

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 FOR CONCRETE WORK IN SAN ANTONIO PARKS AND AWARDING A LABOR AND MATERIAL CONTRACT IN AN ESTIMATED AMOUNT OF \$6,284,015.00, TO TCL CONSTRUCTION ENTERPRISES, INC. FOR A DURATION OF UP TO THREE (3) YEARS, AND PROVIDING THE PROCUREMENT OF LABOR AND CONCRETE MATERIAL FOR PARK OPERATIONS AS NEEDED AND IN ACCORDANCE WITH THE ANNUAL ADOPTED BUDGET APPROVED BY CITY COUNCIL.

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WHEREAS, the City of San Antonio utilizes annual contracts for procuring high volume repetitive purchases; and

WHEREAS, annual contracts are an efficient method of securing the best prices through volume purchasing and reducing large amounts of work related to the bid process; and

WHEREAS, utilization of annual contracts allows the City to procure numerous different commodities in support of the normal daily operations; and

WHEREAS, purchases will be made on an as needed basis and dependent upon available funds within the annual adopted budget; and

WHEREAS, the formal competitive bid was advertised in The Hart Beat on January 6, 2017, and January 11, 2017, on the City's website and in the Electronic State Business Daily; and

WHEREAS, bids were opened on January 31, 2017, with three bidders submitting their bid; and

WHEREAS, TCL Construction Enterprises, Inc. was the lowest responsive bidder with a bid amount of \$6,284,015.00; 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 25% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African American Business Enterprise (AABE) subcontracting goal; and

WHEREAS, TCL Construction Enterprises, Inc. has committed to 25% M/WBE and 2% AABE subcontractor participation; **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 \$6,284,015.00 from TCL Construction Enterprises, Inc. for a Labor and Material Contract for concrete work in San Antonio parks is hereby accepted. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

SECTION 2. The amounts will be encumbered upon issuance of a purchase order, and payment is authorized to TCL Construction Enterprises, Inc. All expenditures will be in accordance with the Fiscal Year 2017 and subsequent budgets that fall within the term period of this contract approved by City Council.

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.

PASSED AND APPROVED this ____ day of _____.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney