

AN ORDINANCE      **9 8 8 1 0**

**ACCEPTING THE LOW, RESPONSIVE BID OF V.W. BROOKS, INC. IN THE BASE BID AMOUNT OF \$576,000.00 WITH BID ALTERNATES 2 THROUGH 5, FOR A TOTAL CONTRACT AMOUNT OF \$613,000.00, IN CONNECTION WITH THE COMANCHE LOOKOUT PARK IMPROVEMENTS PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$18,000.00 FOR MANDATORY PROJECT FEES; AUTHORIZING \$20,123.16 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AMENDING THE CURRENT BUDGET OF \$62,000.00 BY APPROPRIATING \$550,298.00 IN 1999-2004 PARK BOND FUNDS AND ACCEPTING A \$100,000.00 DONATION FROM THE SAN ANTONIO PARKS FOUNDATION, FOR A TOTAL PROJECT BUDGET OF \$712,298.00; NAMING THE OUTDOOR CLASSROOM TO BE CONSTRUCTED THE EWING HALSELL OUTDOOR CLASSROOM IN GRATITUDE FOR THE \$100,000.00 DONATION; TRANSFERRING SAVINGS WITHIN THE PROJECT; AND PROVIDING FOR PAYMENT.**

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**WHEREAS**, the 1999 Parks General Obligation Bond Issue approved funding for additional improvements to Comanche Lookout Park; and

**WHEREAS**, Ordinance 96760, passed and approved by the City Council on November 21, 2002 established a project budget and selected Gould Evans Associates, P.L.L.C. to perform project design services; and

**WHEREAS**, the base bid capital improvements will include parking improvements, trailhead, outdoor classroom, artist-designed way-finding and interpretive signage, structural repairs/stabilization of the historic tower, new walking trails of various materials and levels of ADA accessibility, park toilet enclosures, additional utilities, landscaping and park furnishings; and

**WHEREAS**, the bid alternatives include an 8' section of trail connecting the neighborhood to the library, hydro-seeding along a section of the trail, four trail nodes with seating for interpretive education opportunities and two picnic units; and

**WHEREAS**, the San Antonio Parks Foundation, through the Ewing Halsell Foundation, has committed to a \$100,000.00 donation to construct an outdoor classroom that will be designated the Ewing Halsell Outdoor Classroom; and

**WHEREAS**, it is now necessary to accept the low qualified bid of V. W. Brooks, Inc. for said work; to authorize a standard construction contract for said project; to amend the project's budget; and authorize payment; **NOW THEREFORE**:

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

**Section 1.** The low qualified base bid of \$576,000.00 with bid alternates 2 through 5 for a total contract amount of \$613,000.00 from V. W. Brooks, Inc. for capital improvements to the City's Comanche Lookout Park Phase II Improvements Project is hereby accepted. The City Manager, or her designee 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 II. 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 City Manager or her designee is authorized to accept a donation from the San Antonio Parks Foundation to construct an outdoor classroom in the park, which shall be designated the Ewing Halsell Outdoor Classroom.

**Section 3.** Fund 45-982025, Comanche Lookout Park Phase II Improvements Project, has previously been designated to account for this project.

**Section 4.** The budget in fund 45-982095, 1999 Park Improvements, Sold in 2001, shall be revised by reducing Index Code 695551, entitled Unallocated Appropriations, in the amount of \$550,298.00.

**Section 5.** Budgeted Revenues shall be established in fund 45-982000, 1999 Park Improvements, Sold in 2001, in the amount of \$100,000.00. Revenue index code 071811, entitled SA Parks Foundation (45-982025) Comanche Lookout Park Improvements - Phase II Project, shall be credited upon reimbursement of the project.

**Section 6.** The budget in fund 45-982025, 1999 Park Improvements, Sold in 2001, shall be revised by reducing index code 766196, entitled Bid Advertising/Printing, by the amount of \$825.16.

**Section 7.** The amount of \$613,000.00 is appropriated in fund 45-982025, 1999 Park Improvements, Sold in 2001, in index code 767392, entitled Construction Contract, and is authorized encumbered and made payable to V.W. Brooks, Inc. for construction, in connection with the Comanche Lookout Park Improvements - Phase II Project.

**Section 8.** The amount of \$20,123.16 is appropriated in fund 45-982025, 1999 Park Improvements, Sold in 2001, in index code 767400, entitled Construction Contingency, and is authorized encumbered and made payable for construction contingency expenses, in connection with the Comanche Lookout Park Improvements - Phase II Project.

**Section 9.** The amount of \$18,000.00 is appropriated in fund 45-982025, 1999 Park Improvements, Sold in 2001, in index code 767558, entitled Mandatory Project Fees, and is authorized encumbered and made payable for mandatory project fees, in connection with the Comanche Lookout Park Improvements - Phase II Project.

**Section 10.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance 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 11.** This ordinance shall be effective on February 22, 2004.

PASSED AND APPROVED this 12<sup>th</sup> day of February 2004.



M A Y O R

EDWARD D. GARZA

ATTEST: Jolanda L. Ledezma  
City Clerk

APPROVED AS TO FORM: Christy Hume  
City Attorney