

AN ORDINANCE 100534

**ACCEPTING THE LOW, QUALIFIED BID OF MANUEL ORTIZ CONSTRUCTION, L.L.C. IN THE AMOUNT OF \$750,000.00 IN CONNECTION WITH BASKETBALL COURT IMPROVEMENTS PACKAGE PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 4 AND 6; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF \$18,633.00 FROM 1999-2004 PARK BOND FUNDS, \$499,851.89 FROM 2003-2007 PARK BOND FUNDS, \$263,499.00 FROM COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, AND \$40,262.00 FROM REVENUES COLLECTED FOR UDC FEES IN LIEU OF PARK LAND DEDICATION; AUTHORIZING \$72,245.89 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$822,245.89; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.**

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**WHEREAS**, the City Council has approved funding for basketball court improvement in certain City parks as part of the Community Development Block Grant (CDBG) Program; and

**WHEREAS**, use of 1999-2004 Park Bond Funds, 2003-2007 Park Bond Funds, and UDC funds have been approved for the funding of basketball court improvements in certain City parks; and

**WHEREAS**, basketball park improvements in five parks have been combined into one package entitled the Basketball Court Improvements Package Project in order to accomplish more efficiency in design, contract construction and pricing; and

**WHEREAS**, it is the desire of the City to appropriate and allocate Community Development Block Grant (CDBG) funds in the amount of \$263,499.00, 1999-2004 Park Bond Funds in the amount of \$18,633.00, 2003-2007 Park Bond Funds in the amount of \$499,851.89, and UDC funds in the amount of \$40,262.00 for the combined Basketball Court Improvements Package Project; and

**WHEREAS**, in connection with the combined Basketball Court Improvements Package Project, there exists a need to construct basketball court structures over existing courts at Rainbow Hills Park located in Council District 4, Acme Park located in Council District 6, and Cuellar Park located in Council District 6; and

**WHEREAS**, in connection with said Project, there also exists a need to construct new covered basketball courts at Los Angeles Heights Park located in Council District 1 and Heritage Duck Pond Park located in Council District 4; and

**WHEREAS**, in order to commence performance of such work, it is necessary to accept the low, qualified bid of Manuel Ortiz Construction, L.L.C.; **NOW THEREFORE**:

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

**SECTION 1.** The low, qualified bid of Manuel Ortiz Construction, L.L.C. in the amount of \$750,000.00 for the above-described construction work in connection with the Basketball Court Improvements Package Project is hereby accepted. The Interim City Manager or, in his stead, either 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 as Attachment I.

**SECTION 2.** All other bids received on this Project are hereby rejected upon the occurrence of either the execution of a contract 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 this Ordinance.

**SECTION 3.** Community Development Block Grant (CDBG) funds in the amount of \$263,499.00, 1999-2004 Park Bond funds in the amount of \$18,633.00, 2003-2007 Park Bond Funds in the amount of \$499,851.89, and UDC funds in the amount of \$40,262.00 are hereby authorized to be appropriated and allocated for the construction of basketball court structures in connection with the Basketball Court Improvements Package Project.

**SECTION 4:** The amount of \$17,656.50 is appropriated in SAP fund 45982000, 1999 General Obligation Park Bonds, SAP GL account 6102100 – Interfund Transfers Out, entitled Transfer to 26-00221. The amount of \$17,656.50 is authorized to be transferred from SAP fund 45982000 to SAP fund 45804000.

**SECTION 5.** The budget in SAP fund 45804000, 2003 General Obligation Park Bonds,, Project Definition 26-00221 Rainbow Hills Park Project, shall be revised by increasing WBS element 26-00149-90-01, entitled “TRANSFER FROM 45-982000”, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$17,656.50.

**SECTION 6.** The amount of \$976.50 is appropriated in SAP fund 45982000, 1999 General Obligation Park Bonds, SAP GL account 6102100 – Interfund Transfers Out, entitled Transfer to 26-00114. The amount of \$976.50 is authorized to be transferred from SAP fund 45982000 to SAP fund 45804000.

**SECTION 7.** The budget in SAP fund 45804000, 2003 General Obligation Park Bonds, Project Definition 26-00114 Heritage Park Project, shall be revised by increasing WBS element 26-00149-90-01, entitled “TRANSFER FROM 45982000”, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$976.50.

**SECTION 8.** The amount of \$207,306.63 is appropriated in SAP fund 45804000, 2003 General Obligation Park Bonds, SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer to 26-00149 for the amount of \$170,781.63 is authorized to be transferred for SAP fund 45804000 to SAP Fund 45099000 entitled Transfer to 26-00175 for the amount of \$36,252.00 is authorized to be transferred for SAP fund 45804000 to SAP Fund 45982000.

**SECTION 9.** The budget in SAP fund 45099000, GENERAL OBLIGATION CAPITAL PROJECTS, Project Definition 26-00149 Los Angeles Heights Park Project, shall be revised by increasing WBS element 26-00149-90-03, entitled "TRANSFER FROM 45-804025", SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$170,781.63.

**SECTION 10.** The budget in SAP fund 45982000, 1999 PARK IMPMTS, Project Definition 26-00175 Cuellar Park Project shall be revised by increasing WBS element 26-0000175-90-01, entitled "Transfer from GO-00039-03-01-02, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$ 36,252.00.

**SECTION 11.** Funding in the amount of \$116,032.00 from the CDBG reprogrammed 28<sup>th</sup> Year Program budget, Fund 28028000 will be transferred to Fund No. 28099000, CP2600216000, entitled "2003 Playground Improvements, WBS-26-00216-90-02 element entitled "Transfers from 28028000". Funding in the amount of \$107,467.00 from the CDBG 30<sup>th</sup> Year Program budget, Fund 28030000 will be transferred to Fund 45982000, CP2600175000 entitled "Basketball Court Improvement", WBS element 26-00175-90-02, entitled "Transfers from 2803000". Additional funding in the amount of \$32,318.00 will be reprogrammed in the CDBG Program Budget to be allocated and transferred to Fund No. 28099000, CP 2600216000, entitled "2003 Playground Improvements. " Additional funding in the amount of \$7,682.00 will be reprogrammed in the CDBG Program Budget to be allocated and transferred to Fund No. 45982000, CP2600175000, entitled "Basketball Court Improvement".

**SECTION 12.** The amount of \$40,262.00 will be appropriated from revenues collected for Unified Development Code (UDC) fees in lieu of park land dedication.

**SECTION 13.** The amount of \$ 500.00 is appropriated in SAP fund 28099000, CDBG MULTI YEARS, SAP Project definition 26-00216 Acme Park Project, General Ledger Account 5201140, WBS Element 26-00216-01-19-03, entitled "Mandatory Project Fee", and is authorized to be encumbered for mandatory project fees in connection with the Acme Park Project.

**SECTION 14.** The amount of \$ 150,000.00 is appropriated in SAP fund 28099000, CDBG MULTI YEARS, SAP Project definition 26-00216 Acme Park Project, General Ledger Account 5201140, WBS Element 26-00216-05-08, entitled "Construction Contract", and is authorized to be encumbered and made payable to Manuel Ortiz Construction LLC in connection with the Acme Park Project.

**SECTION 15.** The amount of \$ 15,000.00 is appropriated in SAP fund 28099000, CDBG MULTI YEARS, SAP Project definition 26-00216 Acme Park Project, General Ledger Account 5201140, WBS Element 26-00216-05-08-01, entitled "Construction Contingency", and is authorized to be encumbered for construction contingency in connection with the Acme Park Project.

**SECTION 16.** The budget in Fund 45982000 1999 PARK IMPMTS, SAP Project definition 26-00175 Cuellar Park Project, shall be revised by reducing WBS 26-00175-01-19-01, entitled Mandatory Project Fees, in the amount of \$13,600.00.

**SECTION 17.** The amount of \$ 150,000.00 is appropriated in SAP fund 45982000 1999 PARK IMPMTS, SAP Project definition 26-00175 Cuellar Park Project, General Ledger Account 5201140, WBS Element 26-00175-05-08, entitled "Construction Contract", and is authorized to be encumbered and made payable to Manuel Ortiz Construction LLC in connection with the Cuellar Park Project.

**SECTION 18.** The amount of \$ 15,001.00 is appropriated in SAP fund 45982000 1999 Park Impmts, SAP Project definition 26-00175 Cuellar Park Project, General Ledger Account 5201140, WBS Element 26-00175-05-08-01, entitled "Construction Contingency", and is authorized to be encumbered for construction contingency in connection with the Cuellar Park Project.

**SECTION 19.** The amount of \$ 5,900.00 is appropriated in SAP fund 45804000, 2003 PARK BONDS, SAP Project definition 26-00114 Heritage Park Project, General Ledger Account 5201140, WBS Element 26-00114-01-19-03, entitled "Mandatory Project Fee", and is authorized to be encumbered for mandatory project fees in connection with the Heritage Park Project.

**SECTION 20.** The amount of \$ 150,000.00 is appropriated in SAP fund 45804000, 2003 PARK BONDS, SAP Project definition 26-00114 Heritage Park Project, General Ledger Account 5201140, WBS Element 26-00114-05-08, entitled "Construction Contract", and is authorized to be encumbered and made payable to Manuel Ortiz Construction LLC in connection with the Heritage Park Project.

**SECTION 21.** The amount of \$ 14,081.63 is appropriated in SAP fund 45804000, 2003 PARK BONDS, SAP Project definition 26-00114 Heritage Park Project, General Ledger Account 5201140, WBS Element 26-00114-05-07-01, entitled "Construction Contingency", and is authorized to be encumbered for construction contingency in connection with the Heritage Park Project.

**SECTION 22.** The amount of \$ 6,700.00 is appropriated in SAP fund 45099000, GENERAL OBLIGATION CAPITAL PROJECTS, SAP Project definition 26-00149 Los Angeles Park Project, General Ledger Account 5201140, WBS Element 26-00149-01-19-03, entitled "Mandatory Project Fee", and is authorized to be encumbered for mandatory project fees in connection with the Los Angeles Park Project.

**SECTION 23.** The amount of \$ 150,000.00 is appropriated in SAP fund , GENERAL OBLIGATION CAPITAL PROJECTS, SAP Project definition 26-00149 Los Angeles Park Project, General Ledger Account 5201140, WBS Element 26-00149-05-08, entitled "Construction Contract", and is authorized to be encumbered and made payable to Manuel Ortiz Construction LLC in connection with the Los Angeles Park Project.

**SECTION 24.** The amount of \$ 14,081.63 is appropriated in SAP fund 45099000, GENERAL OBLIGATION CAPITAL PROJECTS, SAP Project definition 26-00149 Los Angeles Park Project, General Ledger Account 5201140, WBS Element 26-00149-05-07-01, entitled

“Construction Contingency”, and is authorized to be encumbered for construction contingency in connection with the Los Angeles Park Project.

**SECTION 25.** The amount of \$ 500.00 is appropriated in SAP fund 45804000, 2003 PARK BONDS, SAP Project definition 26-00221 Rainbow Hills Park Project, General Ledger Account 5201140, WBS Element 26-00221-01-19-03, entitled “Mandatory Project Fee”, and is authorized to be encumbered for mandatory project fees in connection with the Rainbow Hills Park Project.

**SECTION 26.** The amount of \$ 150,000.00 is appropriated in SAP fund 45804000, 2003 PARK BONDS, SAP Project definition 26-00221 Rainbow Hills Park Project, General Ledger Account 5201140, WBS Element 26-00221-05-08, entitled “Construction Contract”, and is authorized to be encumbered and made payable to Manuel Ortiz Construction LLC in connection with the Rainbow Hills Park Project.

**SECTION 27.** The amount of \$ 14,081.63 is appropriated in SAP fund 45804000, 2003 PARK BONDS, SAP Project definition 26-00221 Rainbow Hills Park Project, General Ledger Account 5201140, WBS Element 26-00221-05-07-01, entitled “Construction Contingency”, and is authorized to be encumbered for construction contingency in connection with the Rainbow Hills Park Project.

**SECTION 28.** 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 Interim City Manager, as applicable, or the designee of the City Manager or the Interim City Manager, as applicable, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 29.** This ordinance shall become effective on and after the twentieth (20<sup>th</sup>) day of March, 2005.

PASSED AND APPROVED this 10<sup>th</sup> day of March, 2005.



M A Y O R

ATTEST:

  
City Clerk

APPROVED AS TO FORM:   
City Attorney

# Agenda Voting Results

**Name:** 9.

**Date:** 03/10/05

**Time:** 01:30:50 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance accepting the low, qualified bid of Manuel Ortiz Construction, L.L.C. in the amount of \$750,000.00 in connection with the Basketball Court Improvements Package Project, located in Council Districts 1, 4 and 6; authorizing the execution of a standard construction contract; authorizing the appropriation and allocation of \$18,633.00 from 1999-2004 Park Bond funds, \$499,851.89 from 2003-2007 Park Bond funds, \$263,499.00 from Community Development Block Grant (CDBG) funds, and \$40,262.00 from revenues collected for UDC fees in lieu of park land dedication; authorizing \$72,245.89 for miscellaneous construction contingency expenses, for a total amount of \$822,245.89; revising the project budget; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7	Not present			
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		