

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, INCLUDING TWO (2) ADDITIVE ALTERNATES, IN THE AMOUNT OF \$318,058.00, AUTHORIZED PAYABLE TO ASD CONSULTANTS, INC., FOR CONSTRUCTION OF THE GILBERT GARZA PARK IMPROVEMENTS PROJECT, A 2007 AND 2012 GENERAL OBLIGATION BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 7.

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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 were approved for park improvements at Gilbert Garza Park located in Council District 7; and

WHEREAS, this Project provides for the reconfiguration and rehabilitation of the existing parking lot as well as parking lot expansion and associated sidewalk and landscape upgrades; and

WHEREAS, project construction is anticipated to begin June 2014 and estimated to be completed by October 2014; and

WHEREAS, coordination with the Gilbert Garza Community Center and Parks and Recreation Department will be made to ensure accommodations are done to minimize service interruptions and/or accessibility to the 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 February 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 to potential bidders at the office of Rehler Vaughn and Koone, Inc. located at 745 E. Mulberry Avenue, San Antonio, Texas 78212; and

WHEREAS, bids for this project were opened on March 25, 2014 and seven (7) bidders responded; and

WHEREAS, of these, ASD Consultants, Inc. 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 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% Small Business Enterprise (SBE) subcontracting goal and a 16% Minority/Women Business Enterprise (M/WBE) subcontracting goal; and

WHEREAS, ASD Consultants, Inc. has committed to 30.05% SBE subcontractor participation and 30.05% M/WBE subcontractor participation; and

WHEREAS, ASD Consultants, Inc. is also a certified African American owned business (AABE), bringing total proposed SBE and AABE 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 \$318,058.00 from ASD Consultants, Inc., including two (2) additive alternates for the Gilbert Garza 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 \$305,258.00 in SAP fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00353, Gilbert Garza Park, is authorized to be encumbered with a purchase order and made payable to ASD Consultants, Inc., for construction services.

SECTION 3. Payment in the amount of \$12,800.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00050, Culebra 58F, Phase II B, is authorized to be

encumbered with a purchase order and made payable to ASD Consultants, Inc., for construction services.

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