

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

ORDINANCE

**AWARDING A CONSTRUCTION CONTRACT INCLUDING TWO
ADDITIVE ALTERNATES TO M COMPANY GENERAL CONTRATORS
INC. IN THE AMOUNT OF \$232,758.00 FOR THE FOX PARK PROJECT,
A 2017 BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 8.
FUNDS ARE AVAILABLE FROM THE 2017 – 2022 GENERAL
OBLIGATION BOND PROGRAM AND ARE INCLUDED IN THE FY 2021
– FY 2026 CAPITAL IMPROVEMENT PROGRAM.**

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WHEREAS, on May 6, 2017, voters approved the 2017 Bond Program which authorized \$400,000.00 for general park improvements to Fox Park located in Council District 8; and

WHEREAS, this project will provide for a new parking lot, sidewalks, dog park and associated amenities such as benches, trash receptacles, signage, fencing, parking lot security lighting, associated electrical infrastructure and two drinking fountains to be located within the dog park; and

WHEREAS, construction is anticipated to begin in July 2021 and is estimated to be completed by December 2021; and

WHEREAS, this project was advertised on February 10, 2021 and seven bids were received and opened in March 23, 2021 with M Company General Contractors Inc. submitting the lowest responsive bid; and

WHEREAS, this contract will be awarded 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 the maximize the amount of small, minority and women-owned business participation on the contract; and

WHEREAS, the Goal Setting Committee set a 14% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African American Business Enterprise (AABE) subcontracting goal that M Company General Contractors Inc. has committed to meeting; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by M Company General Contractors Inc. in an amount not to exceed \$232,758.00 for improvements to Fox Park; **NOW THEREFORE:**

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

SECTION 1. The lowest responsive bid in the amount of \$232,758.00 including two additive alternates from M Company General Contractors Inc. for improvements to Fox Park 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. Payment is authorized to be encumbered and made payable to M Company General Contractors Inc. in an amount not to exceed \$232,758.00. Payment is in support of the Fox Park Project, using Fund 45099000, with the WBS Element 23-01662-05-02-01 and GL Account 5201140. Funding is provided by GO Bonds and is in the FY2020-FY2025 CIP Budget.

SECTION 3. 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 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 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 ____ day of _____, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney