



# City of San Antonio

## Agenda Memorandum

**File Number:** 16-5551

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**Agenda Item Number:** 9.

**Agenda Date:** 12/1/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Council District 4

### **SUBJECT:**

Contract Award: (Job-Order Contract) Pearsall Park Project

### **SUMMARY:**

An ordinance for Pearsall Park authorizing a task order to a Job Order Contract (JOC) with Kencon Constructors, LTD in the amount of \$240,610.00, a Certificates of Obligation and TIRZ Ridge Stone funded project, located in Council District 4.

### **BACKGROUND INFORMATION:**

#### Project Background

Under the voter approved 2012-2017 Bond Program, \$7.5 million was allocated for Pearsall Park Improvements. The park was opened on June 11, 2016 featuring a Family Fun Zone, Fitness Challenge Zone, large and small pavilions, playground facility, splashpad, terrain play, skatepark, restroom and pump room building, and basketball courts. The Fitness Challenge Zone includes fitness equipment, exercise facilities and a paved trail. The park also received parking and sidewalk improvements.

#### Previous Council Action:

City Council previously awarded a construction contract to MJ Boyle General Contractors, Inc. in the amount of \$5,492,456.00 under ordinance 2015-05-21-0429. On June 30, 2016 City Council approved a change order in the not to exceed amount of \$300,000.00, payable to MJ Boyle General Contractor, Inc. for additional park lighting, shade structures and garbage and recycling bins under Ordinance 2016-06-30-0508.

MJ Boyle General Contractors, Inc. has since expressed non-interest in proceeding with the previously approved change order. Therefore, in order to complete the additional work, the change order is being cancelled and Ordinance 2016-06-30-0508 will be rescinded to moved forward with a Job Order Contract (JOC) with Kencon Constructors, LTD in the amount of \$240,610.00.

#### Procurement of Services

This Project was selected to utilize Job Order Contracting (JOC), an alternative project delivery method, through which ten contractors were approved through Ordinance 2015-01-15-0013 by City Council on January 15, 2015. The use of the JOC delivery method has provided the City with on-call construction, renovation, and maintenance services for City buildings and facilities. Assignment of JOC contractor to a specific job is based on the contractor's current workload, overall capacity, familiarity with a specific facility, cost, and expertise in completing specific task(s) and/or managing a specific trade needed to carry out the job. Of the ten contractors, Kencon Constructors, LTD was selected to submit an estimate and project schedule for this Project.

Kencon Constructors, LTD is a small business that has committed to 23% Minority/Women Business Enterprise and 3% African-American Business subcontractor participation.

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.

#### **ISSUE:**

This ordinance for Pearsall Park authorizing a task order to a Job Order Contract (JOC) with Kencon Constructors, LTD in the amount of \$240,610.00, a Certificates of Obligation and TIRZ Ridge Stone funded project, located in Council District 4.

The Pearsall Park Project will provide for new shade canopies at the skatepark, and lighting for the skatepark and basketball court. This project is anticipated to begin in December 2016 and estimated for completion in March 2017.

#### **ALTERNATIVES:**

As an alternative, this Project could be delivered utilizing another delivery method. However, considering the additional time required for another solicitation process, this would affect the timely completion of the Project.

#### **FISCAL IMPACT:**

This is a one-time capital improvement expenditure in the amount of \$240,610.00 payable to Kencon Constructors, LTD. Payment to MJ Boyle General Contractors in Ordinance 2016-06-30-0508 will be rescinded to now redirect available funding to Kencon Constructors, LTD upon approval of this new ordinance.

As previously identified in Ordinance 2016-06-30-0508, funding for this scope of work in the amount of \$240,610.00 will come from an appropriation within the General Fund fund balance resulting from \$230,678 in remaining tax increment revenues within the recently closed Ridgestone Tax Increment Reinvestment Zone (TIRZ) located in City Council District 4 as well as \$69,322 in project balances from the Deferred Maintenance

Fund. City Council action on June 16, 2016 authorized the termination of the Ridgestone TIRZ, located in City Council District 4, and approved transferring remaining tax increment revenues to the General Fund fund balance.

**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing a task order to a Job Order Contract in the amount of \$240,610.00 to Kencon Constructors, LTD for Pearsall Park Project.