

AN ORDINANCE

99432

ACCEPTING THE LOW, RESPONSIVE BID OF \$105,435.00 FROM ATS CONSTRUCTION, INC., TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE SPICEWOOD PARK IMPROVEMENTS PROJECT IN COUNCIL DISTRICT 4; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$21,565.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR PARK MATERIALS, FOR A TOTAL AMOUNT OF \$128,000.00 FROM 1999-2004 PARK BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, the City's Spicewood Park, located at 3139 Fidelia in City Council District 4, is in need of capital improvements for the development of this public facility; and

WHEREAS, a total of \$150,000.00 in 1999-2004 Parks General Obligation Bond funds were approved by the voters for capital improvements to Spicewood Park; and

WHEREAS, the construction work will consist of installation of a basketball court, park lighting, picnic units, drainage improvements and park benches; and

WHEREAS, the City has received bids for said work and ATS Construction, Inc. has submitted the low qualified bid; and

WHEREAS, it is now necessary to accept the low qualified bid of ATS Construction, Inc. for said work, authorize a standard public works construction contract for said project, amend the project budget, appropriate 1999-2004 GO Bond funds into the project budget, to authorize a construction contingency and allocate funds 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 bid of \$105,435.00 from ATS Construction, Inc. for capital improvements to the City's Spicewood Park 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 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. Fund 45-982024, the Spicewood Park Improvements Project has previously been designated to account for project activities and the budget schedule affixed hereto and incorporated for all purposes as Attachment II is hereby authorized for entry on the City's books.

Section 3. The budget in fund 45-983095, 1999 Park Improvements, Sold In 2002, shall be revised by reducing index code 758276, entitled Unallocated Appropriations: Proceeds, by the amount of \$128,000.00.

Section 4. The amount of \$128,000.00 is appropriated in fund 45-983003, 1999 Park Improvements, Sold in 2002, in index code 933853, entitled Trf to 45-982024 Spicewood Park. The amount of \$128,000.00 is authorized to be transferred from fund 45-983003 to fund 45-982024.

Section 5. The budget in fund 45-982000, 1999 Park Improvements, Sold 2001, shall be revised by increasing index code 132357, entitled Trf Fr 45-983003 (45-982024) Spicewood, by the amount of \$128,000.00.

Section 6. The amount of \$105,435.00 is appropriated in Fund 45-982024, 1999 Park Improvements, Sold 2001, in Index Code 784108, entitled Construction Contract and is authorized to be encumbered and made payable to ATS Construction, Inc. for construction in connection with the Spicewood Park Improvements project.

Section 7. The amount of \$21,565.00 is appropriated in Fund 45-982024, 1999 Park Improvements, Sold 2001, in Index Code 784249, entitled Construction Contingency and is authorized to be encumbered and made payable for construction contingencies, including miscellaneous construction expenses and to include code requirements, unknown hidden existing conditions and project betterment in connection with the Spicewood Park Improvements project.

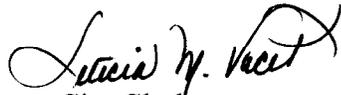
Section 8. The amount of \$1,000.00 is appropriated in Fund 45-982024, 1999 Park Improvements, Sold 2001, in Index Code 784389, entitled Park Materials and is authorized to be encumbered and made payable for park materials costs in connection with the Spicewood Park Improvements project.

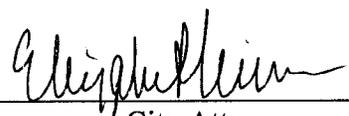
Section 9. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, transfer and correct allocations to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

Section 10. This ordinance shall be effective on and after July 4, 2004.

PASSED AND APPROVED this 24th day of June, 2004.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney