needed priority capital improvements throughout the River Bend and River Extension; and

WHEREAS, the projects generally include the following: repairs to stairs (handrails, treads, risers and code concerns); repairs to historic paving; Repairs to river retaining walls; the addition of new accessible ramps where deemed necessary; new painting and landscaping; and upgrades to electrical lighting and power; and

WHEREAS, a five-phase project timeline was developed to implement this master plan; and

WHEREAS, construction of Phase 1 began in January 2009 and was completed in April 2010; and

WHEREAS, construction work was completed on five (5) different areas along the River Walk, which included the Marriott River Walk, the Briscoe Museum, Casa Rio, and the floodgate, by the Drury Inn and Suites to the La Mansion water fountain; and

WHEREAS, construction of Phase 1A began in July 2010 and was completed in November 2010; and

WHEREAS, construction work was completed in three different areas along the River Walk, which included: Presa Street Bridge, Tower Life building and the Rain Forest Café; and

WHEREAS, construction of Phase 2 began in March 2011 and was completed in September 2012; and

WHEREAS, construction work was completed on seven different areas along the River Walk historic bend and extension including: the north flood-gate area by Drury Inn, Hyatt Hotel to the pedestrian bridge near Zuni Grill, La Mansion Fountain to Hyatt Hotel, South Bank Complex to Commerce Street Bridge, Zuni Grill to Commerce Street Bridge, Peak's Park and Hotel Contessa to Navarro Bridge; and

WHEREAS, construction of Phase 3 began in August 2012 and was completed in September 2013; and

WHEREAS, construction work was completed on four different areas along the River Walk historic bend and extension including: the Rio Cruises ticket booth area of the River (between Commerce Street bridge to SAWS water tower), the inner walk of the bend between the North Gate 3 and the South Bank Complex, the area between Lone Star restaurant to just short of the Chamber of Commerce, and in the river extension between the Hilton Palacio del Rio and Market Street bridge; and

WHEREAS, construction of Phase 4 began in October 2013 and will be completed in November 2014; and

WHEREAS, construction work will be completed on two different areas along the River Walk historic bend including: the inner walk of the south leg of the bend between South Gate and the St. Mary's bridge, and the outer walk of the south leg of the bend between the Navarro street bridge and the Hilton Palacio Del Rio; and

WHEREAS, construction improvements for all of these phases were kept consistent with the approved master plan and included: staircase and stair well improvements as well as removal of tripping hazards, replacement or repair of guard rails, staircases, handrails, pavers, benches, sidewalks, river and planter walls, lighting and electrical services upgrades (as necessary), Americans with Disabilities Act (ADA) modifications and upgrades, landscape irrigation and pedestrian bridge improvements; and

WHEREAS, a one-step solicitation process was used to select a Construction Manager at Risk (CMR) for Phase 5 of the River Walk Capital Improvements project; and

WHEREAS, on October 21, 2013, a Request for Qualifications (RFQ) was released; and

WHEREAS, the CMR request was advertised in the San Antonio Hart Beat, on the City's website and the Texas Electronic State Business Daily; and

WHEREAS, two firms responded and submitted their qualifications; and

WHEREAS, a selection committee consisting of representatives from the Downtown Operations and Capital Improvements Management Services Departments as well as the project's Architect evaluated and scored the proposals; and

WHEREAS, scoring was based on the published evaluation criteria, which included the experience of the firm/team, their qualifications, the experience of key personnel to be assigned to this project, their understanding of the project, and their approach to performing the required services, their overall responsiveness, and ability to provide the required services; and

WHEREAS, based on the evaluations and scoring, the selection committee recommends executing the Construction Manager at Risk (CMR) with Guido Brothers Construction Company Inc., for this project; 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 27% Small Business Enterprise (SBE) subcontracting goal and a 15% Minority/Women Business Enterprise (M/WBE) subcontracting goal; and

WHEREAS, Guido Brothers Construction Company, Inc. has committed to 27% SBE and 15% M/WBE subcontractor participation; and

WHEREAS, in addition, Guido Brothers Construction Company, Inc. is also a certified small, women-owned business; and

WHEREAS, a stakeholder meeting is to be held to inform the River Walk operators and downtown residents of the proposed work; and

WHEREAS, individual meetings with impacted business owners will also be held; and

WHEREAS, additionally, staff will continue to coordinate with the River Walk operators to minimize impacts of the proposed improvements; **NOW THEREFORE:**

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

SECTION 1. Guido Brothers Construction Company, Inc. is hereby selected for negotiation and execution of a Construction Management at Risk Contract to provide construction of the River Walk Improvements Phase 5 Project, an authorized Certificates of Obligation and River Walk Capital Improvement funded Project located in Council District 1.

SECTION 2. The City Manager or her designee or the Director of the Capital Improvements Management Services Department or his designee, is authorized to negotiate and execute a

Construction Manager at Risk (CMR) contract with Guido Brothers Construction Company Inc., in the amount not to exceed \$2,250,000.00 for the River Walk Capital Improvements Phase 5 Project.

SECTION 3. The amount of \$1,010,000.00 is appropriated in SAP Fund 29093000, Riverwalk Capital Improvement, SAP WBS Element # OR-00001-01-01-05, SAP GL account 6102100 - Interfund Transfer out entitled Transfer To 40-00170-90-08. The amount of \$1,010,000.00 is authorized to be transferred to SAP Fund 43099000.

SECTION 4. The budget in SAP Fund 43099000, Certificates Of Obligation Capital Projects, SAP Project Definition 40-00170, Riverwalk Improvement Projects, shall be revised by increasing SAP WBS Element 40-00170-90-08 entitled Transfer from OR-00001-01-01-05, SAP GL Account 6101100 - Interfund Transfer In, by the amount of \$1,010,000.00.

SECTION 5. The amount of \$1,010,000.00 is appropriated in 43099000, Certificates Of Obligation Capital Projects, SAP Project Definition 40-00170, Riverwalk Improvement Projects, and the budget shall be revised by increasing SAP WBS Elements as follows:

WBS No.	WBS Name	G/L	GL Name	Plan Version 0 Revision/ Appropriation
40-00170-05-02-01-06	Construction – PH 5 CM at Risk	5201140	Construction Cost	\$450,000.00
40-00170-05-03	Construction Contingency	5201140	Construction Cost	\$560,000.00
				\$0.00
				\$1,010,000.00

SECTION 6. Payment not to exceed \$2,250,000.00, in SAP Fund 43099000, Certificates Of Obligation Capital Projects, SAP Project Definition 40-00170, Riverwalk Improvement Projects, is authorized to be encumbered with a purchase order and made payable to Guido Brothers Construction Company Inc., for a construction contract. 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 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 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 ____ day of _____.

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney

DRAFT