

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, INCLUDING ONE ADDITIVE ALTERNATE, AND AWARDING A CONSTRUCTION CONTRACT WITH FRISENHAHN PAVING, LLC. IN THE AMOUNT OF \$523,012.15 FOR THE PHIL HARDBERGER PARK PARKING PROJECT, A 2012-2017 BOND-FUNDED PROJECT, LOCATED IN COUNCIL DISTRICTS 8 AND 9.

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WHEREAS, this project provides for much needed parking expansion adjacent to the dog park on the Blanco Road parcel of the Phil Hardberger Park; and

WHEREAS, Ordinance 2013-11-21-0785 accepted approximately two (2) acres of land adjacent to the Phil Hardberger Park from the Phil Hardberger Park Conservancy and authorized a reciprocal easement agreement with Henrietta Partners for access to the adjacent commercial development; and

WHEREAS, the donated tract was to serve as a transition area between the commercial development and the park proper; and

WHEREAS, this transition area provided an opportunity for much needed parking expansion at Phil Hardberger Park; and

WHEREAS, the commercial development agreement allowed for the construction of an access drive off of Blanco and Wurzbach Parkway which would allow ingress/egress to the Phil Hardberger Park's new parking lot; and

WHEREAS, this construction project will build 59 parking spaces as part of the base bid with another 27 parking spaces as part of the bid alternate for a total of 86 parking spaces.

WHEREAS, this project was advertised for construction bids;

WHEREAS, bids were opened on August 11, 2015, and four (4) bids were received and of these, Friesenhahn Paving LLC., submitted the lowest responsive bid; 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 Economic Development Department approved a partial waiver submitted by Friesenhahn Paving LLC., because the contractor demonstrated a good faith effort to provide subcontracting opportunities for small, minority and women-owned businesses; **NOW THEREFORE**:

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

SECTION 1. The lowest responsive bid in the amount of \$523,012.15, from Friesenhahn Paving LLC., for the Phil Hardberger Park Parking Project, located in Council Districts 8 and 9, 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. A copy of the contractor's executed Formal Invitation for Bids and Contract is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. The amount of \$523,012.15 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00430, Hardberger Park, and is authorized to be encumbered and made payable to Friesenhahn Paving LLC., for construction services.

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 _____, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney