

AN ORDINANCE **2006 - 01 - 26 - 0117**

ACCEPTING THE LOW, QUALIFIED BID, APPROPRIATING FUNDS AND AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT WITH ALL PRO GENERAL CONSTRUCTION, INC., A SBE/MBE FIRM, IN THE AMOUNT OF \$392,000.00, FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE JAPANESE TEA GARDEN IMPROVEMENTS AND ROOFING REPLACEMENT PROJECT IN THE SUNKEN GARDEN AREA OF BRACKENRIDGE PARK LOCATED IN DISTRICT 9, APPROPRIATING \$40,000.00 FOR CONSTRUCTION CONTINGENCY, \$4,000.00 FOR ARCHITECTURAL CONTINGENCY, AND \$1,400.00 FOR BID ADVERTISING AND PRINTING; FOR A TOTAL APPROPRIATED AMOUNT OF \$437,400.00 FROM 2003-2007 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

* * * * *

WHEREAS, funding was approved in the 2003 Park Bond Issue for improvements to rehabilitate the Japanese Tea Garden in the Sunken Garden area in Brackenridge Park in City Council District 9; and

WHEREAS, improvements will include structural repairs, roof replacement, and electrical upgrades and new electrical fixtures in the pagoda pavilion, and roof replacement, structural repairs, and masonry repairs for the concession building; and

WHEREAS, Debra J. Dockery, Architect, P.C., has completed the architectural plans associated with this project; and

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

WHEREAS, two qualified bids were received and All Pro General Construction, Inc., a SBE/MBE firm, was selected with the low bid of \$392,000.00; **NOW THEREFORE:**

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

Section 1. The low qualified bid of \$392,000.00 from All Pro General Construction, Inc. for capital improvements as part of the Japanese Tea Garden Improvements and Roofing Replacement 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 \$ 437,400.00 is appropriated in fund 45804000, 2003 Park Bonds, WBS GO-00047-01-01-46 GL account 6102100 – Interfund Transfer out entitled Transfer to 26-00252-90-01. The amount of \$ 437,400.00 is authorized to be transferred to fund 45099000.

Section 3. The budget in fund 45099000, Project Definition 26-00252, Brackenridge Park - Japanese Tea Gardens, shall be revised by increasing WBS element 26-00252-90-01, entitled TRF FR WBS GO-00047-01-01-46, GL account 6101100 – Interfund Transfer In, by the amount of \$ 437,400.00.

Section 4. The amount of \$ 392,000.00 is appropriated in Fund 45099000, Project Definition 26-00252, Brackenridge Park - Japanese Tea Gardens, WBS element 26-00252-05-08-02 and is authorized to be encumbered and made payable to All Pro General Construction, Inc., a SBE/MBE firm.

Section 5. The amount of \$40,000.00 is appropriated in Fund 45099000 Project Definition 26-00252, Brackenridge Park - Japanese Tea Gardens, WBS element 26-00252-05-07-01 and is authorized to be encumbered and made payable for construction contingency

Section 6. The amount of \$4,000.00 is appropriated in Fund 45099000 Project Definition 26-00252, Brackenridge Park - Japanese Tea Gardens, WBS element 26-00252-01-19-02 and is authorized to be encumbered and made payable for architect contingency.

Section 7. The amount of \$1,400.00 is appropriated in Fund 45099000, Project Definition 26-00252, Brackenridge Park - Japanese Tea Gardens, WBS element 26-00252-01-10 and is authorized to be encumbered and made payable for bid advertising and printing expenses.

Section 8. The financial allocations in the Ordinance are subject to approval by the Director of Finance for the City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct the allocation to specific Cost Centers, WBS elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

Section 9. This ordinance shall become effective on and after February 5, 2006.

PASSED AND APPROVED this 26th day of January, 2006.

ATTEST: *Letitia M. Vard*
City Clerk

Blair Bragg
M A Y O R

APPROVED AS TO FORM: *Hollis Young*
for City Attorney

Agenda Voting Results

Name: 5.

Date: 01/26/06

Time: 09:30:46 AM

Vote Type: Multiple selection

Description: An Ordinance accepting the low, qualified bid, appropriating funds and authorizing the execution of a standard construction contract with All Pro General Construction, Inc., a SBE/MBE firm, in the amount of \$392,000.00, for construction services in connection with the Japanese Tea Garden Improvements and Roofing Replacement Project in the Sunken Garden area of Brackenridge Park located in District 9, appropriating \$40,000.00 for construction contingency, \$4,000.00 for architectural contingency, and \$1,400.00 for bid advertising and printing; for a total appropriated amount of \$437,400.00 from 2003-2007 Park Bond funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

Exhibit I
Construction Bids
Japanese Tea Garden Improvements and Roofing
Replacement Project

<u>Bidder</u>	<u>Base Bid</u>
All Pro General Construction, Inc.	\$392,000.00
VW Brooks	\$495,700.00

Section 00300
BID FORM SUBMITTED TO THE
CITY OF SAN ANTONIO, TEXAS
FOR THE CONSTRUCTION OF

Japanese Tea Garden, Pagoda and Concessions Buildings
Improvements and Roofing Replacement

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 Ninety (90) 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.

06/04/04

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Bid Form

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

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)

All Pro General Construction Inc.

Official Business name

By: Roger Sanchez, Vice President

Type or print name/title of representative

Attest:

By: [Signature] 12-6-05

Signature

Date

I. BASE BID

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

Three Hundred Ninety Two Thousand Dollars \$ 392,000.00

II. Alternates

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

1 None

2 _____

3 _____

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

Pagoda

1. Add 1 x 6 wood nailers to match existing, per lineal foot. 8.⁵⁰
2. Add 2 x 4 wood roof framing to match existing, per lineal foot. 1.⁵⁰
3. Add 4" diameter wood pole roof framing to match existing, per lineal foot. 19.⁵⁰
4. Add 6" diameter wood pole roof framing to match existing, per lineal foot. 20.⁵⁰
5. Add 8" diameter wood pole roof framing to match existing, per lineal foot. 22.⁵⁰
6. Add masonry repointing per lineal foot of mortar joint. 22.⁵⁰

Concessions Building

7. Add 1 x 2 cedar trim, per lineal foot. 7.50
8. Add 1 x 4 nailers per lineal foot. 9.50
9. Add 1 x 6 cedar freeze trim, per lineal foot. 21.50
10. Add 2 x 4 wood rafters, per lineal foot. 12.50
11. Add 2 x 6 wood rafter outriggers, per lineal foot. 16.00
12. Add 4 x 6 wood rafter outriggers, per lineal foot. 21.50
13. Add 2 x 6 T & G wood roof deck to match existing, per lineal foot. 22.50
14. Add masonry repointing per lineal foot of mortar joint. 22.00
15. Add plaster repair per square foot of wall area. 11.00

All Pro General Construction Inc.

Official Name of Company (legal)

(210) 627-2563

Telephone No.

2221 E. Chavanteaux

Address

(210) 627-9244

Fax No.

San Antonio, Texas 78214

City, State and Zip Code

roger@allprogencomt.com

E-mail Address

Proposal Form Attachment

Certification of Non-Collusion

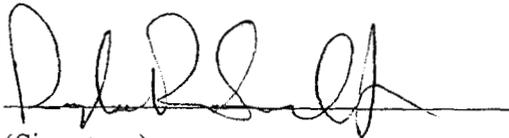
"The undersigned affirms that they are duly authorized to execute the proposed contract, that this company, corporation, firm, partnership or individual has not prepared this Bid in collusion with any other Bidder, and that the contents of this Bid as to prices, terms or conditions of said Bid have not 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: Roger Sanchez

(Print or Type Name)

Vice President

(Print or Type Title/Position with Business)



(Signature)

12-11-05

(Date)

End of Section 00300

06/04/04

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Bid Form