

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 THE SABINAL GROUP, FOR THE JAPANESE TEA GARDEN IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$165,436.08, A 2012 BOND PROJECT, LOCATED IN COUNCIL DISTRICT 2.

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WHEREAS, the 2012 - 2017 General Obligation Bond Program approved \$750,000.00 for general facility improvements to the Japanese Tea Garden; and

WHEREAS, in 2012, the City of San Antonio's Parks and Recreation Department entered into a Funding Agreement with the San Antonio Parks Foundation, to improve the observation deck at the Japanese Tea Garden for a total of \$250,000.00; and

WHEREAS, the remaining funds were to be utilized for construction of a perimeter fence, wall stabilization and flagstone paving at the Japanese Tea Garden; and

WHEREAS, this project funding of \$165,436.08 provides construction of the flagstone paving portion of the overall Project; and

WHEREAS, this project will remove the floor area which consists of "limestone gravel chat" in the area of the Pavilion and Jingu House and replace it with flagstone paving to match the existing flagstone paving in the same general area of the garden; and

WHEREAS, this phase of the project will begin in July 2016 and will be completed in October 2016; and

WHEREAS, the flagstone paving is the third phase of the Japanese Tea Garden Improvement Project; and

WHEREAS, the first phase included construction of a perimeter fence, performed by another Job Order Contract (JOC) contractor in winter 2014-2015, ordinance 2014-08-21-0590; and

WHEREAS, the second phase included improvements to two failing historic stone walls adjacent to the lower entrance of the Japanese Tea Garden, completed by a JOC task order under \$100,000.00 to The Sabinal Group in April 2016; 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 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 JOC contractors to specific jobs is based on the contractor's current workload, overall capacity, familiarity with a specific facility, cost, 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, The Sabinal Group was selected to submit an estimate and project schedule for this project; and

WHEREAS, The Sabinal Group is a small, minority-owned business that has committed to 23% Minority/Women Business Enterprise and 3% African-American Business subcontractor participation; 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 The Sabinal Group, in an amount not to exceed \$165,436.08 for the Japanese Tea Garden Improvement Project. A copy of the task order is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Payment in the amount not to exceed \$165,436.08 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00361, Japanese Tea Gardens, is authorized to be encumbered and made payable to The Sabinal Group, for the removal of the existing limestone gravel chat floor in the area of the Pavilion and Jingu House and replace it with flagstone paving.

SECTION 3. 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 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

SW/vv
xx/xx/xx
Item #16-2496

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