

AN ORDINANCE

99002

ACCEPTING THE LOW QUALIFIED BID IN THE AMOUNT OF \$40,962.00 FROM MANUEL ORTIZ CONSTRUCTION, L.L.C., TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE LAS PALMAS WALKING TRAIL PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$12,103.00 TO K.M. NG & ASSOCIATES, INC. (MBE) UNDER AN EXISTING CONTRACT FOR ELECTRICAL ENGINEERING SERVICES; AUTHORIZING \$6,144.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$135,791.00 FOR PARK CONSTRUCTION CREW EXPENSES; REVISING THE PROJECT BUDGET; APPROPRIATING \$193,000.00 IN 1999-2003 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

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**WHEREAS**, the City's Las Palmas Park, located at 531 Castroville Road in City Council District 5, is in need of capital improvements to enhance the community's use and enjoyment of the park; and

**WHEREAS**, the 1999 Park General Obligation Bond Election approved \$200,000.00 for improvements to Las Palmas Park; and

**WHEREAS**, the park improvements were designed in-house with electrical engineering assistance by the firm of K.M. Ng & Associates, as authorized in an on-call agreement approved through Ordinance 97943 on August 7, 2003; and

**WHEREAS**, said the base construction bid improvements include installation of a granite gravel trail, concrete trail/walks, electrical conduits under trail, post and cable barrier and landscaping; and

**WHEREAS**, the low successful bidder is Manuel Ortiz Construction, LLC with a base bid of \$40,962.00; and

**WHEREAS**, in addition to these improvements, the park construction crew will install new lighting along the trail; and

**WHEREAS**, it is now necessary to accept the low qualified bid of Manuel Ortiz Construction, LLC for said work; amend the project budget; appropriate 1999-2004 Park Bond Funds into the project's budget; authorize a standard public works construction contract for said project; allocate funds for construction contingency; engineering fees, 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 \$40,962.00 from Manuel Ortiz Construction, LLC for capital improvements to the City's Las Palmas Walking Trail 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 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 \$193,000.00.

**Section 3.** The amount of \$40,962.00 is appropriated in fund 45-982017, 1999 Park Improvements, Sold in 2001, in index code 757393, entitled Construction Contract, and is authorized to be encumbered and made payable to Manuel Ortiz Construction, LLC, for construction in connection with the Las Palmas Walking Trail Project.

**Section 4.** The amount of \$6,144.00 is appropriated in fund 45-982017, 1999 Park Improvements, Sold in 2001, in index code 757401, entitled Construction Contingency, and is authorized to be encumbered and made payable for construction contingency expenses in connection with the Las Palmas Walking Trail Project.

**Section 5.** The amount of \$1,000.00 is appropriated in fund 45-982017, 1999 Park Improvements, Sold in 2001, in index code 757419, entitled Engineering Contingency, and is authorized to be encumbered and made payable for engineering contingency expenses in connection with the Las Palmas Walking Trail Project.

**Section 6.** The amount of \$9,103.00 is appropriated in fund 45-982017, 1999 Park Improvements, sold in 2001, in index code 280768, entitled Architect/Engineering Fees, and is authorized to be encumbered and made payable to K.M. Ng & Associates, for electrical engineering fees in connection with the Las Palmas Walking Trail Project.

**Section 7.** The amount of \$135,791.00 is appropriated in fund 45-982017, 1999 Park Improvements, sold in 2001, in index code 757427, entitled Park Construction Crew, and is authorized to be encumbered and made payable for Park Construction Crew expenses incurred in connection with the Las Palmas Walking Trail Project., including salaries, materials and supplies and/or subcontractors.

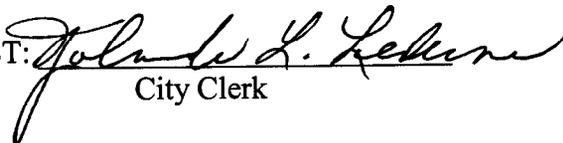
**Section 8.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

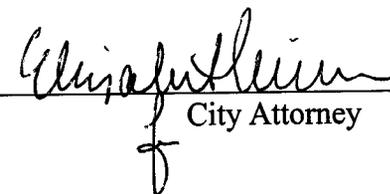
**Section 9.** City staff is hereby authorized to adjust line items within the budget of Fund 45-982017 Las Palmas Walking Trail Project through the normal budget adjustment process.

**Section 10.** This ordinance shall be effective on April 4, 2004.

PASSED AND APPROVED this 26<sup>th</sup> day of March 2004.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney