



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-3993

**Type:** Capital Improvements

**In control:** City Council A Session

**On agenda:** 5/16/2019

**Title:** Ordinance awarding the 2019-2020 Onyx (Slurry Seal) Task Order Contract Package 1 to Clark Construction of Texas, Inc. in an amount not to exceed \$3,779,448.50 of which \$48,000.00 will be reimbursed by San Antonio Water System (SAWS) for necessary adjustments to their existing infrastructure.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bid Tab\_2019 AO Package 7, 2. Bid Tab\_2019 AO Package 8, 3. Bid Tab\_Fog Seal, 4. Bid Tab\_Onyx, 5. Bid Tab\_2019 Pack 12 Reclamation TOC, 6. Draft Ordinance - Part A, 7. Draft Ordinance - Part B, 8. Draft Ordinance - Part C, 9. Draft Ordinance - Part D, 10. Draft Ordinance - Part E, 11. Ordinance 2019-05-16-0398

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Razi Hosseini, P.E., R.P.L.S.

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

FY 2019-2020 Street Maintenance Program Packages

**SUMMARY:**

Consideration of the following contracts totaling \$17,790,044.11 related to the FY 2019-2020 Infrastructure Management Program (IMP):

A. An ordinance accepting the lowest responsive bid and awarding the 2019 Asphalt Overlay Task Order Contract Package 7 to J&P Paving Co., Inc. in an amount not to exceed \$3,441,190.63 of which \$52,787.00 will be reimbursed by San Antonio Water System (SAWS) and \$17,576.25 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding

sources.

B. An ordinance accepting the lowest responsive bid and awarding the 2019 Asphalt Overlay Task Order Contract Package 8 to J&P Paving Co., Inc. in an amount not to exceed \$3,615,913.13 of which \$52,787.00 will be reimbursed by San Antonio Water System (SAWS) and \$17,576.25 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

C. An ordinance accepting the lowest responsive bid and awarding the 2019-2020 Fog Seal Task Order Contract Package 1 to Clark Construction of Texas, Inc. in an amount not to exceed \$1,917,984.35 of which \$24,000.00 will be reimbursed by San Antonio Water System (SAWS) for necessary adjustments to their existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

D. An ordinance accepting the lowest responsive bid and awarding the 2019-2020 Onyx (Slurry Seal) Task Order Contract Package 1 to Clark Construction of Texas, Inc. in an amount not to exceed \$3,779,448.50 of which \$48,000.00 will be reimbursed by San Antonio Water System (SAWS) for necessary adjustments to their existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

E. An ordinance accepting the lowest responsive bid and awarding the 2019 Reclamation Reconstruction Task Order Contract Package 12 to Alamo City Constructors, Inc. in an amount not to exceed \$5,035,507.50 of which \$325.00 will be reimbursed by San Antonio Water System (SAWS) and \$15.00 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

## BACKGROUND INFORMATION:

With the adoption of the FY 2019 Budget on September 13, 2018, City Council approved the Street Maintenance Program (SMP) at \$110 million, the largest in San Antonio's history and an increase of \$11 million over the previous year's program. A total of \$110 million is available to complete the entire SMP, which is comprised of both in-house and contractual street maintenance projects. Table 1 below summarizes the Street Maintenance Program construction contracts awarded to date.

**Table 1. FY 2019 Street Maintenance Program Contracts Awarded to Date**

<b>Awarded Contracts</b>	<b>Amount Awarded</b>
<b>FY 2019 Contracts Awarded as of 02/14/2019</b>	\$55,473,527.10
<b>Proposed FY 2019 Contract Package Today</b>	\$17,790,044.11
<b>Total FY 2019 Contracts Approved To Date</b>	\$73,263,571.21

<b>Remaining Contract Capacity from FY 2018 SMP</b>	<b>\$8,000,000.00</b>
<b>Total Available Contract Capacity</b>	<b>\$81,263,571.21</b>
<b>Approved Contract Budget</b>	<b>\$98,000,000.00</b>
<b>Remaining FY 2019 Contract Budget with Approved Contract Today</b>	<b>\$16,736,428.79</b>

This ordinance authorizes five contracts totaling \$17,790,044.11 for the construction of the FY 2019-2020 Fog Seal, Onyx Seal, Asphalt Overlay and Reclamation Reconstruction projects. These projects provide pavement preservation, pavement rehabilitation and reconstruction. The preservation include a Fog Seal application (a thin, liquid oil applied to the surface of existing asphalt to weatherproof and preserve the life of pavement) and an Onyx Seal application (small, crushed rock applied to the surface of existing asphalt to preserve the life of pavement and provide improved driving surfaces). The rehabilitation includes an Asphalt Overlay application (a milling and 2-inch overlay of asphalt and base repairs as needed). The Reclamation and Reconstruction projects include, but are not limited to the repair of a street's base structure, asphalt surface overlay, concrete flatwork and wheelchair ramp improvements. Additional contracts are scheduled to be awarded at a later date for the remaining FY 2019 Street Maintenance Program.

#### Procurement of Services

A. The 2019 Asphalt Overlay Task Order Contract Package 7 was advertised for construction bids on January 9 and 16, 2019 in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on CIVCAST electronic bidding site and on TVSA. Bids for Package 7 were due on February 5, 2019 with four (4) bids received. J&P Paving Co., Inc. was the lowest responsive bidder.

B. The 2019 Asphalt Overlay Task Order Contract Package 8 was advertised for construction bids on January 9 and 16, 2019 in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on CIVCAST electronic bidding site and on TVSA. Bids for Package 8 were due on February 12, 2019 with four (4) bids received. J&P Paving Co., Inc. was the lowest responsive bidder.

C. The 2019-2020 Fog Seal Task Order Contract Package 1 was advertised for construction bids on February 6, 2019 in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on CIVCAST electronic bidding site and on TVSA. Bids for Package 1 were due on March 5, 2019 with one (1) responsive bid received. Clark Construction of Texas, Inc. was the lowest responsive bidder.

D. The 2019-2020 Onyx (Slurry Seal) Task Order Contract Package 1 was advertised for construction bids on February 13, 2019 in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on CIVCAST electronic bidding site and on TVSA. Bids for Package 1 were due on March 12, 2019 with two (2) bids received. Clark Construction of Texas, Inc. was the lowest responsive bidder.

E. The 2019 Reclamation Reconstruction Task Order Contract Package 12 was advertised for construction bids on March 1, 2019 in the San Antonio Hart Beat, the City's website, the Texas

Comptroller of Public Accounts, CIVCAST and on TVSA. Bids for Package 12 were due on April 2, 2019, a total of four (4) bids were submitted, and Alamo City Constructors, Inc. was the lowest responsive bidder.

These contracts 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.

**Table 2. SBEDA Goals by Contract**

Awarded Contract	Contractor	Minority/Women Business Enterprise (M/WBE) Subcontracting Goal	African-American Business Enterprise (AABE) Subcontracting Goal	Commitment to SBEDA Goals
2019 Asphalt Overlay Task Order Contract Package 7	J&P Paving Co., Inc.	4%	1%	J&P Paving Co., Inc. has committed to meeting these goals.
2019 Asphalt Overlay Task Order Contract Package 8	J&P Paving Co., Inc.	4%	1%	J&P Paving Co., Inc. has committed to meeting these goals.
FY 2019-2020 Fog Seal Task Order Contract Package 1	Clark Construction of Texas, Inc	13 %	N/A	Clark Construction of Texas, Inc. has committed to meeting these goals.
FY 2019-2020 Onyx (Slurry Seal) Task Order Contract Package 1	Clark Construction of Texas, Inc	13 %	N/A	Clark Construction of Texas, Inc. has committed to meeting these goals.
2019 Reclamation Reconstruction Task Order Contract Package 12	Alamo City Constructors, Inc.	17%	1%	Alamo City Constructors, Inc. has committed to meeting these goals.

## ISSUE:

A. This ordinance for the 2019 Asphalt Overlay Task Order Contract Package 7 accepts the lowest responsive bid and awards a contract to J&P Paving Co., Inc. in an amount not to exceed \$3,441,190.63 of which \$52,787.00 will be reimbursed by San Antonio Water System (SAWS) and \$17,576.25 will be reimbursed by CPS Energy for necessary adjustments to its existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources

to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

B. This ordinance for the 2019 Asphalt Overlay Task Order Contract Package 8 accepts the lowest responsive bid and awards a contract to J&P Paving Co., Inc. in an amount not to exceed \$3,615,913.13 of which \$52,787.00 will be reimbursed by San Antonio Water System (SAWS) and \$17,576.25 will be reimbursed by CPS Energy for necessary adjustments to its existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

C. This ordinance for the 2019-2020 Fog Seal Task Order Contract Package 1 accepts the lowest responsive bid and awards a contract to Clark Construction of Texas, Inc. in an amount not to exceed \$1,917,984.35 of which \$24,000.00 will be reimbursed by San Antonio Water System (SAWS) for necessary adjustments to its existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

D. This ordinance for the 2019-2020 Onyx (Slurry Seal) Task Order Contract Package 1 accepts the lowest responsive bid and awards a contract to Clark Construction of Texas, Inc. in an amount not to exceed \$3,779,448.50 of which \$48,000.00 will be reimbursed by San Antonio Water System (SAWS) for necessary adjustments to its existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

E. This ordinance for the 2019 Reclamation Reconstruction Task order Contract Package 12 accepts the lowest responsive bid and awards a contract to Alamo City Constructors, Inc. in an amount not to exceed \$5,035,507.50, of which \$325.00 will be reimbursed by San Antonio Water System (SAWS) and \$15.00 will be reimbursed by CPS Energy for necessary adjustments to existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

These packages for Fog Seal, Onyx (Slurry Seal), Asphalt Overlay and Reclamation Reconstruction projects include, but are not limited to, pavement resurfacing, crack sealing, repair of a street's base structure, asphalt surface overlay, concrete flatwork and wheelchair ramp improvements and any other work required for the completion of projects. SAWS and CPS Energy participation on these packages is necessary in order to allow SAWS and CPS Energy to complete adjustments to its existing infrastructure while a City project is under construction. SAWS and CPS Energy will reimburse its improvement costs to the City of San Antonio based on the bid unit prices received per these construction contracts.

Task order contracts are utilized when multiple projects are to be delivered through various programs and funding sources in a limited timeline but the specific projects (scope and limits) are not known. A task order contract is awarded based on the capacity, or total dollar amount, anticipated to deliver a number of projects within a specified limited timeframe. Funding for these projects may include, but is not limited to the General Fund, Advanced Transportation District (ATD), or other funding sources.

## ALTERNATIVES:

As an alternative, City Council could choose not to award these contracts and request staff to re-bid these packages; however, re-bidding would delay the delivery of the FY 2019-2020 Street Maintenance Program and would result in the delay of street maintenance projects being completed as programmed.

#### **FISCAL IMPACT:**

A. This ordinance accepts the lowest responsive bid and awards the 2019 Asphalt Overlay Task Order Contract Package 7 to J&P Paving Co., Inc. in an amount not to exceed \$3,441,190.63, of which \$52,787.00 will be reimbursed by San Antonio Water System (SAWS) and \$17,576.25 will be reimbursed by CPS Energy for necessary adjustments to its existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

B. This ordinance accepts the lowest responsive bid and awards the 2019 Asphalt Overlay Task Order Contract Package 8 to J&P Paving Co., Inc. in an amount not to exceed \$3,615,913.13 of which \$52,787.00 will be reimbursed by San Antonio Water System (SAWS) and \$17,576.25 will be reimbursed by CPS Energy for necessary adjustments to its existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

C. This ordinance accepts the lowest responsive bid and awards the 2019-2020 Fog Seal Task Order Contract Package 1 to Clark Construction of Texas, Inc. in an amount not to exceed \$1,917,984.35 of which \$24,000.00 will be reimbursed by San Antonio Water System (SAWS) for necessary adjustments to its existing infrastructure. Funds are included and available in the FY 2019 - 2024 Capital Improvements Program Budget and may be funded from various funding sources to include, but not limited to, the General Fund, the Advanced Transportation District Fund, debt proceeds, or other funding sources.

D. This ordinance accepts the lowest responsive bid and awards the 2019-2020 Onyx (Slurry Seal) Task Order Contract Package 1 to Clark Construction of Texas, Inc. in an amount not to exceed \$3,779,448.50 of which \$48,000.00 will be reimbursed by San Antonio Water System (SAWS) for necessary adjustments to its existing infrastructure. Funds are included and available in the FY 2019 - 2024 Capital Improvements Program Budget and may be funded from various funding sources to include, but not limited to, the General Fund, the Advanced Transportation District Fund, debt proceeds, or other funding sources.

E. This ordinance accepts the lowest responsive bid and awards the 2019 Reclamation Reconstruction Task Order Contract Package 12 to Alamo City Constructors, Inc. in an amount not to exceed \$5,035,507.50 of which \$325.00 will be reimbursed by San Antonio Water System (SAWS) and \$15.00 will be reimbursed by CPS Energy for necessary adjustments to its existing infrastructure. Funds are included in the FY 2019 - 2024 Capital Improvements Program Budget and funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources.

Requirements for each task shall be detailed in the individual work orders assigned. The City makes no

guarantees on the volume of work distributed. All expenditures will be in accordance with the FY 2019 Adopted Budget approved by City Council. Future fiscal year expenditures are contingent upon Council approval of the annual budget.

**RECOMMENDATION:**

Staff recommends approval of five contracts in the total amount of \$17,790,044.11 to complete a portion of street maintenance projects identified in the FY 2019-2020 Infrastructure Management Program. Additional contracts are scheduled to be awarded at a later date for the remaining Street Maintenance Program.