

AN ORDINANCE

99755

ACCEPTING THE LOW, RESPONSIVE BID OF DONSAN CONSTRUCTION, L.L.C. (SBE/MBE) TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE STONE OAK PARK IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 9 FOR THE BASE BID AMOUNT OF \$243,897.00 AND WITH ONE BID ALTERNATE FOR A TOTAL CONTRACT AMOUNT OF \$283,470.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; AUTHORIZING \$30,005.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$5,693.49 FOR PARK MATERIALS, FOR A TOTAL AMOUNT OF \$319,168.49; APPROPRIATING \$208,361.00 IN 1999-2004 PARK BOND FUNDS; ACCEPTING A \$100,000.00 GRANT FROM THE TEXAS PARKS AND WILDLIFE DEPARTMENT AND TRANSFERS SAVINGS OF \$10,807.49 FROM WITHIN THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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WHEREAS, the City is in the process of developing a new 243 acre public park located at 20395 Stone Oak Parkway in City Council District 9; and

WHEREAS, in 1999 the voters approved \$500,000.00 in 1999 Park General Obligation (GO) Bond Funds to acquire and development parkland in City Council District 9; and

WHEREAS, in November 1999 the City acquired, through a Joint Funding Agreement with the San Antonio Water System (SAWS), approximately 169 acres along Mud Creek for \$155,000 in 1999 Park GO Bond Funds for the development of this Stone Oak area park; and

WHEREAS, in December 1999 the City accepted the donation from FC Properties One, Ltd. of approximately 74 acres adjacent to the earlier SAWS acquisition for the development of this Stone Oak area park; and

WHEREAS, in August 2000 the firm of Gould Evans LLC (formerly Terra Design Group, Inc.) was selected to develop an overall park Master Plan for this new park, and to provide for the design and construction administration for the park improvements envisioned in the Master Plan for this new public park; and

WHEREAS, the Texas Parks and Wildlife Department has awarded a \$100,000.00 Recreation Trails Grant that will be used to construct a multi-purpose trail system in the park; and

WHEREAS, the base bid improvements include development of a park drive and parking area, trail head and associated amenities, a multi-use trail system, design enhancement, interpretive signage, landscaping and irrigation; and

WHEREAS, bid alternate 1 will be accepted and consists of one additional trail loop of stabilized base, six feet wide and approximately 1 ¼ miles in length in the park; and

WHEREAS, the City has received bids for said work and DonSan Construction, LLC has submitted the low qualified bid; and

WHEREAS, it is now necessary to accept the low qualified bid of DonSan Construction, LLC for said work, authorize a standard public works construction contract for said project, to amend the project budget, transfer 1999 GO Bond funds into the project budget, accept the TPWD grant, authorize a construction contingency, provide for park materials 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 \$243,897.00 and bid alternate for a total contract amount of 283,470.00 from DonSan Construction, LLC for capital improvements to the City's Stone Oak Park 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 I. All other bids are hereby rejected upon the occurrence of either the execution of a contractor by the low qualified bidder and deposit of all required bonds and insurance certificates, or the expiration of sixty (60) days from the date of passage of this ordinance.

Section 2. The amount of \$208,361.00 is appropriated in fund 45-983000, 1999 Park Improvements, Sold In 2002, in index code 942961, entitled Trf to 45-989018 Stone Oak. The amount of \$208,361.00 is authorized to be transferred from fund 45-983000 to fund 45-989018.

Section 3. The budget in fund 45-989000, 1999 Park Improvements, Sold in 1999, shall be revised by increasing index code 148817, entitled Trf Fr 45-983000, by the amount of \$208,361.00.

Section 4. Budgeted Revenues in the amount of \$100,000.00 shall be established in fund 26-052042, Grants in Aid Trust Funds, Texas Parks & Wildlife Department, in index code 084020, entitled TPWD Grant. Revenue index code 084020, entitled TPWD Grant shall be increased upon reimbursement of the project.

Section 5. The amount of \$100,000.00 is appropriated in fund 26-052042, Grants in Aid Trust Funds, Texas Parks & Wildlife Department, in index code 942987, entitled Trf to 45-989018. The amount of \$100,000.00 is authorized to be transferred from fund 26-052042 to fund 45-989018.

Section 6. The budget in fund 45-989000, 1999 Park Improvements, Sold in 1999, shall be revised by increasing index code 148825, entitled Trf Fr 26-052042, by the amount of \$100,000.00.

Section 7. The City Manager or her designee is hereby authorized to complete any necessary administrative steps for completing acceptance of the Texas Parks and Wildlife Department (TPWD) Trails Grant of a \$100,000.00 to develop trails and trail amenities in Stone Oak Park, including the execution of any and all documents in connection therewith.

Section 8. The amount of \$283,470.00 is appropriated in Fund 45-989018, 1999 Park Improvements, Sold in 1999, in Index Code 645762, entitled Construction Contract, and is authorized to be encumbered and made payable to DonSan Constuction, LLC, for construction in connection with the Stone Oak Park Improvements Project.

Section 9. The amount of \$30,005.00 is appropriated in Fund 45-989018, 1999 Park Improvements, Sold in 1999, in Index Code 645770, entitled Construction Contingency, and is authorized to be encumbered and made payable for miscellaneous construction expenses, including code requirements, unknown hidden existing conditions, and project betterment, in connection with the Stone Oak Park Improvements Project.

Section 10. The budget and encumbrance in fund 45-989018, 1999 Park Improvements, Sold in 1999, shall be revised by reducing index code 628255, entitled Topographical Survey Contingency, by the amount of \$5,750.00.

Section 11. The budget and encumbrance in fund 45-989018, 1999 Park Improvements, Sold in 1999, shall be revised by reducing index code 625756, entitled Karst Hydrogeological Assessment Fees, by the amount of \$4,689.14.

Section 12. The budget and encumbrance in fund 45-989018, 1999 Park Improvements, Sold in 1999, shall be revised by reducing index code 625939, entitled Karst Hydrogeological Assessment Contingency, by the amount of \$368.35.

Section 13. The total amount of \$5,693.49 is appropriated in Fund 45-989018, 1999 Park Improvements, Sold in 1999, in Index Code 645788 entitled Park Materials and is authorized to be encumbered and made payable for park materials in connection with the Stone Oak Park Improvements Project.

Section 14. 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 15. The City staff is hereby authorized to establish expenditure index codes as needed within the project budget and to transfer funds between expenditure index codes to facilitate the proper accounting of project expenses.

Section 16. Eligible expenses that may be incurred from the City's General Fund will be reimbursed from the project budget in accordance with established financial procedures.

Section 17. This ordinance shall become effective on and after October 3, 2004.

PASSED AND APPROVED this 23rd day of September 2004.



M A Y O R

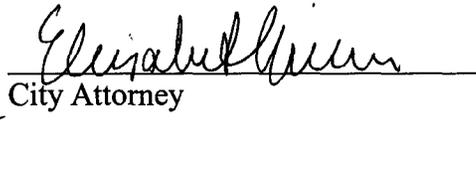
EDWARD D. GARZA

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney