

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

**AN ORDINANCE**

**AUTHORIZING A TASK ORDER TO A JOB ORDER CONTRACT, FOR THE SAN PEDRO PLAYHOUSE PHASE III PERMANENT CEILING REPAIRS PROJECT, IN AN AMOUNT NOT TO EXCEED \$221,195.00, TO ALPHA BUILDING CORPORATION, AN FY 2014 HOTEL OCCUPANCY TAX FUND FUNDED PROJECT WITH ADDITIONAL FUNDING FROM PARKS AND RECREATION OPERATING FUNDS IN THE AMOUNT OF \$119,407.00, LOCATED IN COUNCIL DISTRICT 1.**

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**WHEREAS**, the San Pedro Playhouse is located at 800 West Ashby Place in San Pedro Springs Park and is one of the oldest continuously run live theaters since 1930; and

**WHEREAS**, this historic building contains two theaters; the 60-seat Cellar and the 400-seat Russell Hill Rogers; and

**WHEREAS**, the San Pedro Playhouse is a City owned facility that requires ceiling repairs; and

**WHEREAS**, in 2013, the San Pedro Playhouse experienced water leaking into the theater area which compromised the integrity of the ceiling; and

**WHEREAS**, to address this issue and to keep the facility accessible to patrons and residents during multiple phases of construction, the Project was determined to be completed in three (3) Phases; and

**WHEREAS**, Phase I included the removal and replacement of the damaged ceiling with a temporary fabric ceiling, this work was completed in September 2013. Ordinance 2014-02-20-0097 authorized \$300,000.00 for Phase II and III; and

**WHEREAS**, Phase II included removing and replacing the existing metal roof system with a new metal standing seam roof and drainage system, this work was completed in August 2014 in an amount of \$135,757.00; and

**WHEREAS**, Phase III construction will include removing the temporary fabric ceiling executed in Phase I, and the installation of a new ceiling with improved acoustical properties; and

**WHEREAS**, the new ceiling will meet historical, acoustical, structural and aesthetic needs and will be comprised of a new fabric material, new acoustical insulation, gypsum wall board and paint; and

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

**WHEREAS**, this project was selected to utilize the Job Order Contracting (JOC) an alternative Project delivery method which ten contractors were approved through Ordinance 2011-01-20-0053 by City Council on January 20, 2011; and

**WHEREAS**, the use of the JOC delivery method has provided the City with on-call construction, renovation and maintenance services for City buildings and facilities; and

**WHEREAS**, Assignment of JOC contractors to a specific job is based on the contractor's current workload, overall capacity, familiarity with a specific facility, expertise in completing specific task(s) and/or managing a specific trade needed to carry out the requested repair or rehabilitation; and

**WHEREAS**, of the ten contractors, Alpha Building Corporation was selected to submit an estimate and Project schedule for this Project; and

**WHEREAS**, the JOC contract associated with this agreement was advertised in 2010 prior to the implementation of the revised SBEDA ordinance; and

**WHEREAS**, therefore, the solicitation required respondents to make a good faith effort to meet aspirational goals in utilizing small, woman and minority-owned businesses as subcontractors; and

**WHEREAS**, the Economic Development Department has reviewed and approved the subcontracting plan submitted by Alpha Building Corporation; and

**WHEREAS**, the Discretionary Contracts Disclosure Form as required by the City's Ethics Ordinance for all projects where subjective criteria are used to select the contractor or consultant rather than by low bid is attached; **NOW THEREFORE:**

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

**SECTION 1.** The City Manager or her designee or the Director of the Transportation and Capital Improvements Department or his designee is authorized to execute a task order to a Job Order Contract for the San Pedro Playhouse Phase III Permanent Ceiling Repairs Project in an amount not to exceed \$221,195.00, to Alpha Building Corporation.

**SECTION 2.** The amount of \$119,407.00 is appropriated in SAP Fund 11001000, General Fund, SAP Internal Order # 390000001827, SAP GL account 6102100 - Interfund Transfer out entitled From 11001000 TO 40-00455-90-14-02. The amount of \$119,407.00 is authorized to be transferred to SAP Fund 40099000.

**SECTION 3.** The budget in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 40-00455, San Pedro Playhouse Roof Repair, shall be revised by increasing SAP WBS Element 40-00455-90-14-02 entitled Transfer from I/O# 390000001827, SAP GL Account 6101100 - Interfund Transfer In, by the amount of \$119,407.00.

**SECTION 4.** The amount up to \$119,407.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 40-00455, San Pedro Playhouse Roof Repair, SAP WBS Element 40-00455-05-06, entitled Construction-Cost - Phase III, SAP GL Account 5401140.

**SECTION 5.** Payment in the amount of \$221,195.00 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 40-00455, San Pedro Playhouse Roof Repair, is authorized to be encumbered and made payable to Alpha Building Corporation, for removing the temporary fabric ceiling and installing a new ceiling with improved acoustical properties.

**SECTION 6.** 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 7.** 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