



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-4498

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**Agenda Item Number:** 7.

**Agenda Date:** 10/15/2015

**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 2

**SUBJECT:** Contract Award: Menger Creek Drainage Project

### **SUMMARY:**

An Ordinance in partnership with Bexar County for the Menger Creek Drainage Project awarding a construction contract including ten additive alternates to EZ-Bel Construction, LLC. in the amount of \$7,407,861.70, of which \$845,751.00 will be reimbursed by San Antonio Water Systems and \$49,905.00 will be reimbursed by CPS Energy, and amending the interlocal agreement with Bexar County to accept \$2,800,000.00 from the Bexar County Flood Control Program, a 2012-2017 Bond-funded Project, located in Council District 2.

### **BACKGROUND INFORMATION:**

On May 12, 2012, voters approved the 2012 - 2017 Bond Program, which authorized \$6,526,000.00 for the Menger Creek Drainage Project. On December 4, 2014, City Council authorized an Interlocal Agreement between the City of San Antonio and Bexar County accepting funds up to \$4,000,000 from the Bexar County Flood Control Program. After receiving bids, the Interlocal Agreement will be reduced to \$2,800,000.00 which brings the Project budget to \$9,326,000.00. The Interlocal Agreement provides for Bexar County to contribute funding to the construction of the Menger Creek Drainage Project, which significantly will reduce water surface elevation along the channel, and is anticipated that 49 properties may be removed from the floodplain.

### Project Background

The Menger Creek Drainage Project provides for the construction of channel improvements, a span bridge at Rio Grande Street; culvert improvements at the Union Pacific Railroad Bridge; a pedestrian bridge at Grimes Street and a Linear Park trailway along the Menger Creek channel. The culvert improvements and the Rio

Grande Bridge will significantly reduce water surface elevation along the channel.

A community meeting was held on August 13, 2014 at Ella Austin Community Center Auditorium to gain neighborhood input. Coordination with the businesses and local residents will be made to maintain accessibility during construction and accommodations, such as providing temporary driveway access to residential and commercial properties and phasing the construction work to minimize traffic inconveniences to the traveling public, will be completed as required.

#### Procurement of Services

This Project was advertised for construction bids in July 2015 in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on TVSA and through the TCI Small Business Office. Plans were available for review by potential bidders at the offices of CAS Consulting & Services, Inc., 14100 San Pedro Avenue, Ste. 405, San Antonio, Texas, 78232 and Terra Design Group, Inc., 816 Camaron St., Ste. 103., San Antonio, TX 78212. Bids for this Project were opened on August 11, 2015 and four (4) bidders responded. Of these, EZ-Bel Construction, LLC. submitted the lowest responsive bid. A summary of the bid outcome is included 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 16% Minority/Women Business Enterprise (M/WBE) subcontracting goal. Moreover, two percent (2%) out of the sixteen (16%) subcontracting goal is to be subcontracted to ABE firms. The Economic Development Department approved EZ-Bel Construction, LLC. because the contractor met the goals to provide subcontracting opportunities for small, minority, and women-owned businesses. In addition, EZ-Bel Construction, LLC. is a certified small business.

#### **ISSUE:**

This ordinance for the construction of Menger Creek Drainage, a 2012-2017 Bond funded Project, located in Council District 2, accepts the lowest responsive bid including ten (10) additive alternates and awards a construction contract in the amount of \$7,407,861.70 payable to EZ-Bel Construction, LLC., of which \$845,751.00 will be reimbursed by San Antonio Water Systems (SAWS) and \$49,905.00 will be reimbursed by CPS Energy, and amending the agreement to \$2,800,000.00 from the Bexar County Flood Control Program.

This Project consists of the construction of channel improvements, a span bridge at Rio Grande Street; culvert improvements at the Union Pacific Railroad crossing; a pedestrian bridge at Grimes Street and a Linear Park trailway along the Menger Creek channel. Project construction is anticipated to begin in November 2015 and estimated to be completed by February 2017. Construction activities will take place six days a week, sunrise to sunset.

#### **ALTERNATIVES:**

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 this Project.

#### **FISCAL IMPACT:**

This is a one-time capital improvement expenditure in the amount of \$7,407,861.70, payable to EZ-Bel Construction, LLC. Of this amount, \$845,751.00 will be reimbursed by SAWS and \$49,905.00 will be reimbursed by CPS. Funds are available from the 2012-2017 General Obligation Bond and are included in the FY 2016-2021 Capital Improvement Budget.

This ordinance reallocates \$1,334,921.24 in Certificates of Obligation from two projects in the 2016 Street Maintenance Program (SMP) into the Menger Creek Drainage Project for the purpose of providing park amenities along Menger Creek. The FY 2016 Street Maintenance Program includes reconstruction of Shirley Street (from Hood Street to Carson Street) \$385,241.45 and a portion of Lamar Street (from Austin Street to North New Braunfels Avenue) \$949,679.79. Both SMP projects will be completed using CDBG in anticipation of a reprogramming process to come before City Council at a later date.

This ordinance also amends the agreement to \$2,800,000.00 from the Bexar County Flood Control Program through an Interlocal Agreement with Bexar County which was approved in ordinance 2014-12-04-0973.

**RECOMMENDATION:**

Staff recommends approval of this ordinance amending the agreement with Bexar County, accepting the lowest responsive bid and awarding a construction contract in the amount of \$7,407,861.70, payable to EZ-Bel Construction, LLC., for construction of the Menger Creek Drainage Project.