

**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 EXECUTION OF A CONSTRUCTION CONTRACT FOR THE HEMISFAIR HISTORIC HOMES STABILIZATIONS AND EXTERIOR REHABILITATIONS PROJECT IN AN AMOUNT NOT TO EXCEED \$2,190,000.00, TO J.C. STODDARD CONSTRUCTION, A 2012-2017 GENERAL OBLIGATION BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1.**

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**WHEREAS**, the voter approved 2012-2017 Bond Program included four (4) projects totaling \$15 million for Parks, Recreation and Open Space Improvements at HemisFair Park; and

**WHEREAS**, the projects are: 1) HemisFair Play Escape Project also known as Yanaguana Park; 2) Magik Theatre Restoration; 3) Historic Homes and; (4) the Civic Park; and

**WHEREAS**, this contract provides for the stabilization and exterior rehabilitation of five (5) historic homes (Amaya, Espinoza, Kampmann/Solomon, Koehler and Pereida Homes) and the stabilization only of five (5) other historic homes (Acosta/Halff, Mayer/Halff, Schultze, Smith and Sweeney Homes) within HemisFair Park; and

**WHEREAS**, the construction work scope is derived from construction documents completed by Fisher Heck, Inc., Architects; and

**WHEREAS**, project construction is anticipated to begin in October 2014 and estimated to be completed by July 2015; and

**WHEREAS**, three (3) of the ten (10) homes included in the scope of this project (Koehler House, Pereida House & Kampmann House) are currently occupied by tenants in lease agreements with the City of San Antonio; and

**WHEREAS**, the Center City Development & Operations Department (CCDO) is currently working with the Alamo City Chamber of Commerce and the San Antonio Parks Foundation to help relocate their offices from buildings that will be affected by upcoming construction work; and

**WHEREAS**, the Alamo Chamber of Commerce is currently located in the Pereida House and scheduled to relocate to an office at St. Paul Square; and

**WHEREAS**, the San Antonio Parks Foundation is currently located in the Koehler House and is scheduled for relocation to 400 N. St. Mary's Street; and

**WHEREAS**, both relocations will be complete in October 2014 prior to commencement of construction activities; and

**WHEREAS**, the Kampmann house will remain occupied by Magik Theatre throughout the construction period; and

**WHEREAS**, the General Contractor will be responsible for coordinating with the tenant, to ensure safe site conditions and minimize potential for disruption to the occupant's activities; and

**WHEREAS**, a previously executed Professional Design Services contract with Fisher Heck, Inc., Architects, to provide professional services for the design of the HemisFair Historic Homes Stabilizations and Exterior Rehabilitations Project in the amount of \$340,000.00, was approved by City Council on January 30, 2014 through Ordinance 2014-01-30-0049; and

**WHEREAS**, design work for the HemisFair Historic Homes Stabilizations and Exterior Rehabilitations Project began in February 2014 and was completed in June 2014; and

**WHEREAS**, a Request for Competitive Sealed Proposals was advertised for construction services in July 2014, in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on TVSA, and through the TCI Small Business Office; and

**WHEREAS**, responses were due in August 2014 and six (6) submittals were received and a selection committee consisting of a representative from Transportation and Capital Improvements, HemisFair Park Redevelopment Corporation, Center City Development evaluated, scored and ranked the submissions; and

**WHEREAS**, scoring was based on the published evaluation criteria, which included Evaluation of Background, Experience and Qualifications of Prime Firm, Project Management Plan, Team's Experience with San Antonio Region issues, past experience with City of San Antonio contracts and participation in the SBE Prime Contract Program; 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 15% Minority/Women Business Enterprise (M/WBE) subcontracting goal and 1% African-American Business Enterprise (AABE) subcontracting goal; and

**WHEREAS**, the Economic Development Department approved a partial waiver submitted by J.C. Stoddard Construction because the contractor demonstrated a good faith effort to provide subcontracting opportunities for small, minority, and women-owned businesses; and

**WHEREAS**, based on the evaluations and rankings made in the selection process, staff recommends J.C. Stoddard Construction; and

**WHEREAS**, this contract was developed utilizing a formal request for qualifications and proposal 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 Proposal in the amount of \$2,190,000.00 from J. C. Stoddard Construction Company for the HemisFair Historic Homes Stabilizations and Exterior Rehabilitations 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 Proposal is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** Payment in the amount of \$2,190,000.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00357, HemisFair Park, is authorized to be encumbered and made payable to J.C. Stoddard Construction, for construction services. 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 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:

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Leticia M. Vacek, City Clerk

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Robert F. Greenblum, City Attorney