

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 QUALIFIED BID AND AWARDING A CONSTRUCTION CONTRACT, FOR CONSTRUCTION OF THE RAINTREE PARK IMPROVEMENTS PROJECT, INCLUDING ONE (1) ADDITIVE ALTERNATE, IN THE AMOUNT OF \$221,000.00, PAYABLE TO J. SANCHEZ CONTRACTING; INC. A 2012 – 2017 GENERAL OBLIGATION BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 10.

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WHEREAS, on May 12, 2012, San Antonio voters approved the 2012-2017 Bond Program, consisting of five propositions totaling \$596 Million; and

WHEREAS, the Bond Program funds will be used on various capital improvement projects to address community infrastructure needs and improve the overall quality of life in San Antonio; and

WHEREAS, as part of the Parks, Recreation and Open Space Improvements Bond Program, funds in the total amount of \$500,000.00 was approved for park improvements at Raintree Park located in Council District 10; and

WHEREAS, Phase 1 of this project, included a playground, accessible walkways, retaining walls, and associated park amenities; and

WHEREAS, project construction for Phase I began in August 2007 and completed in November 2007; and

WHEREAS, Phase 2 of this project, funded by 2012 - 2017 General Obligation Bond funds, consists of demolition of existing sidewalks with a new concrete trail in its place including the installation of a new steel pavilion, water meter and drinking fountain; and

WHEREAS, project construction is anticipated to begin September 2014 and estimated to be completed by May 2015; and

WHEREAS, coordination with the Parks and Recreation Department will be made to ensure accommodations are done to minimize service interruptions and/or accessibility to Raintree Park during construction; 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 March 2014; and

WHEREAS, in addition, the bid announcement was made on TVSA and through the Small Business Economic Development Advocacy (SBEDA) Office; and

WHEREAS, plans were also available for review by potential bidders at the office of Fisher Heck Architects located at 915 South St. Mary's, Street San Antonio, Texas 78205; and

WHEREAS, bids for this project were opened on April 22, 2014 and 8 bidders responded; and

WHEREAS, of these, J. Sanchez Contracting, Inc. submitted the lowest responsive bid; and

WHEREAS, a matrix of the bid outcome is included herein as an attachment; 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 20% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 1% African American Business Enterprise (AABE) subcontracting goal; and

WHEREAS, J. Sanchez Contracting, Inc. has committed to 20.03% M/WBE and 1.04% AABE subcontractor participation; and

WHEREAS, J. Sanchez Contracting, Inc., is also a certified small 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 \$221,000.00 from J. Sanchez Contracting, Inc. including one (1) additive alternate for the Raintree Park Improvements 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 executed Formal Invitation for Bids and Contract is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Payment in the amount of \$221,000.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00389, Raintree Park, is authorized to be encumbered with a purchase order and made payable to J. Sanchez Contracting, Inc. for construction services.

SECTION 3. 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 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 ____ day of _____.

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney