

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

AN ORDINANCE

AUTHORIZING A TASK ORDER TO A JOB ORDER CONTRACT WITH F.A. NUNNELLY CO., FOR THE FARMERS MARKET RESTROOM RENOVATION PROJECT, A FY 2015 MARKET SQUARE FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 1, FOR AN AMOUNT NOT TO EXCEED \$244,382.03 AND APPROPRIATING AN ADDITIONAL \$50,000.00 FROM THE MARKET SQUARE FUND.

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WHEREAS, the Farmers Market Building located at 612 W. Commerce, houses one of the largest markets in the U.S., where visitors shop at 56 vendor shops; and

WHEREAS, this project provides for the improvement of the women's and men's restrooms located inside the Farmers Market Building; and

WHEREAS, the existing restroom facilities contain outdated fixtures and finishes that are in need of replacement within the two restrooms in the Farmers Market Building; and

WHEREAS, improvements include new wall tile, sinks, toilets, paint, toilet partitions, ceiling, light fixtures, changing stations, Americans with Disabilities Act (ADA) toilet stalls, restroom accessories, and a polished concrete floor; and

WHEREAS, coordination with the Center City Development Department will be made to ensure accommodations are made to keep the facility accessible to patrons and residents during construction; and

WHEREAS, this project was selected to utilize the Job Order Contracting (JOC), an alternative project delivery method, through which ten contractors were approved through Ordinance 2015-01-15-0013 by City Council on January 15, 2015; 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 a JOC contractor 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), cost and/or managing a specific trade needed to carry out the job; and

WHEREAS, of the ten (10) contractors, F.A. Nunnelly Co., was selected to submit an estimate and project schedule for this project; and

WHEREAS, the Job Order Contract was 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 23% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal; and

WHEREAS, F.A. Nunnelly Co., has committed to meeting the assigned Job Order Contract subcontractor goals on a quarterly basis; 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 with F.A. Nunnelly Co., for the Farmers Market Restroom Renovation Project, located in Council District 1, in an amount not to exceed \$244,382.03. A copy of the task order is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. The amount of \$500,000.00 is appropriated in SAP Fund 29604001, Market Square Improvements Trust Fund, SAP Internal Order # 390000001878, SAP GL account 6102100 - Interfund Transfer Out entitled Transfer to 23-01505-90-14-01. The amount of \$500,000.00 is authorized to be transferred to SAP Fund 40099000.

SECTION 3. The budget in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01505, Farmers Market Restroom Renovations, shall be revised by increasing SAP WBS element 23-01505-90-14-01 entitled Trf Fr I/O# 390000001878, SAP GL account 6101100 - Interfund Transfer In, in the amount of \$500,000.00.

SECTION 4. The amount of \$500,000.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01505, Farmers Market Restroom Renovations, and the budget shall be revised by increasing SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	PLAN VERSION 0 REVISION/ Appropriation
23-01505-04-02	Environmental-City	5201040	Fees to Prof Contr	1,000.00
23-01505-05-02-01	Construction-City	5201140	Construction Cost	460,425.54
23-01505-05-04	Construction-Cap Admin	5402030	Cap Admin-Direct	8,752.51
23-01505-05-04	Construction-Cap Admin	5402050	Cap Admin-Indirect	4,375.60
23-01505-05-06	Project Contingency	5201140	Construction Cost	21,596.35
23-01505-06-01	Other	5201040	Fees to Prof Contr	3,850.00
			Totals	500,000.00

SECTION 5. Payment in the amount not to exceed \$244,382.03 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01505, Farmers Market Restroom Renovations, is authorized to be encumbered and made payable to F.A. Nunnelly Co., for restroom renovations.

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:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney