

AN ORDINANCE **101831**

ACCEPTING THE LOW, QUALIFIED BID BY MANUEL ORTIZ CONSTRUCTION, LLC, A SBE/MBE FIRM, TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE SPRING TIME PARK POOL IMPROVEMENTS PROJECT IN DISTRICT 8 FOR A TOTAL CONTRACT COST OF \$372,104.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; ALLOCATING \$10,126.00 FOR CONSTRUCTION CONTINGENCY, \$52,726.00 FOR PARK MATERIALS, AND \$5,500.00 FOR BID ADVERTISING AND PRINTING; AUTHORIZING APPROPRIATIONS OF \$440,456.00 FROM 2003-2007 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

* * * * *

WHEREAS, funding was approved in the 2003 Park Bond Issue for improvements to Spring Time Park Pool located at 6571 Spring Time in City Council District 8; and

WHEREAS, the scope of the work will include construction of a pool restroom building, new pool deck, access walks, new pool filter equipment, piping, and security lighting; and

WHEREAS, the Arizpe Group completed the architectural design plans for the new improvements; and

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

WHEREAS, three qualified (3) bids were received and Manuel Ortiz Construction, LLC, a SBE/MBE firm, was selected with a low bid of \$372,104.00; **NOW THEREFORE:**

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

Section 1. The low qualified bid of \$372,104.00 from Manuel Ortiz Construction, LLC. for capital improvements as part of the City's Spring Time Park Pool Improvements Project is hereby accepted. The City Manager, or her 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 \$440,456.00 is appropriated in fund 45804000, 2003 Parks Improvement Bonds, WBS GO-00447-01-01-33 GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00153-90-06. The amount of \$440,456.00 is authorized to be transferred to fund 45099000.

Section 3. The budget in fund 45099000, Project Definition 26-00259, Spring Time Pool Improvements, shall be revised by increasing WBS element 26-00259-90-06, entitled TRF FR WBS GO-00447-01-01-33, GL account 6101100 – Interfund Transfer In, by the amount of \$440,456.00.

Section 4. The amount of \$372,104.00 is appropriated in Fund 45099000, Project Definition 26-00259, Spring Time Pool Improvements, WBS element 26-00259-05-08-01 is authorized to be encumbered and made payable to Manuel Ortiz Construction.

Section 5. The amount of \$52,726.00 is appropriated in Fund 45099000, Project Definition 26-00259, Spring Time Pool Improvements, WBS element 26-00259-05-09 is authorized to be encumbered and made payable for park materials.

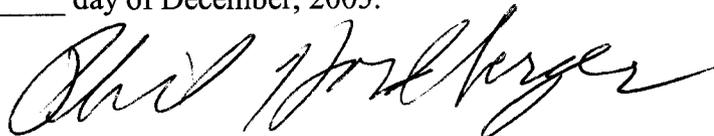
Section 6. The amount of \$10,126.00 is appropriated in Fund 45099000, Project Definition 26-00259, Spring Time Pool Improvements, WBS element 26-00259-05-08-02 is authorized to be encumbered and made payable for construction contingencies.

Section 7. The amount of \$5,500.00 is appropriated in Fund 45099000, Project Definition 26-00259, Spring Time Pool Improvements, WBS element 26-00259-01-10 is authorized to be encumbered and made payable for advertising fees.

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 allocations 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 9. This ordinance shall be effective on and after 25th day of December, 2005.

PASSED AND APPROVED this 15th day of December, 2005.



M A Y O R

PHIL HARDBERGER

ATTEST: Leticia N. Vaid
City Clerk

APPROVED AS TO FORM: Hollis Young
City Attorney

Section 00300

**BID FORM SUBMITTED TO THE
CITY OF SAN ANTONIO, TEXAS
FOR THE CONSTRUCTION OF**

SPRINGTIME PARK SWIMMING POOL RENOVATION

IN SAN ANTONIO, TEXAS

The undersigned, as Bidder, declares that the only person or parties interested in this bid as principals are those named herein; that this bid is made without collusion with any other person, firm, corporation; that Bidder has carefully examined the Project Manual and plans therein referred to, and has carefully examined the requirements of the proposed work; and agrees that the Bidder will provide all the necessary machinery, tools, apparatus, and other means of construction, and will do all the work and furnish all the materials called for in the Project Manual and plans in the manner prescribed therein and according to the requirements of the Director of Public Works as therein set forth.

It is understood and agreed that the work is to be completed in full on or before One Hundred Fifty (150) calendar days.

Accompanying this Bid is a Bid Guaranty in the amount of five Percent (5%) percent of the greatest total amount of the Bid. Said Bid Guaranty, in the form of a Certified or Cashier's Check on a State or National Bank, or Bid Bond, is submitted as a guaranty of the good faith of the Bidder and that the Bidder will execute and enter into a written contract to do the work, if his bid is accepted. The Bidder by submitting this completed form hereby agrees that if he/she fails to execute the written contract and furnish satisfactory bond, within ten (10) calendar days after City Council award, the City of San Antonio shall, in any of such events, be entitled and is hereby given the right to retain said Bid Guaranty as liquidated damages. It is understood that the City of San Antonio reserves the right to reject any and all proposals whenever the City Council deems it in the interest of the City to do so, and also the right to waive any informalities in a bid.

In the event of the award of a contract to the undersigned, the undersigned will execute same on Construction Contract (General Form) and make bond for the full amount of the contract, to secure proper compliance with the terms and provisions of the contract, and to insure and guarantee the work until final completion and acceptance or the end of the guarantee period where so stipulated, and to guarantee payment of all lawful claims for labor performed and materials furnished in the fulfillment of the contract.

The work proposed to be done shall be accepted when fully completed and finished to the entire satisfaction of the Director of Public Works. The undersigned certifies all prices contained in this bid have been carefully checked and are submitted as correct and final.

The Bidder by submitting this bid acknowledges that they have received Addenda/Addendum number(s) 1

The Bidder is:

- A sole proprietorship;
 A partnership composed of _____

and _____

- A corporation chartered under the laws of the State of TEXAS, acting by its officers pursuant to its by-laws or a resolution of its Board of Directors.

(Affix Corporate Seal here)

MANUEL ORTIZ CONST. LLC

Official Business name

By: MANUEL ORTIZ, OWNER

Type or print name/title of representative

Attest:

By: Manuel Ortiz 10/5/05

Signature

Date

I. BASE BID

Amount of Base Bid (Insert Amount in Words and Numbers):

~~THREE HUNDRED SEVENTY TWO THOUSAND~~ THREE HUNDRED SEVENTY TWO THOUSAND FOUR \$ 372,104.00

II. Alternates

Amount of each Alternates (if applicable) insert in Numbers:

1 \$ 47,811

2 \$ 9,275

3 _____

III. Unit Prices Amount of each Unit Price (if applicable) insert in Numbers. Identify with "add" or "deduct" in front of each amount.

1 _____

2 _____

MANUEL ORTIZ CONST. LLC

Official Name of Company (legal)

1221 POINCIANA

Address

S.A. TX. 78245

City, State and Zip Code

210 679 7385

Telephone No.

210 679 7619

Fax No.

E-mail Address

Proposal Form Attachment

Certification of Non-Collusion

"The undersigned affirms that they are duly authorized to execute the proposed contract, that this company, corporation, firm, partnership or individual has not prepared this Bid in collusion with any other Bidder, and that the contents of this Bid as to prices, terms or conditions of said Bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this Bid.

By: MANUEL ORTIZ

Print or Type Name

OWNER

Print or Type Title/Position with Business

Manuel Ortiz

Signature

10/5/05

Date

Attachment I

Spring Time Pool Improvements
Project 26-00259

<u>Description:</u>	<u>Current Budget:</u>	<u>Revisions:</u>	<u>Revised Budget:</u>
REVENUES:			
2003 Park Bond Funds (\$482,000)	\$41,544.00	\$440,456.00	\$482,000.00
EXPENDITURES:			
26-00259-01-19-01 Transfer to Park Specifications Project	\$918.37	\$0.00	\$918.37
26-00259-01-19-01 Architectural Fees	\$35,040.00	\$0.00	\$35,040.00
26-00259-01-19-02 Architectural Contingency	\$2,585.63	\$0.00	\$2,585.63
26-00259-01-10 Bid Advertising & Printing Fees	\$1,000.00	\$5,500.00	\$6,500.00
26-00259-01-19-03 Mandatory Project Fees	\$2,000.00	\$0.00	\$2,000.00
26-00259-05-08-01 Construction Contract	\$0.00	\$372,104.00	\$372,104.00
26-00259-05-08-02 Construction Contingency	\$0.00	\$10,126.00	\$10,126.00
26-00259-05-09 Park Materials	\$0.00	\$52,726.00	\$52,726.00
Total:	\$41,544.00	\$440,456.00	\$482,000.00