



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1142  
**Type:** Purchase of Services  
**In control:** City Council A Session  
**On agenda:** 5/29/2014  
**Title:** An Ordinance accepting the offer from Fuquay, Inc. to perform repairs to the Japanese Tea Garden pond underground pump equipment for an estimated cost of \$600,000.00, funded from the Parks and Recreation adopted general operating budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Fuquay, Inc., 2. Bid Tab, 3. Draft Ordinance, 4. Ordinance 2014-05-29-0364

Date	Ver.	Action By	Action	Result
5/29/2014	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Finance

**DEPARTMENT HEAD:** Troy Elliott

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**  
Japanese Tea Garden Repair of Underground Pump Equipment

**SUMMARY:**  
This ordinance authorizes a contract with Fuquay, Inc. in an amount not-to-exceed \$600,000.00 for repairs to the Japanese Tea Garden to include pond underground pump equipment, located in City Council District 2, funded from the Parks and Recreation adopted general fund operating budget.

**BACKGROUND INFORMATION:**  
The Japanese Tea Garden (Tea Garden) is located at 3853 N. St. Mary's and has been a popular visitor destination in San Antonio for over 90 years. As envisioned in the Tea Garden master plan, the Parks and Recreation Department and the San Antonio Parks Foundation have worked together to restore the gardens along with the Jingu House. The garden consists of upper and lower ponds which were rehabilitated in 2007 with a new filtration system and coated with an elastomeric product. At capacity, the lower pond contains approximately 189,000 gallons of water.

In 2013, the Tea Garden began experiencing an increase in water usage. At that point the department undertook various corrective measures to attempt to curtail water usage and identify the reason for the loss of water in the ponds; however water usage continued to increase. In January 2014, the department secured a consultant to perform a series of tests to identify factors and causes leading to the loss of water and determine a corrective action. After numerous tests were performed, an assessment report noted blistering and peeling of the pond coating leading to its failure to retain water. Water loss was also attributed to a malfunction of the drain piping, return line piping, and portions of the pond structure. It was determined that these multiple factors could lead to water loss at the rate of 40 gallons per minute. Currently, the ponds are drained and due to the rate of water loss it is not recommended they be refilled until repairs have been completed.

Due to the specialized aspect of the repairs to the Tea Garden ponds, it is recommended this project utilize the Buy Board Cooperative purchase contract. The acceptance of the offer submitted by Fuquay, Inc. utilizing the Texas BuyBoard contract number 345-10 to provide repairs to underground pump equipment and ponds at the Tea Garden for a total cost not to exceed \$600,000.00 will address the various factors that will result in a decrease in water use.

Coordination has occurred with the Jingu House operator and the San Antonio Parks Foundation to ensure accommodations are made to keep the facility as accessible to patrons as possible during the repairs. Repairs will begin in June and are scheduled to be completed by the fall of this year. In order to minimize disruption to the site, the project timeline was also coordinated to coincide with a separate project at the Tea Garden through the 2012 Bond Program.

#### **ISSUE:**

This purchase will provide a Contractor to perform repairs to the Japanese Tea Garden ponds and underground pump equipment for a cost of \$556,630.50. Additionally approximately \$45,000.00 is included as contingency to address any unforeseen repairs for a total project cost not to exceed \$600,000.00. The repair will be undertaken by utilizing the BuyBoard Cooperative purchase Contract 354-10 “Cured in Place Pipe and Pipeline rehabilitation and underground asset renewal”.

This purchase will be made in accordance with the Texas Local Government Purchasing Cooperative passed on Ordinance No. 97097, dated January 30, 2003. The Texas BuyBoard cooperative is administered by the Texas Municipal League. All products and services that are part of this cooperative have been competitively bid and awarded by the Cooperative’s Board of Trustees based on the State of Texas statutes.

Fuquay, Inc. warrants all work against defects in materials and workmanship for a period of one year from the date of final acceptance of all work contained in the project.

This contract is within the scope of the Small Business Economic Development Advocacy Program. However, due to lack of available firms and/or subcontracting opportunities, the Goal Setting Committee was unable to apply a SBEDA tool to this contract.

The Local Preference Program does not apply to construction service contracts of \$100,000.00 or more, so no preference was applied to this contract.

The Veteran-Owned Small Business Preference Program does not apply to construction service contracts, so no preference was applied to this contract.

**ALTERNATIVES:**

Another delivery method for this project could be utilized, such as the Invitation for Bid (IFB). However, employing another method which requires additional lead time would require the ponds to be empty for an even greater extended period which negatively impacts attendance to this local attraction. Additionally, the opportunity to coordinate work occurring at the Tea Garden during the summer months when temperatures curtail special events and reservations would be lost.

**FISCAL IMPACT:**

This action authorizes a contract for repairs at the Tea Garden in an amount not to exceed \$600,000.00 payable to Fuquay Construction. Funding is available in the FY 2014 Parks and Recreation adopted operating budget.

**RECOMMENDATION:**

Staff recommends approval of this contract with Fuquay, Inc. to perform repairs to the Japanese Tea Garden including underground pump equipment in an amount not-to-exceed \$600,000.00.

This contract is procured by means of cooperative purchasing and a Contracts Disclosure Form is not required.