

AN ORDINANCE **101513**

ACCEPTING THE LOW, QUALIFIED BID AND AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$303,000.00 WITH LVA CONSTRUCTION COMPANY IN CONNECTION WITH THE BOTANICAL GARDEN ADA IMPROVEMENTS PHASE II PROJECT LOCATED IN DISTRICT 9; ALLOCATING \$45,000.00 FOR CONSTRUCTION CONTINGENCY, AND \$25,000.00 FOR PARK MATERIALS, \$16,300.00 FOR ARCHITECT FEES, \$1,630.00 FOR ARCHITECT CONTINGENCY FEES, AND \$500.00 FOR BID ADVERTISING AND PRINTING; AUTHORIZING APPROPRIATION OF \$391,430.00 FROM 2003-2007 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

* * * * *

WHEREAS, funding was approved in the 2003 Park Bond Issue for accessibility improvements to the Botanical Garden located at 555 Funston in City Council District 9; and

WHEREAS, improvements will modify features such as walkways, stairways, and various public buildings located in the San Antonio Gardens; and

WHEREAS, a previous ordinance approved a contract with Beaty & Partners Architects, Inc. for professional services to include design, plan preparation and bid documents, and construction services and additional funds will be authorized for additional design work by Beaty & Partners Architects, Inc. because the design and construction schedules have been divided to minimize the impact to the Botanical Garden's scheduled events; and

WHEREAS, the construction was advertised in July 2005 in the Commercial Recorder, San Antonio Informer, and La Prensa De San Antonio; and

WHEREAS, two bids were received and LVA Construction Company, a SBE firm, was selected with a low base bid of \$282,500.00 and with bid alternates 1 through 3 for a total amount of \$303,000.00; **NOW THEREFORE:**

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

Section 1. The low, qualified base bid of \$282,500.00 with bid alternates 1 through 3 for a total amount of \$303,000.00 from LVA Construction Company for capital improvements as part of the City's Botanical Garden ADA Improvements Phase II Project is hereby accepted. The City Manager or his designee 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 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. The amount of \$391,430.00 is appropriated in SAP fund 45804000, 2003 Park Bond Funds, WBS GO-00047-01-01-05 SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer to 26-00230-90-02. The amount of \$391,430.00 is authorized to be transferred to SAP fund 45099000.

Section 3. The budget in SAP fund 45099000, Project Definition 26-00230, Botanical Garden ADA Improvements Phase II Project, shall be revised by increasing WBS element 26-00230-90-02, entitled TRF FR WBS GO-00047-01-01-05, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$391,430.00.

Section 4. The amount of \$16,300.00 is appropriated in Fund 45099000 Project Definition 26-00230, Botanical Garden ADA Improvements Phase II Project, WBS element 26-00230-01-19-01 and is authorized to be encumbered and made payable for Architect Fees when a purchase order is issued.

Section 5. The amount of \$1,630.00 is appropriated in Fund 45099000 Project Definition 26-00230, Botanical Garden ADA Improvements Phase II Project, WBS element 26-00230-01-19-02 and is authorized to be encumbered and made payable for Architect Contingency when a purchase order is issued.

Section 6. The amount of \$500.00 is appropriated in Fund 45099000 Project Definition 26-00230, Botanical Garden ADA Improvements Phase II Project, WBS element 26-00230-01-10 and is authorized to be encumbered and made payable for Bid Advertising/Printing Fees when a purchase order is issued.

Section 7. The amount of \$303,000.00 is appropriated in Fund 45099000 Project Definition 26-00230, Botanical Garden ADA Improvements Phase II Project, WBS element 26-00230-05-08-01 and is authorized to be encumbered and made payable to LVA Construction Company when a purchase order is issued.

Section 8. The amount of \$45,000.00 is appropriated in Fund 45099000 Project Definition 26-00230, Botanical Garden ADA Improvements Phase II Project, WBS element 26-00230-05-08-02 and is authorized to be encumbered and made payable for Construction Contingency when a purchase order is issued.

Section 9. The amount of \$25,000.00 is appropriated in Fund 45099000 Project Definition 26-00230, Botanical Garden ADA Improvements Phase II Project, WBS element 26-00230-05-08-

SW/mgc
10/06/05
Item No. 18

03 and is authorized to be encumbered and made payable for Park Materials when a purchase order is issued.

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, the Interim City Manager, or the City Manager's designee, 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 11. This ordinance shall be effective on and after October 16th, 2005.

PASSED AND APPROVED this 16th day of October, 2005.



M A Y O R

PHIL HARDBERGER

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney