PW:gg
02-11-2016
Item No. 11.

AN ORDINANCE 2016-02-11-0069

ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT NOT TO EXCEED $880,802.95 TO MALDONADO NURSERY AND LANDSCAPING, INC. FOR THE LOW IMPACT LANDSCAPE PROJECT, A FEDERALLY FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 1, 2, AND 5.

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WHEREAS, the City has made a commitment to enhance the appearance of several highway entrances through the Low Impact Landscaping Project; and

WHEREAS, the Low Impact Landscaping Project around Downtown San Antonio Freeway entrances was selected to receive federal funding from the Texas Department of Transportation (TxDOT) Transportation Enhancement Program; and

WHEREAS, a nomination form was submitted by the City of San Antonio in November 2012 and approved by TxDOT on July 26, 2013 and was placed on the Metropolitan Planning Organization Statewide Transportation Improvement Program (TIP) FY 2013-2016; and

WHEREAS, a Master Landscape Construction and Maintenance agreement with TxDOT was approved for the City of San Antonio to design, install, and maintain landscape improvements to selected areas of state controlled right-of-way within the city; and

WHEREAS, the Low Impact Landscaping Project provides for the incorporation of low impact landscaping components, as well as, beautification in the downtown area by eliminating many grassy areas and replacing them with low maintenance, native vegetation and other landscape materials such as hardscape and rock complements which will reduce future maintenance costs at the five locations identified below:

1. IH-10 at Elmira
2. IH-35 at Theo / Malone
3. IH-35 at IH-37
4. IH-10 at Probandt, and
5. IH-37 at Carolina / Florida; and

WHEREAS, an Advanced Funding Agreement with the Texas Department of Transportation was approved by Council through Ordinance No. 2013-12-05-0873 for the Low Impact Landscaping around Downtown San Antonio Freeway Entrances Project; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **Maldonado Nursery and Landscaping, Inc.** in the amount not to exceed $880,802.95 for the Low Impact Landscaping Project; **NOW THEREFORE,**

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

SECTION 1. The lowest responsive bid of **Maldonado Nursery and Landscaping, Inc.** in the amount not to exceed $880,802.95 for the Low Impact Landscaping Project is hereby accepted. All other bids will be considered 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 ninety (90) days from the effective date hereof, whichever occurs first.

SECTION 2. A construction contract is hereby awarded to **Maldonado Nursery and Landscaping, Inc.**

a) The budget in SAP Fund 46099000, Grants Other Projects, SAP Project Definition 23-01405, Low Impact Landscaping, shall be revised by decreasing SAP WBS Element 23-01405-05-02-05 entitled Construction-TxDOT, SAP GL account 5201245, by the amount of $166,164.64.

b) Due to a Funding Agreement changes funds are authorized to be reduced from TXDOT in SAP Fund 46099000, Grants Other Projects, SAP Project Definition 23-01405, Low Impact Landscaping, and the budget shall be revised by decreasing WBS element 23-01405-90-10-01 entitled Transfer from I/O# 140000000184 (TXDot), SAP GL Account 6101100 - Interfund Transfer In, by the amount $383,866.64.

c) The budget in SAP Fund 2605923004, TxDOT Low Imp Lnd, shall be revised by decreasing SAP Internal Order # 123000000348 entitled TXDOT-Low Impact Landscaping, SAP GL Account 6101100 - Interfund Transfer In, by the amount $166,164.64.

d) Funds are authorized to be received from TXDOT to SAP Fund 46099000, Grants Other Projects, SAP Project Definition 23-01405, Low Impact Landscaping, and the budget shall be revised by increasing WBS element 23-01405-90-10-02 entitled Transfer from I/O# 123000000348 TXDot (City), SAP GL Account 6101100 - Interfund Transfer In, by the amount $217,702.00.

e) Payment in the amount not to exceed $880,802.95 in SAP Fund 46099000, Grants Other Projects, SAP Project Definition 23-01405, Low Impact Landscaping, is authorized to be encumbered and made payable **Maldonado Nursery and Landscaping, Inc.**, for construction services.

f) 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 3. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this **11th** day of **February, 2016.**

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for

Martha G. Sepeda, Acting City Attorney

Agenda Item:	**11 (in consent vote: 4, 5, 6, 7, 8, 9A, 9B, 10A, 10B, 11, 12, 13A, 13B, 14A, 14B, 14C, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32)**
Date:	02/11/2016
Time:	09:19:59 AM
Vote Type:	Motion to Approve
Description:	An Ordinance for a Low Impact Landscaping around Downtown San Antonio Freeway entrances, awarding a construction contract in the amount of $880,802.95 to Maldonado Nursery and Landscaping, Inc, a federally funded project, located in Council Districts 1, 2, and 5. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5	x					
Ray Lopez	District 6		x				x
Cris Medina	District 7		x			x	
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				