

**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 FOUR ADDITIVE ALTERNATES, IN AN AMOUNT UP TO \$437,661.00 TO HSC ELECTRIC, INC., FOR IMPROVEMENTS IN PITTMAN-SULLIVAN PARK, A 2012-2017 GENERAL OBLIGATION BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 2.**

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

**WHEREAS**, the proposition approved \$650,000.00 for general park improvements, to include a walking trail development located in District 2; and

**WHEREAS**, this Project provides general park improvements and development of a multi-use walking trail, shade structures, lighting, seating, and historical interpretive signage; and

**WHEREAS**, a significant free standing decorative column currently exists on the site and prominently displays a historical recognition plaque dedicated to Mr. Pittman and Mr. Sullivan; and

**WHEREAS**, historical data and local residents' memories indicate that this column is the only remnant of a series of columns that once adorned the park property along New Braunfels Avenue and Iowa Street; and

**WHEREAS**, over the course of time, it is apparent that the series of columns have disappeared leaving this lone column in place; and

**WHEREAS**, an elemental design intent in the project scope requested by the community, was to replicate a semblance of the scale and detail of the lone surviving column at statistic nodes along the trail as a gesture of recognition and preservation of the Park's once stately ornamental charm; and

**WHEREAS**, project construction is anticipated to begin November 2013 and estimated to be completed by March 2014; and

**WHEREAS**, this Project was advertised for construction bids in the San Antonio Hart Beat, on the City's website and the Texas Electronic State Business Daily in August 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 also were available for review by potential bidders at various plan rooms at the office of Terra Design Group located at 816 Cameron, Suite 103, San Antonio, Texas 78212; and

**WHEREAS**, bids for this Project were opened on September 17, 2013 and ten (10) bidders responded and of these, HSC Electric, Inc. submitted the lowest responsive bid; and

**WHEREAS**, a matrix of the bid outcome is included herein as **Attachment I**; 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 22% Small Business Enterprise (SBE) subcontracting goal and a 17% Minority/Women Business Enterprise (M/WBE) subcontracting goal; and

**WHEREAS**, HSC Electric, Inc. has committed to meeting the 22% SBE and 17% M/WBE subcontractor goals; and

**WHEREAS**, HSC Electric, Inc. is also a certified small minority business, bringing total SBE participation to 100%; 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 \$437,661.00 from HSC Electric, Inc., including four (4) additive alternates for construction of Pittman-Sullivan Park 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 II**.

**SECTION 2.** Payment in the amount not to exceed \$437,661.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00387, Pittman-Sullivan park, is authorized to be encumbered and made payable to HSC Electric, Inc., for construction of Pittman-Sullivan Park. Payments for services are contingent upon the availability of funds and the sale of future City of San Antonio, General 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 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:**

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Leticia M. Vacek, City Clerk

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Michael Bernard, City Attorney