

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

ORDINANCE

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$456,254.40 TO K-AIR CORPORATION FOR THE LANDA BRANCH LIBRARY HVAC IMPROVEMENTS PROJECT, A 2018 CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1.

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WHEREAS, the existing Landa Branch Library HVAC system is approximately over 10 years old and has reached its life expectancy; and

WHEREAS, the HVAC system ductwork is no longer properly insulated causing condensation and damage to the library's plaster ceilings and walls; and

WHEREAS, this project will provide for the replacement of the existing HVAC unit with the installation of a new HVAC unit; and

WHEREAS, project construction is anticipated to begin in January 2020 and is estimated to be completed in April 2020; and

WHEREAS, a Request for Competitive Sealed Proposal (RFCSP) was advertised on January 18, 2019 in the City's Website, in the San Antonio Heart Beat, TVSA Channel 21, Texas Electronic State Business Daily, through the CivCast online bidding website and through the TCI Small Business Office; and

WHEREAS, responses were due on February 19, 2019 and one proposal was received; and

WHEREAS, a selection committee consisting of representatives from the City of San Antonio evaluated the submission; and

WHEREAS, scoring was based on the published evaluation criteria which included: experience, background and qualifications, key personnel, key sub-consultants; understanding of the Project and proposed management plan; overall evaluations of the firm/team and its ability to provide the required services and participation in SBE Prime Contract Program & M/WBE Prime Contract Program; and

WHEREAS, the respondent, K-Air Corporation is recommended for selection; 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 24% certified Minority/Women Business Enterprise (M/WBE) subcontracting goal. K-Air Corporation has committed to meeting these goals; 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 proposal in the amount not to exceed \$456,254.40 from K-Air Corporation for the Landa Branch Library HVAC Improvements Project is hereby accepted. All other proposals will be considered rejected upon the execution of a contract by the successful proposer 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. A construction contract is hereby awarded to K-Air Corporation.

SECTION 3. Payment is authorized to be encumbered and made payable to K-Air Corporation in support of the Landa Branch Patio and HVAC project in an amount not to exceed \$456,254.40 in Fund 43099000, WBS Element 23-01763-05-02-01, and General Ledger 5201140.

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years

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 _____th day of _____, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

DRAFT