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Item No. 20-6038

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

ORDINANCE

APPROVING A CONSTRUCTION CONTRACT WITH J. SANCHEZ CONTRACTING, INC. IN AN AMOUNT NOT TO EXCEED $2,915,391.88 FOR THE LEON CREEK - LEVI STRAUSS PARK TO LACKLAND MONUMENT PROJECT, LOCATED IN COUNCIL DISTRICTS 4 AND 6. FUNDING IN THE AMOUNT OF $2,852,545.72 IS AVAILABLE FROM THE VOTER APPROVED SALES TAX VENUE FUNDS AND IS A PART OF THE FY 2021 – FY 2026 CAPITAL IMPROVEMENT PROGRAM, AND $62,846.16 IS AVAILABLE FOR SUPPLEMENTAL TREES AND IRRIGATION FROM THE TREE CANOPY PRESERVATION AND MITIGATION FUND FY 2021 ADOPTED BUDGET. ALSO APPROVING THE EXECUTION OF A MULTIPLE USE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO ALLOW FOR THE CONSTRUCTION AND MAINTENANCE OF GREENWAY TRAIL IMPROVEMENTS WITHIN TXDOT RIGHT-OF-WAY.

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WHEREAS, the Howard W. Peak Greenway Trails System is a growing network of interconnected hike and bike trails, which is funded through sales tax initiatives approved by voters in 2000, 2005, 2010, and 2015; and

WHEREAS, the objectives of the program are to acquire and preserve open space along San Antonio creekways and to develop multi-use hike and bike trails, trailheads, signage, and associated amenities for use by San Antonio residents and visitors; and

WHEREAS, the proposed project is a part of this system, continuing development along Leon Creek; and

WHEREAS, this ordinance approves a construction contract with J. Sanchez Contracting, Inc. for the Leon Creek - Levi Strauss Park to Lackland Monument, which will extend the Leon Creek Greenway trail system and provide walkable/bikeable access from Levi Strauss Park to the Lackland Corridor Monument Site; and

WHEREAS, the ordinance also authorizes the execution of a Multiple Use Agreement with the Texas Department of Transportation (TxDOT) to allow for the construction and maintenance of trail improvements within TxDOT right-of-way along West US Highway 90; and

WHEREAS, the greenway connection will be a 10 foot wide concrete trail, approximately two miles long; and

WHEREAS, the project includes amenities such as a prefabricated pedestrian bridge, low water crossings, shade structures, signage, benches, tree plantings, and minor landscaping; and

WHEREAS, the project also includes two trailheads with parking located at Camargo Park and near the 9/11 Memorial and New Life Christian Center; and

WHEREAS, design work was performed by Bain Medina Bain, Inc.; and

WHEREAS, the Request for Low Qualified Bids was advertised the third week of July 2020 through the fourth week of August 2020 in the Hart Beat, the Texas Electronic State Business Daily, the City's website, and announced on the City's public access station TVSA. Five (5) bids were received; and

WHEREAS, after reviewing the bidders' qualifications and conducting interviews, J. Sanchez Contracting, Inc. was selected with the lowest qualified bid of $2,915,391.88; and

WHEREAS, a standard construction contract will be executed, and a summary of the bids is shown on Exhibit I; and

WHEREAS, it is anticipated that construction will begin in Fall 2020 and be completed in late 2021; and

WHEREAS, this contract will be executed in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts to 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;

WHEREAS, the Goal Setting Committee set a 26% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African American Business Enterprise (AABE) subcontracting goal; and

WHEREAS, J. Sanchez Contracting, Inc. is a small minority owned firm that will be self-performing the 96.59% M/WBE subcontracting goal. Additionally, they have agreed to meet the 2% AABE subcontracting goal; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The lowest responsive qualified bid in the total amount of $2,915,391.88 from J. Sanchez Contracting, Inc. for the Leon Creek – Levi Strauss Park to Lackland Monument project 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.

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SECTION 2. Payment is authorized to be encumbered and made payable to J. Sanchez Contracting, Inc. in an amount not to exceed $2,915,391.88.

SECTION 3. Payment of $2,598,88.25 is in support of the Leon Creek (Levi Strauss Park to Lackland) Project, using Fund 40005000, with the WBS 26-00664-05-02-01 and GL 5201140. Funding for this project is provided by the Linear Parks 2015 Fund and the Parks Acquisition & Development Fund and is in the FY2021-FY2026 CIP Budget.

SECTION 4. Payment of $253,557.47 is in support of the Creekway Low Impact Development Project, using Fund 40050000, with the WBS 26-00653-05-02-06 and GL 5201140. Funding for this project is provided by the Linear Parks 2015 Fund and is in the FY2021-FY2026 CIP Budget.

SECTION 5. Payment of $62,846.16 is available in Fund 29619000, Cost Center 2616010001 and General Ledger 5202025 as part of the Fiscal Year 2021 Adopted Budget approved by City Council.

SECTION 6. 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 7. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 8. 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
Ron Nirenberg

ATTEST: **APPROVED AS TO FORM:**

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Tina Flores, City Clerk

Andrew Segovia, City Attorney

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