

AN ORDINANCE 2010-01-21-0037

**AWARDING A CONSTRUCTION CONTRACT WITH TCL CONSTRUCTION ENTERPRISES, INC. IN THE AMOUNT OF \$155,557.88 FOR THE SUNRISE PARK PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED AT 6525 BINZ ENGLEMAN IN COUNCIL DISTRICT 2.**

\* \* \* \* \*

**WHEREAS**, the Sunrise Park project (the Project) is located at 6525 Binz Engleman; and

**WHEREAS**, this ordinance awards a construction contract for installation of a playground, portable toilet enclosure, one picnic unit, walkway, parking upgrade, solar lighting, and landscaping; and

**WHEREAS**, additionally, four additive alternates were accepted for additional solar lights, an additional picnic unit, additional walkway to a basketball court, and benches at the playground; and

**WHEREAS**, project construction is anticipated to begin March 2010 with the estimated completion in August 2010; and

**WHEREAS**, the Project was advertised for construction bids in the Commercial Recorder, the San Antonio Observer, and La Prensa in October 2009; and

**WHEREAS**, the bid announcement was made on TVSA and through the Small Business Economic Development Advocacy (SBEDA) Office; and

**WHEREAS**, plans were also available for review by potential bidders at local plan rooms and available through CFZ Group, LLC (landscape architects) at 4242 Medical; and

**WHEREAS**, bids for this project were opened December 2, 2009 and 12 bidders responded. Of these, TCL Construction Enterprises, Inc. submitted the lowest responsive bid; **NOW THEREFORE:**

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

**SECTION 1.** The low qualified bid of \$155,557.88, including the 4 additive alternates listed in **Attachment I**, from TCL Construction Enterprises, Inc. for capital improvements as part of the Sunrise Park Project is hereby accepted. The contract described herein shall become effective upon the deposit of all required bonds and insurance certificates so long as such deposits are accomplished within sixty (60) days from the effective date of this ordinance. All other bids will be considered rejected upon the Contract becoming effective or the expiration of sixty (60) days from the effective date hereof, whichever occurs first. A copy of the contractor's executed Formal Invitation for Bids and Contract is on file with the Capital Improvements Management Services Department (CIMS) and is incorporated herein by reference.

**SECTION 2.** The amount of \$22,951.60 is appropriated in SAP Fund 29088000, Park's Acquisition, SAP Internal Order # 226000000449, SAP GL account 6102100 – Interfund Transfer out entitled Golf Vista Heights. The amount of \$22,951.60 is authorized to be transferred to SAP Fund 45099000.

**SECTION 3.** The amount of \$5,993.04 is appropriated in SAP Fund 29088000, Park's Acquisition, SAP Internal Order # 226000000429, SAP GL account 6102100 – Interfund Transfer out entitled Key Largo Estates. The amount of \$5,993.04 is authorized to be transferred to SAP Fund 45099000.

**SECTION 4.** The amount of \$15,391.49 is appropriated in SAP Fund 29088031, Park's Acquisition Escondido Creek, SAP Internal Order # 226000000373, SAP GL account 6102100 – Interfund Transfer out entitled Escondido Creek. The amount of \$15,391.49 is authorized to be transferred to SAP Fund 45099000.

**SECTION 5.** The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00127, Sunrise Park, shall be revised by increasing SAP WBS Element 40-00127-90-03 entitled Transfer from I/O# 226000000449, SAP GL Account 6101100 – Interfund Transfer In, by the amount of \$22,951.60.

**SECTION 6.** The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00127, Sunrise Park, shall be revised by increasing SAP WBS Element 40-00127-90-05 entitled Transfer from I/O# 226000000429, SAP GL Account 6101100 – Interfund Transfer In, by the amount of \$5,993.04.

**SECTION 7.** The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00127, Sunrise Park, shall be revised by increasing SAP WBS Element 40-00127-90-06 entitled Transfer from I/O# 226000000373, SAP GL Account 6101100 – Interfund Transfer In, by the amount of \$15,391.49.

**SECTION 8.** The amount of \$44,336.13 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00127, Sunrise Park, and the budget shall be revised by increasing/decreasing SAP WBS Element as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
40-00127-05-01	Advertise	5203040	Advertising/Publications	\$575.00	\$2,425.00	\$3,000.00
40-00127-05-02	Construction Costs	5201140	Construction Cost	\$147,540.00	-\$137,978.67	\$9,561.33
40-00127-05-02-01	Construction - City	5201140	Construction Cost	\$0.00	\$155,557.88	\$155,557.88
40-00127-05-02-02	Park Materials	5201040	Fees to Prof Contractors	\$0.00	\$3,500.00	\$3,500.00
40-00127-05-05	Construction Mandatory Fees	5201040	Fees to Prof Contractors	\$0.00	\$1,073.96	\$1,073.96
40-00127-05-06	Material Testing	5201040	Fees to Prof Contractors	\$0.00	\$3,500.00	\$3,500.00
40-00127-05-07	Project Contingency	5201140	Construction Cost	\$13,298.04	\$2,257.75	\$15,555.79
40-00127-05-08	Construction Capital Admin	5402010	Cap Prog Admin Cost	\$0.00	\$14,000.21	\$14,000.21
			TOTALS	\$161,413.04	\$44,336.13	\$205,749.17

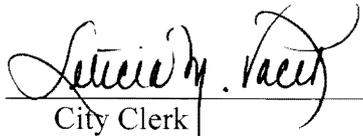
**SECTION 9.** The amount of \$155,557.88 from SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00127, Sunrise Park, is authorized to be encumbered and made payable to TCL Construction Enterprises, Inc. for construction services.

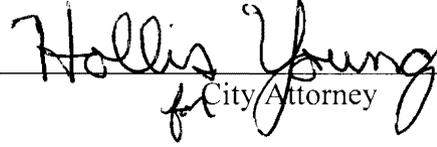
**SECTION 10.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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.

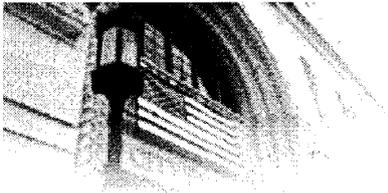
**SECTION 11.** This ordinance shall become effective immediately upon passage by eight (8) or more affirmative votes of the entire City Council; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

PASSED AND APPROVED this 21<sup>st</sup> day of January 2010.

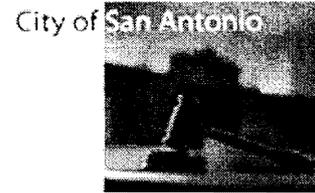
  
M A Y O R  
JULIÁN CASTRO

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney



Request for  
**COUNCIL**  
ACTION



### Agenda Voting Results - 13

<b>Name:</b>	7, 8, 9, 10, 11, 13, 16, 22, 24, 25, 26, 27, 30, 31A, 31B, 31C, 31D, 31E, 33, 35, 36, 38						
<b>Date:</b>	01/21/2010						
<b>Time:</b>	11:51:49 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance awarding a construction contract with TCL Construction Enterprises, Inc. in the amount of \$155,557.88 for the Sunrise Park Project, an authorized 2007-2012 General Obligation Bond funded project located at 6525 Binz Engleman in Council District 2. [Pat DiGiovanni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				x
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				

SUNRISE PARK - BASE BID & ACCEPTED ALTERNATES SUMMARY

<u>Amount</u>	<u>Item</u>	<u>Description</u>
\$ 129,982.88	Base Bid	
\$ 3,070.00	Add Alt 1	Add 1 picnic unit
\$ 18,030.00	Add Alt 2	Add 2 solar lights
\$ 1,875.00	Add Alt 4	Add concrete walk to basketball
\$ 2,600.00	Add Alt 5	Add 2 benches at playground
\$ 155,557.88	Total	