

AN ORDINANCE **9 6 9 4 3**

ACCEPTING THE LOW BID SUBMITTED BY BIG-TEX CONTRACTORS, INC. TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE PEARSALL PARK PHASE ONE IMPROVEMENTS PROJECT IN CITY COUNCIL DISTRICT 4 FOR THE AMOUNT OF \$236,293.50 WITH BID ALTERNATES 1, 2 AND 5 FOR A TOTAL BID OF \$281,000.00; APPROPRIATING \$320,000.00 IN CERTIFICATES OF OBLIGATION FUNDS; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; AUTHORIZING \$18,334.90 FOR CONSTRUCTION CONTINGENCY, \$14,300.00 FOR LANDSCAPE ARCHITECT FEES, \$3,000.00 FOR LANDSCAPE ARCHITECT CONTINGENCY, \$665.10 FOR BID ADVERTISING/PRINTING AND \$2,700.00 FOR PERMIT FEES; AND PROVIDES FOR PAYMENT.

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WHEREAS, the City desires to develop a community park in the City's Pearsall Park, located at 5150 Pearsall Road in City Council District 4; and

WHEREAS, the City Council has approved Certificates of Obligation in the Capital Improvement Program for the development of park improvements in Pearsall Park; and

WHEREAS, capital improvements for the Pearsall Park Phase One Project will include the construction of basic park improvements to include an approach and asphalt entry drive, asphalt parking area, screened toilet enclosure, park furnishings, drinking fountains, fenced off-leash dog park area, trail development to a park overlook, landscape planting and irrigation; and

WHEREAS, bid alternates 1, 2 and 5 will include installation of dog agility equipment, an accessible path to the Community Initiatives Service Center and installation of a decorative metal hydrant finial on screen toilet enclosure; and

WHEREAS, the City has received bids for said work and Big-Tex Contractors, Inc. has submitted the low qualified base bid of \$236,293.50 and overall low bid with alternates 1, 2 and 5 of \$281,000.00; and

WHEREAS, it is now necessary to accept the low qualified bid of Big-Tex Contractors, Inc. for said work, authorize a standard public works construction contract for said project, appropriate Certificates of Obligation Funds into the project budget, authorize a project budget and to provide for payment; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The low qualified base bid of \$236,293.50 plus bid alternates 1, 2 and 5 for a total bid of \$281,000.00 from Big-Tex Contractors, Inc. for capital improvements to the City's Pearsall Park Phase One Project is hereby accepted. The City Manager, or in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or the Director of Public Works is hereby authorized to execute a standard form public works construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein for all purposes as Attachment I. All other bids will be deemed rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of sixty (60) days from the effective date of this ordinance accepting the low bid, whichever event occurs first.

SECTION 2. The budget in Fund 43-181095, 2001 Certificates of Obligation Parks & Recreation Improvements shall be revised by reducing Index Code 695783, entitled Unallocated Appropriations, by the total amount of \$320,000.00.

SECTION 3. The amount of \$281,000.00 is appropriated in fund 43-181005, 2001 Parks and Recreation Improvements, in Index Code 532994, entitled Construction Contract, and is authorized to be encumbered and made payable to Big-Tex Contractors, Inc. for construction work in connection with the Pearsall Park Phase One Improvements Project.

SECTION 4. The amount of \$18,334.90 is appropriated in Fund 43-181005, 2001 Parks and Recreation Improvements, in Index Code 533018, entitled Construction Contingency, and is authorized to be encumbered and made payable for construction contingency expenses to include project contingency expenses, code requirements, unknown hidden existing conditions, mandatory fees, and project betterment in connection with the Pearsall Park Phase One Improvements Project.

SECTION 5. The amount of \$2,700.00 is appropriated in Fund 43-181005, 2001 Parks and Recreation Improvements, in Index Code 533109, entitled Permit Fees, and is authorized to be encumbered and made payable for permit fees in connection with the Pearsall Park Phase One Improvements Project.

SECTION 6. The amount of \$14,300.00 is appropriated in Fund 43-181005, 2001 Parks and Recreation Improvements, in Index Code 533117, entitled Landscape Architect Fees, and is authorized to be encumbered and made payable to Bender Wells Clark Design for landscape architect fees in connection with the Pearsall Park Phase One Improvements Project.

SECTION 7. The amount of \$3,000.00 is appropriated in fund 43-181005, 2001 Parks and Recreation Improvements, in Index Code 533307, entitled Landscape Architect Contingency, and is authorized to be encumbered and made payable to for landscape

architect contingency expenses in connection with the Pearsall Park Phase One Improvements Project.

SECTION 8. The amount of \$665.10 is appropriated in Fund 43-181005, 2001 Parks and Recreation Improvements, in Index Code 533315, Bid Advertising/Printing, and is authorized to be encumbered and charged for bid advertising and printing expenses in connection with the Pearsall Park Phase One Improvements Project.

SECTION 9. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 10. The City staff is hereby authorized to establish expenditure index codes as needed within the project budgets and to transfer funds between expenditure index codes to facilitate the proper accounting of project expenses.

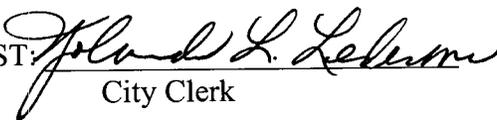
SECTION 11. Eligible expenses that may be incurred from the City's General Fund will be reimbursed from the project budgets in accordance with established financial procedures.

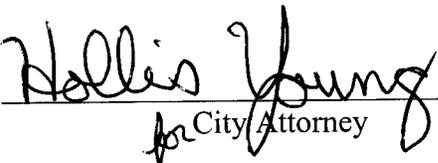
SECTION 12. This Ordinance will become effective on the tenth (10th) day after passage hereof.

PASSED AND APPROVED this 19th day of December 2002.


M A Y O R

EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney