

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

ORDINANCE

**APPROVING A CONSTRUCTION CONTRACT INCLUDING
ONE ADDITIVE ALTERNATE WITH INDUSTRIAL
CONSTRUCTION CO. IN THE AMOUNT OF \$211,899.00 FOR
THE PALO ALTO PARK PROJECT, A 2017 BOND FUNDED
PROJECT.**

* * * * *

WHEREAS, on May 6, 2017, voters approved the 2017 Bond Program which authorized \$400,000.00 for improvements to Palo Alto Park; and

WHEREAS, the park is 12 acres with multiple amenities including a parking lot, 0.5 mile paved walking trail, a softball field, two pavilions, two basketball courts, a half dozen picnic units, a playground, one portable restroom, a skate park and a large sports field; and

WHEREAS, the project will provide for an expansion to the Palo Alto Park parking lot, underground electrical work, four new 60-foot sports field lights, new walkways, trees and a portable restroom enclosure; and

WHEREAS, the additive alternate will provide for two light fixtures, which will be added to the new sports field lights for security; and

WHEREAS, project construction is anticipated to begin January 2020 with an estimated completion date of May 2020; and

WHEREAS, this project was advertised on September 4, 2019 for construction bids in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on TVSA, through the TCI Small Business Office and CivCast electronic bidding site; and

WHEREAS, plans also were available to potential bidders at the office of Kudela & Weinheimer, located at 1000 Central Parkway North, Suite 268, San Antonio, TX 78232 and at the bidding opportunities website; and

WHEREAS, bids were opened on October 1, 2019 and five (5) bids were received. Of these, Industrial Construction Co. submitted the lowest responsive bid; and

WHEREAS, a matrix of the bid outcome is included herein; 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 an 18% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African-American Business Enterprise (AABE) subcontracting goal; and

WHEREAS, Industrial Construction Co. has committed to meeting the subcontractor participation goal; **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 \$211,899.00 from Industrial Construction Co for the Palo Alto Park project 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 Industrial Construction Co.

SECTION 3. Payment is authorized to be encumbered and made payable to Industrial Construction Co. in an amount not to exceed \$211,899.00. Payment is for the purchase, conversion, and maintenance of traffic management controller firmware, using Fund 45099000, WBS 23-01694-05-02-01 and GL 5201140. Funding is provided by 2017 GO Bonds and is budgeted in the FY2020-FY2025 CIP 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 the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____th day of _____, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney