



# City of San Antonio

## Agenda Memorandum

**File Number: 13-1136**

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**Agenda Item Number:** 13A.

**Agenda Date:** 12/19/2013

**In Control:** City Council A Session

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**DEPARTMENT:** Capital Improvements Management Services

**DEPARTMENT HEAD:** Mike Frisbie

**COUNCIL DISTRICTS IMPACTED:** Council District 9

**SUBJECT:** Contract Award: Panther Springs Park Improvement Project

**SUMMARY:**

Consideration of the following Ordinances related to Panther Springs Park, a 2012-2017 Bond Program funded project, located in Council District 9:

- A. An ordinance accepting the lowest responsive bid and awarding a construction contract, including two additive alternates, in the amount of \$1,629,000.00 authorized payable to Amstar, Inc., for construction of the Panther Springs Park Improvement Project.
- B. An ordinance authorizing the approval of an Interlocal agreement (ILA) with the North East Independent School District to provide a connection to the proposed Panther Springs Park walking trail from Wilderness Oak Elementary School located at 21019 Wilderness Oak Drive.
- C. An ordinance authorizing the approval of an Easement Agreement with the San Antonio River Authority to provide access for public purposes.

**BACKGROUND INFORMATION:**

Project Background

- A. On May 12, 2012, San Antonio voters approved the 2012-2017 Bond Program, consisting of five propositions totaling \$596 Million. The Bond Program funds will be used on various capital improvement projects to address community infrastructure needs and improve the overall quality of life in San Antonio. As part of that program, funds in the total amount of \$2,500,000.00 in the Parks, Recreation and Open Space Improvements proposition was approved for park improvements at Panther Springs Park, located in Council District 9.

This Project provides for construction of an initial phase of development at Panther Springs Park in order to open the park to the general public. Improvements will include a park entry with associated deceleration and turn lanes on Wilderness Oak Drive, entry monument sign, parking lot, utilities for parking lot lighting and a drinking fountain, restroom enclosure, trail head with interpretive signage, walking trails, site amenities such as picnic tables, trash/recycle receptacles and a dog park with associated perimeter fencing, gates and equipment. Project construction is anticipated to begin January 2014 and estimated to be completed by July 2014.

#### Procurement of Services

This Project was advertised as Panther Springs Park Improvement Project for construction bids in the San Antonio Hart Beat, on the City's website and the Texas Electronic State Business Daily in October 2013. In addition, the bid announcement was made on TVSA and through the Small Business Economic Development Advocacy (SBEDA) Office. Plans were also available for potential bidders at the office of Terra Design Group located at 816 Camaron, San Antonio TX 78212. Bids for this project were opened on November 12, 2013 and nine bidders responded. Of these, Amstar, Inc. submitted the lowest responsive bid. A matrix of the bid outcome is included herein as an attachment.

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. The Goal Setting Committee set a 23% Small Business Enterprise (SBE) subcontracting goal and a 16% Minority/Women Business Enterprise (M/WBE) subcontracting goal. Amstar, Inc. has committed to meeting 23% SBE and 16% M/WBE subcontractor participation. In addition, Amstar, Inc., is also a certified small business.

This construction contract was developed utilizing the low bid process; therefore, a Discretionary Contracts Disclosure Form is not required.

B. On May 12, 2012, San Antonio voters approved the 2012-2017 Bond Program, consisting of five propositions totaling \$596 Million. The Bond Program funds will be used on various capital improvement projects to address community infrastructure needs and improve the overall quality of life in San Antonio. As part of that program, funds in the total amount of \$2,500,000.00 in Parks, Recreation and open Space Improvements Bond funds was approved for park improvements at Panther Springs Park located in Council District 9.

The City and NEISD have a mutual interest in providing a connection to the proposed Panther Springs Park walking trail from Wilderness Oak Elementary School located at 21019 Wilderness Oak Drive, the City is seeking approval of an Interlocal Agreement with the North East Independent School District for the construction and installation of a four foot wide lockable gate, pedestrian crosswalk, ADA parking modification and signage to be paid for by the 2012 Bond Project. In return, the general public will be allowed use of the Wilderness Oak Elementary School parking lot for access to the walking trail during non-school hours, including weekends and holidays. This agreement shall be for a term of 25 years with an option for an additional 25 year renewal.

The NEISD School Board approved the entrance of the Interlocal Agreement with the City for the purpose of establishing park access/connectivity to Panther Springs Park from Wilderness Oaks Elementary School as part of the Panther Springs Bond Project at their meeting on September 12, 2011.

C. On May 12, 2012, San Antonio voters approved the 2012-2017 Bond Program, consisting of five propositions totaling \$596 Million. The Bond Program funds will be used on various capital improvement

projects to address community infrastructure needs and improve the overall quality of life in San Antonio. As part of that program, funds in the total amount of \$2,500,000.00 in Parks, Recreation and open Space Improvements Bond funds was approved for park improvements at Panther Springs Park located in Council District 9.

The City and the San Antonio River Authority have a mutual interest in providing access to Panther Springs Park for public purposes from San Antonio River Authority property, the City is seeking approval of an easement agreement with the San Antonio River Authority within the structures and improvements of Salado Site 5 dam. The San Antonio River Authority currently uses the Salado Site 5 dam to detain and convey floodwaters. This Easement will fulfill a requisite of the bond program language for Panther Springs Park which requires development of a walking trail to the Parman Branch Library.

SARA approved the entrance into an Easement Agreement, with the City, in conjunction with Panther Springs Bond Project at their board meeting on November 20, 2013.

#### **ISSUE:**

A. This ordinance accepts the lowest responsive bid and awarding a construction contract, including two additive alternates, in the amount of \$1,629,000.00 authorized payable to Amstar, Inc., for construction of Panther Springs Park Improvement Project, a 2012-2017 General Obligation Bond funded project, located in Council District 9.

This Project provides construction of an initial phase of development at Panther Springs Park in order to open to park to the general public. Improvements will include a park entry with associated deceleration and turn lanes on Wilderness Oak Drive, entry monument sign, parking lot, utilities for parking lot lighting and a drinking fountain, restroom enclosure, trail head with interpretive signage, walking trails, site amenities such as picnic tables, trash and recycle receptacles and a dog park with associated perimeter fencing, gates and equipment. The two additive alternates included as part of this contract will allow for the installation of five (5) additional interpretive trail nodes consisting of a concrete pad, trash/recycle receptacles, boulders, picnic tables and interpretive signage. Project construction is anticipated to begin in January 2014 and is estimated to be completed by July 2014.

The balance of the remaining project funds approved by voters was used for design services, environmental due diligence, advertising, permitting, and project management.

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 2012-2017 Bond funded projects.

B. This ordinance will authorize the execution of an Interlocal agreement with the North East Independent School District which will allow the City to construct and install a four foot wide lockable gate, pedestrian crosswalk, ADA parking and signage at Wilderness Oak Elementary School to be paid for by the 2012 Bond Project. In return, the general public will be allowed to use the Wilderness Oak Elementary School parking lot to access the walking trail during non-school hours including weekend and holidays.

C. This ordinance will authorize the execution of an Easement agreement with the San Antonio River Authority within the structures and improvements of the Salado Site 5 dam for access to Panther Springs Park for public purposes. Once established, the easement will allow for construction of a walking trail to the Parman Branch Library in fulfillment of the 2012-2017 Panther Springs Park bond program language. In addition, this easement will allow for future park development at the Salado Site 5 dam to include the construction, operation and maintenance of a roadway and parking lot. For consideration of these improvements, the proposed Panther

Springs Park construction contract will build and maintain to walking trail to the Parman Branch Library and a secure six foot high, non-climb fence with gates to partition the Salado Site 5 dam structure from the easement property.

**ALTERNATIVES:**

A. As an alternative, City Council could choose not to award this contract and require staff to re-advertise this project. Considering the additional time required for another solicitation process, this would adversely affect the timely completion of the project and funding.

B. As an alternative, City Council could choose not to approve this Interlocal Agreement with the North East Independent School District. This, however, would leave the Wilderness Oak Elementary and surrounding neighborhoods without the benefit of a campus-park entrance connection.

C. As an alternative, City Council could choose not to approve this Easement Agreement with the San Antonio River Authority. This, however, would leave the City without the benefit of additional access to the Panther Springs Park and permission to use the easement property for future parking development or for the development of a walking trail to Parman Branch Library.

**FISCAL IMPACT:**

A. This is a one-time capital improvement expenditure in the amount of \$1,629,000.00 authorized payable to Amstar, Inc. Funds are available from previously authorized 2012 General Obligation Bond funds and are included in the FY 2014-2019 Capital Improvement Program Budget.

B. This agreement allows the Panther Springs Park Improvement Project to fund construction of a four foot wide lockable gate, walkway connection, crosswalk stripping, signage and associated work to install an ADA parking space.

C. This is a one-time capital improvement expenditure in the amount of \$10.00 authorized payable to San Antonio River Authority. Funds are available from previously authorized 2012 General Obligation Bond funds and are included in the FY 2014-2019 Capital Improvement Program Budget. This agreement allows the Panther Springs Park Improvement Project to fund construction of a secure six foot high, non-climb fence with gates to partition the dam structure from the easement property as well as the walking trail to Parman Branch Library as dictated by the 2012-2017 Panther Springs Park bond program language.

**RECOMMENDATION:**

A. Staff recommends approval of this ordinance accepting the lowest responsive bid and awarding a construction contract in the amount of \$1,629,000.00 authorized payable to Amstar, Inc., for construction of the Panther Springs Park Improvement Project.

B. Staff recommends approval of this ordinance executing an Interlocal Agreement with the North East School District for improvements at the Wilderness Oak Elementary School to allow access by the public to Panther Springs Park.

C. Staff recommends approval of this ordinance executing an Easement Agreement with the San Antonio River Authority to allow for access by the City and future parking development for use by the general public and in

order to complete the development of a walking trail to the Parman Branch Library.