

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 IN THE AMOUNT OF \$383,800.00 TO MYERS CONCRETE CONSTRUCTION, LP. FOR DISTRICT 2 PARKS IMPROVEMENTS FOR COLISEUM OAKS, HERRERA AND LINCOLN PARKS, 2012-2017 BOND-FUNDED PROJECTS, LOCATED IN CITY COUNCIL DISTRICT 2.

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WHEREAS, under the voter approved 2012-2017 Bond Program, \$87.15 million was allocated for Parks, Recreation and Open Space Improvements; and

WHEREAS, as part of that program, funds in the total amount of \$575,000.00 in Parks, Recreation and Open Space Improvements Bond funds were approved for park improvements at Coliseum Oaks, Herrera and Lincoln Parks, located in Council District 2; and

WHEREAS, these projects were designed and bid as a package to make the contract attractive to local small businesses, the proximity and geographical locations of the parks, and to expedite the work; and

WHEREAS, the balance of the project funds will be used for design services, environmental services, advertising, and project management; and

WHEREAS, three separate public input meetings were held in March, June and July of 2014 to gather feedback for each park; and

WHEREAS, as a result of the community input, Coliseum Oaks Park improvements will provide installation of an 18' x 24' pavilion, four (4) picnic tables, area lighting next to the pavilion and electric service; and

WHEREAS, Herrera Park improvements will provide the installation of a parking lot, walkways, landscaping and a portable toilet enclosure; and

WHEREAS, Lincoln Park improvements provide installation of a walking trail; and

WHEREAS, project construction for all three parks is anticipated to begin in April 2015 and estimated to be completed by October 2015; and

WHEREAS, these projects were advertised as a package for construction bids in August 2014 in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on TVSA and through the TCI Small Business Office; and

WHEREAS, plans also were available for review by potential bidders at the office of the Terra Design Group, Inc., located at 816 Camaron, San Antonio TX 78212; and

WHEREAS, bids were opened on January 20, 2015 and two (2) bidders responded; and

WHEREAS, of these, Myers Concrete Construction, LP., submitted the lowest responsive qualified bid; and

WHEREAS, this contract will be awarded in compliance with the 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 a 14% Minority/Women Business Enterprise (M/WBE) subcontracting goal; and

WHEREAS, Myers Concrete Construction, LP. has committed to 14% M/WBE subcontractor participation; 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 \$383,800.00, from Myers Concrete Construction, LP. for District 2 Parks Improvements for Coliseum Oaks, Herrera and Lincoln Parks, 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. Payment in the amount not to exceed \$138,000.00 in SAP Fund 45099000, General Obligation Capital Project, SAP Project Definition 40-00342, Coliseum Park, is authorized to be encumbered and made payable to Myers Concrete Construction, LP., for construction services.

SECTION 3. Payment in the amount not to exceed \$128,400.00 in SAP Fund 45099000, General Obligation Capital Project, SAP Project Definition 40-00359, Herrera Park, is authorized to be encumbered and made payable to Myers Concrete Construction, LP., for construction services.

SECTION 4. Payment in the amount not to exceed \$117,400.00 in SAP Fund 45099000, General Obligation Capital Project, SAP Project Definition 40-00369, Lincoln Park, is authorized to be encumbered and made payable to Myers Concrete Construction, LP., for construction services.

SECTION 5. 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 6. 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:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney