

**ADDENDUM NO. 2**

to the construction documents  
Beacon Hill Linear Park Phase One  
CIMS Project No. 2600572

RVK  
745 E. Mulberry, 6<sup>th</sup> Floor  
San Antonio, Texas 78212-3186



March 2, 2011  
09076.D

This addendum is hereby made a part of the construction documents to the same extent as though it were originally included therein. This addendum shall take precedence over the original construction documents where its provisions apply. The contractor shall be required to sign an acknowledgement of the receipt of this addendum at the time he/she receives it.

**ITEM NO.      DESCRIPTION**

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**GENERAL INFORMATION**

No Changes

**PROJECT MANUAL**

**SECTION 010 INVITATION FOR BIDS (IFB)**

1.01    Insert the Addendum Acknowledgement Form. Refer to ATTACHMENT "A", 1 page.  
Submit the form signed and dated with the bid proposal package indicating receipt of the number of Addendums received.

**SECTION 025 UNIT PRICING FORM**

1.02    Substitute and utilize the revised Unit Pricing Form per ATTACHMENT "B", 4 pages.  
Submit the form signed and dated with the bid proposal package.

**SECTION 091 HUD SUPPLEMENTAL CONDITIONS**

1.03    Insert and utilize the HUD Supplemental Conditions report per ATTACHMENT "C", 5 pages.

**SECTION 092 FEDERAL COMPLIANCE MANUAL 2008**

1.04    Insert and utilize the Federal Compliance manual per ATTACHMENT "D", 32 pages.  
Submit the form signed and dated with the bid proposal package.

**SECTION 01500 TEMPORARY FACILITIES AND CONTROLS**

1.05    Substitute and utilize the revised graphic of a Project Sign, per ATTACHMENT "E", 1 page.

**SECTION 01600 PRODUCT REQUIREMENTS**

1.06    Page 2, Section 3.01, Modify Paragraph "A.1" per the following:  
"Proposed substitutions submitted without use of the form provided at the end of this section **will not be considered.**"

**SECTION 02200 GEOTECHNICAL REPORT**

1.07    Insert and Utilize the ADDENDUM TO THE SUBSURFACE EXPLORATION AND FOUNDATION ANALYSIS per ATTACHMENT "F", 12 pages.

**SECTION 2310 GRADING**

- 1.08 Page 13, Section 3.05, Modify Paragraph "1.3" per the following:  
"Shrub Beds: 12 inches."

**SECTION 02881 PLAYGROUND EQUIPMENT**

- 1.09 Insert and utilize the section attachment "INSTALLATION FOR PLAYWORLD SYSTEMS ORIGINS GARDEN GATE", per ATTACHMENT "G", 10 pages.

**SECTION 2930 EXTERIOR PLANTS**

- 1.10 Page 3, Section 1.10, Modify Paragraph "A" per the following:  
"1. Warranty trees for a period of two (2) years following the date of final acceptance to be alive and in satisfactory growth at the end of the warranty period.  
"b. Periodic inspections shall be made by the City Forester or designee after tree installation until the end of the warranty period. Any trees that are dead or in an unhealthy condition, as determined by the City Forester or designee, due to the Contractor's negligence shall be immediately removed and replaced at the Contractor's expense."
- 1.11 Page 7, Section 3.05, Modify Paragraph "A" per the following:  
"2. Keep mulch three (3) inches away from the tree trunk."

**SECTION 2935 LANDSCAPE MAINTENANCE**

- 1.12 Page 2, Section 3.02, Modify Paragraph "A.1" per the following:  
"1. Restore planting saucers. Restore Dress mulch around the base of the tree for a three (3) foot radius around the trunk and a depth of two (2) inches. Mulch shall not be closer than three (3) inches to the trunk of the tree."
- 1.13 Page , Section 1.05, Insert Paragraph "C" per the following:  
"C. Extended Tree Maintenance Period:  
1. Contractor shall be responsible for watering, weeding, mulching, pruning, and staking and guying the trees as needed for twenty-four (24) growing months after the project is accepted. The City shall provide the Contractor a minimum of a thirty (30) day notification if continuation of maintenance services for an additional twelve (12) months is required. Continuation of maintenance services shall be billed in accordance with the prices bid within the Unit Bid Pricing Form.  
2. Conduct maintenance only on trees installed by the Contractor."

**SECTION 04410 STONE MASONRY FOR LANDSCAPE**

- 1.14 Page 1, Section 1.01, insert the following:  
"E. Field stone paving  
F. Stone Slab Benches  
G. Stone Slab Bridge"
- 1.15 Page 1, Section 1.02, Insert the following:  
"C. ASTM C270 – Standard Specification for Mortar for Unit Masonry, latest edition"
- 1.16 Page 1, Section 1.04, Insert the following:  
"D. Installer Qualifications per section 1.05 – Quality Assurance"
- 1.17 Page 2, Insert Section "1.08 MOCK UP" and include following:  
"A. Provide mock-up, four (4) feet x four (4) feet demonstrating field stone paving.  
1. Locate where directed by Landscape Architect or by the Owner's representative"

1. Locate where directed by Landscape Architect or by the Owner's representative
  2. Mock up may remain as part of the work if found acceptable by the Landscape Architect and/ or Owner's representative."
- 1.18 Page 2, Insert Section "1.09 WARRANTY", and include the following:  
"A. See Section 01750 – CLOSEOUT SUBMITTALS, for additional warranty requirements.  
C. Provide one (1) year warranty for field stone paving and dry stack stone walls.  
1. Correct defective work within a one (1) year period after date of Substantial Completion."
- 1.19 Page 2, Section 2.01, remove item No. 2 within Paragraph "A" – "2. Collected from site during clearing and excavation purposes."
- 1.20 Page 2, Section 2.01, insert the following paragraphs:  
"F. Field Stone: approved stone material:  
1. West Texas Cream flagstone, Available Keller Materials, San Antonio, Texas (210) 390-0935.  
2. Grand Canyon flagstone, Available Keller Materials, San Antonio, Texas (210) 390-0935.  
3. Arizona Oak flagstone, Available Keller Materials, San Antonio, Texas (210) 390-0935.  
G. Wall Stone: limestone of size and type shown on plans  
H. Stone Slab Benches and bridge: provide type and sizes as shown on plans"
- 1.21 Page 2, Section 2.02 insert the following paragraphs:  
"B. Mortar: Exterior Grade mortar. Color to match stone."
- 1.22 Page 3, Section 3.03 insert the following paragraphs:  
"C. Field Stone Paving:  
1. Excavate sub-grade to depth for pavement subbase.  
2. Place subbase and base as shown on plans.  
3. Place field stone pieces to fit with a maximum joint width of ½" and maximum void/ space of four (4) square inches. Saw cut stone at edges of paving and at junctures with other paving surfaces or concrete structures.  
4. Tolerance of variance in level of top of fieldstone paving is 1/8 of an inch."

#### **SECTION 10200 SHADE STRUCTURE**

- 1.23 Page 4, Section 2.05, modify paragraph "A" per the following:  
"The foundation design shall be based on the following:  
1. Soil conditions in the vicinity of existing surfaces  
2. Building codes  
3. Structural load requirements in accordance with the American Concrete Institute, ACI 318-95  
4. Geotech Report of Section 02200  
5. The location and depth of the existing sub-grade culvert  
5. In accordance with the plans."

### **CONSTRUCTION DRAWINGS**

#### **SHEET L0.2 DEMOLITION PLAN**

**SHEET L0.3 DEMOLITION PLAN**

- 1.25 Modify demolition of concrete curbs per partial Demolition Plan, ATTACHMENT "I", 1 page 8-1/2" x 11".

**SHEET L1.2 HARDSCAPE PLAN**

- 1.26 Substitute a portion of the hardscape plan with the revised PARTIAL HARDSCAPE PLAN – 1/L1.12 per ATTACHMENT "J", 1 page, 11" x 17"
- 1.27 Detail 3/L1.2 – HARDSCAPE PLAN ENLARGEMENT, SHEET L1.2, Substitute the REVISED DETAIL 3/L1.2 – HARDSCAPE PLAN ENLARGEMENT per ATTACHMENT "K", 11" X 17"
- 1.28 Detail 5/L1.2 – HARDSCAPE PLAN ENLARGEMENT, SHEET L1.2, Substitute the REVISED DETAIL 5/L1.2 – HARDSCAPE PLAN ENLARGEMENT per ATTACHMENT "L", 11" X 17"

**SHEET L1.3 HARDSCAPE PLAN**

- 1.29 Detail 1/L1.3 – HARDSCAPE PLAN, SHEET L1.3, Substitute the REVISED DETAIL /L1.3 – HARDSCAPE PLAN per ATTACHMENT "M", 11" X 17"
- 1.30 Details 2/L1.3 and 4/L1.3 – HARDSCAPE PLAN, SHEET L1.3, Substitute the REVISED DETAILS 2/L1.3 – HARDSCAPE PLAN and 4/L1.3 – HARDSCAPE PLAN per ATTACHMENT "N", 11" X 17"

**SHEET L1.4 ENLARGED PLAY AREA**

- 1.31 Detail 2/ L1.4 SCHEDULE OF SITE FEATURES, Clarification concerning both Bongo Drums and the Garden Gate Arbor: Both features are not included as Additive Alternates and listed within the Unit Pricing Form

**SHEET L1.12 SIGN DETAILS**

- 1.32 Detail 1/L1.12 – SIGN TY 1- BEACON, SHEET L1.12, Substitute the REVISED DETAIL 1/L1.12 – SIGN TY 1 – BEACON per ATTACHMENT "O", 11" X 17"
- 1.33 Details 0/L1.12 – LOGO PANEL and 2/L1.12 – SIGN TY 2 - PARK, SHEET L1.12, Substitute the REVISED DETAILS 0/L1.12 – LOGO PANEL and 2/L1.12 – SIGN TY 2 - PARK per ATTACHMENT "P", 11" X 17"

**SHEET L1.14 PLUMBING PLAN**

- 1.34 Detail 1/L1.14 SHEET L1.14 – PLUMBING PLAN for the SHEET L1.14 – PLUMBING PLAN per ATTACHMENT "Q", 1 page, 24"x36"

**SHEET S0.2 STRUCTURAL NOTES**

- 1.35 Substitute the REVISED PARAGRAPH "VI. PAD PREPARATION" per ATTACHMENT "R", 1 page, 8-1/2" x 11"

**SHEET S1.0 FOUNDATION PLANS**

- 1.36 Detail 2/S1.0 – BASKETBALL COURT FOUNDATION PLAN, Substitute the REVISED Detail 2/S1.0 – BASKETBALL COURT FOUNDATION PLAN per ATTACHMENT "S", 1 page, 8-1/2" x 11"

**SHEET S2.1 FOUNDATION DETAILS**

- 1.37 Detail 1/S2.1 – TYPICAL EXTERIOR BEAM AT PAVING, Substitute the REVISED Detail 1/S2.1 – TYPICAL EXTERIOR BEAM AT PAVING per ATTACHMENT "T", 1 page, 8-1/2" x 11"

- 1.38 Detail 9/S2.1 – TYPICAL DRILLED PIER DETAIL FOR LIGHT POLE BASE, Substitute the REVISED 9/S2.1 – TYPICAL DRILLED PIER DETAIL FOR LIGHT POLE BASE per ATTACHMENT “V”, 1 page, 8-1/2” x 11”

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Larry A. Hicks, RLA, ASLA  
Principal  
RVK Inc.

END OF ADDENDUM NO. 2  
BEACON HILL LINEAR PARK

**CITY OF SAN ANTONIO  
DEPARTMENT OF CAPITAL IMPROVEMENTS MANAGEMENT SERVICES  
CONTRACT SERVICES DIVISION**

RECEIPT OF ADDENDUM NUMBER **TWO** IS HEREBY ACKNOWLEDGED FOR PLANS AND

SPECIFICATIONS FOR CONSTRUCTION OF **Beacon Hill Linear Park Phase One (26-00572)**

FOR WHICH BIDS WILL BE OPENED ON **Tuesday, March 8, 2011**

THIS ACKNOWLEDGEMENT MUST BE SIGNED AND RETURNED WITH THE BID PACKAGE.

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name/Title

CITY OF SAN ANTONIO

025 UNIT PRICING FORM

PROJECT NAME: Beacon Hill Linear Park

PROJECT NO. 26-00572

ITEM NO.	BID ITEM DESCRIPTION	UNIT OF MEASURE	UNIT BID PRICE
1	Project Sign, Complete in Place	EA	\$ _____
2	Silt Fence, Complete in Place	10 LF	\$ _____
3	Concrete Curb Removal and Disposal	CY	\$ _____
4	Concrete Pavement Removal and Disposal	CY	\$ _____
5	Concrete Retaining Wall Removal and Disposal	LF	\$ _____
6	Asphalt Removal and Disposal	CY	\$ _____
7	Clearing for New Project Improvements	1000 SF	\$ _____
8	Excavation/ Trenching (rock wheeled trencher) - 12" trench	10 LF	\$ _____
9	Excavation/ Trenching (rock wheel trencher) - 24" depth	10 LF	\$ _____
10	Rough Grading: topsoil and subsoil excavation	CY	\$ _____
11	Rough Grading: stockpiling of excavated topsoil and subsoil for reuse on site	CY	\$ _____
12	Rough Grading: disposal of excavated topsoil and subsoil off site	CY	\$ _____
13	Finish Grading, including subgrade scarification, topsoil placement (non landscape areas) and compaction of topsoil (non landscape areas)	CY	\$ _____
14	Excavation of Soil Materials for footings, slabs-on-grade and site structures	CY	\$ _____
15	Excavation of Soil Materials for utilities to utility main connections	CY	\$ _____
16	Loading and placing Excavated Soil Materials on site for reuse	CY	\$ _____
17	Disposal of Excavated Soil Materials	CY	\$ _____
18	General Fill: including excavation of existing soil, supplying fill; stockpiling, scarifying substrate surface, placing where required and	CY	\$ _____
19	Structural Fill: including excavation of existing soil, supplying fill; stockpiling, scarifying substrate surface, placing where required and compacting.	CY	\$ _____
20	Granular Fill: including excavation of existing soil, supplying fill; stockpiling, scarifying substrate surface, placing where required and compacting.	CY	\$ _____
21	Aggregates: including excavation of existing soil, supplying fill; stockpiling, scarifying substrate surface, placing where required and compacting.	CY	\$ _____
22	Concrete for Fill (Lean concrete), Complete in Place	CY	\$ _____
23	Subbase and base material, Complete in Place	CY	\$ _____
24	Sand, Complete in Place	CY	\$ _____
25	Topsoil (stripped from site), Complete in Place	CY	\$ _____
26	Topsoil (Supplemental or Imported), Complete in Place	CY	\$ _____
27	Planting Bed Soil, Complete in Place	CY	\$ _____
28	Planting Bed Soil Mix Type 2, Complete in Place	CY	\$ _____
29	Biofiltration Soil Mix, Complete in Place	CY	\$ _____
30	Turf Soil Mix, Complete in Place	CY	\$ _____
31	Subgrade Preparation under Built up Areas	SY	\$ _____
32	Subgrade Preparation in Paved Areas	SY	\$ _____
33	Soil Stabilization: excavation of subsoil, treatment and placement of aggregate solidifying emulsion	CY	\$ _____

CITY OF SAN ANTONIO  
025 UNIT PRICING FORM

PROJECT NAME: Beacon Hill Linear Park  
PROJECT NO. 26-00572

34	Soil Stabilization: excavation of subsoil, treatment and placement of soil cement mix	CY	\$
35	Temporary Irrigation System at Gramercy Play Park, Complete in Place	LUMP SUM	\$
36	Temporary Irrigation System at Fulton Park, Complete in Place	LUMP SUM	\$
37	Temporary Irrigation System at Michigan Corners, Complete in Place	LUMP SUM	\$
38	Temporary Irrigation System at Elsmere Eco Park South, Complete in Place	LUMP SUM	\$
39	Temporary Irrigation System at Elsmere Eco Park North (parcels between Elsmere Place and Lynwood Ave.), Complete in Place	LUMP SUM	\$
40	Automatic Irrigation System, Complete in Place	LUMP SUM	\$
41	Quick Coupler System at Gramercy Play Park, Complete in Place	LUMP SUM	\$
42	Quick Coupler System at Fulton Park, Complete in Place	LUMP SUM	\$
43	Quick Coupler System at Michigan Corners, Complete in Place	LUMP SUM	\$
44	Quick Coupler System at Elsmere Eco Park South, Complete in Place	LUMP SUM	\$
45	Temporary Irrigation System at Elsmere Eco Park North (parcels between Elsmere Place and Lynwood Ave.), Complete in Place	EA	\$
46	Asphalt Treated Base Trail/ Walkway with Aggregate Broadcast - 6' wide, Complete in Place	10 LF	\$
47	Asphalt Treated Base Trail/ Walkway - 6' wide- delete Aggregate Broadcast, Complete in Place	SY	\$
48	Flexible Base, Complete In Place	CY	\$
49	Asphaltic Concrete Paving, Complete in Place	SY	\$
50	Bituminous Concrete Paving, Complete in Place	SY	\$
51	Concrete Pavement - 5" thick without turn down beams, Complete in Place	SY	\$
52	Concrete Pavement - 5" thick with turn down beams and Rock Salt Finish, Complete in Place	SY	\$
53	Concrete Trail/ Walkway Section - 6' wide x 5" thick with turn down beam ends, Complete in Place	SY	\$
54	Concrete Sidewalk - 4" thick, Complete in Place	SY	\$
55	Basketball Court concrete slab and foundation, Complete in Place	LUMP SUM	\$
56	Concrete curb/ bench at Gramercy Play Park Pizza Garden, Complete in Place	LF	\$
57	Vertical Moisture Barrier around Basketball Court slab and foundation, Complete in Place	LF	\$
58	Concrete Curb at Play Area (Gramercy Play Park), Complete in Place	LF	\$
59	Concrete Curb edging at ATB Trail/ Concrete Paver juncture, Complete in Place	LF	\$
60	Concrete Street Curb with Asphalt Section, Complete in Place	SY	\$
61	Concrete Pavers on Sand Bed and Geogrid, Complete in Place	SY	\$
62	Poured in Place Rubber Surfacing, Complete in Place	SF	\$
63	Court Color Coating System, Complete in Place	LF	\$
64	Welded Wire Fence - 8 ht, Complete in Place	100 LF	\$
65	Wood Pole Barricade, Complete in Place	EA	\$
66	Fixed Bollard, Complete in Place	EA	\$
67	Cedar log wall at Play Cave, Complete in Place	EA	\$
68	Bench, Complete in Place	EA	\$
69	Trash Receptacle, Complete in Place	EA	\$
70	Recycling Receptacle, Complete in Place	EA	\$
71	Pet Waste Bag Dispenser, post and sign, Complete in Place	EA	\$
72	Basketball System, Complete in Place	EA	\$

CITY OF SAN ANTONIO

025 UNIT PRICING FORM

PROJECT NAME: Beacon Hill Linear Park

PROJECT NO. 26-00572

73	Picnic Unit : Concrete pavement, Asphalt treated base apron, accessible picnic table with benches, grill and trash receptacle - Complete in Place	EA	\$
74	Bongo Drum feature (installation only)	EA	\$
75	Garden Gate Arbor, Complete in Place	EA	\$
76	Multi-sport goal (Installation only), Complete in Place	EA	\$
77	Embankment Slide at Gramercy Play Park, Complete in Place	EA	\$
78	Water Tap at Gramercy Play Park (installation only)	EA	\$
79	Swaying Bridge site feature at Gramercy Play Park (installation only), Complete in Place	EA	\$
80	Flower Talk Tube with subgrade sound pipe (installation only), Complete in Place	EA PAIR	\$
81	Large Mushroom site feature at Gramercy Play Park (installation only), Complete in Place	EA	\$
82	Small Mushroom site feature at Gramercy Play Park (installation only), Complete in Place	EA	\$
83	Medium Hop Rock site feature at Gramercy Play Park, Complete in Place	EA	\$
84	Landscape - Seed - Midway Turf Mix, Complete in Place	1000 SF	\$
85	Landscape - Seed - Native Sun Turf grass, Complete in Place	1000 SF	\$
86	Landscape - Seed - Native Trail Mix, Complete in Place	1000 SF	\$
87	Landscape - Seed - Texas Oklahoma Native Roadside Mix, Complete in Place	1000 SF	\$
88	Landscape - Seed - Drainfield Turf Mix, Complete in Place	EA	\$
89	Landscape - Seed - Bermuda grass 'Black jack', Complete in Place	EA	\$
90	Landscape - Sod - Bermuda grass 'TIF 419', Complete in Place	EA	\$
91	Tree "PM"- 3" caliper, Complete in Place	CY	\$
92	Tree "QB" - 3" caliper, Complete in Place	LUMP SUM	\$
93	Tree "DT" - 15 gallon, Complete in Place	LUMP SUM	\$
94	Hardwood Mulch - tree preservation areas, planting beds and new tree plantings (installation only)	LUMP SUM	\$
95	Landscape Maintenance - 90 day period	LUMP SUM	\$
96	Extended Tree Maintenance - 24 month period after Final Acceptance	LUMP SUM	\$
97	Consultant services giving oversight during the establishment of native grass and wildflower areas	LUMP SUM	\$
98	Stone Block Wall (Dry Stacked Gravity Wall) at Gramercy Play Park between Main Node and Play Area, Complete in Place	EA	\$
99	Stone Block Low Wall with block step down (Dry Stacked Gravity Wall) @ Gramercy Play Park west of the embankment slide, Complete in Place	EA	\$
100	Stone Block Low Wall (Dry Stacked Gravity Wall) at Gramercy Play Park Theater, Complete in Place	EA	\$
101	Stone Slab Bridge at Gramercy Play Park, including abutment and cobble edge markers, Complete in Place	EA	\$
102	Stone Slab Benches at the Basketball court, Complete in Place	EA	\$
103	Concrete Stage at Gramercy Play Park Theater, Complete in Place	EA	\$
104	Import Boulder, Size "A", Complete in Place	CY	\$
105	Import Boulder, Size "B", Complete in Place	SY	\$
106	Import Boulder, Size "C", Complete in Place	SY	\$
107	Stone Mulch Type "SM" at Planting Beds , Complete in Place	SY	\$

CITY OF SAN ANTONIO  
025 UNIT PRICING FORM

PROJECT NAME: Beacon Hill Linear Park  
PROJECT NO. 26-00572

108	Aggregate Band at Exist Drain Inlet with Stone Mulch Type "SM" and concrete pavement, Complete in Place	SY	\$ _____
109	Desert Wash Channel with Stone Mulch Type "SM" and concrete pavement, Complete in Place	SY	\$ _____
110	Small Rain Garden Basin with Stone Mulch Type "SM2" and Soil Separation Fabric , Complete in Place	SY	\$ _____
111	Desert Wash Edge with Stone Mulch Type "SM3" and Soil Separation fabric, Complete in Place	EA	\$ _____
112	Field Stone Paving, Complete in Place	EA	\$ _____
113	Aggregate Band, Complete in Place	EA	\$ _____
114	Texas MUTCD Sign and pole, Complete in Place	EA	\$ _____
115	Sign TY 1, Complete in Place	EA	\$ _____
116	Sign TY 2 – Park, Complete in Place	EA	\$ _____
117	Sign TY 3 – Play Area Group Designation, Complete in Place	EA	\$ _____
118	Sign TY 4 – Park Prohibitions, Complete in Place	EA	\$ _____
119	Sign TY 5 – Rain Garden Interpretation, Complete in Place	EA	\$ _____
120	Sign TY 6 – No Mow, Complete in Place	EA	\$ _____
121	Solar Light, pole and foundation, Complete in Place	EA	\$ _____

*Note: Assume unit of (1) before each unit of measure unless noted otherwise*

Unit Prices - Amount of each unit price shall be used as basis for Add/Deduct items pertaining to this contract. Unit prices shall include all labor, materials, profit and overhead, for complete installation per plans and specifications. Refer to Section - 02170 UNIT PRICES for detailed description of unit price.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

## 091 HUD Supplemental Conditions

This project is funded in whole or in part with funds from the U.S. Department of Housing and Urban Development. As a result, it is required that contractor complete this form and submit it on a monthly basis along with contractors pay estimate / payment application / invoice. The City will reject any invoice that does not contain this report.

BEACON HILL ADDENDUM NO. 2, ATTACHMENT "C" 5 PGS

# SECTION 3 UTILIZATION PLAN

PROJECT NAME: \_\_\_\_\_

## BIDDER/PROPOSER INFORMATION:

Name of Bidder/Proposer: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail Address : \_\_\_\_\_

## Instructions:

The purpose of Section 3 of the Housing and Urban Development Act of 1968 is to ensure that economic opportunities be directed to low-income persons and to businesses which provide economic opportunities to low-income persons.

The Section 3 Utilization Plan must be filled out by all prime contractors bidding on a HUD funded projects. For a list of certified Section 3 Businesses and Individuals, please refer to the database located at the Office of Grants Monitoring and Administration website at [www.sanantonio.gov/gma/programs/Section3.aspx](http://www.sanantonio.gov/gma/programs/Section3.aspx) or request assistance in developing your Section 3 Utilization Plan by calling (210) 207-5462.

The City of San Antonio receives HUD- sourced funding for housing rehabilitation, new housing construction, public infrastructure improvements, public facilities, park improvements, and economic development projects. The City has set the following goals to support business and individuals who have been certified under the City's Section 3 Utilization Plan.

1. **Employment:** Thirty percent (30%) of the aggregate number of new hires during a one year period of the project. (Example: A construction contractor hires 10 new workers. Three of the new workers should be Section 3 eligible persons.)
2. **Contracting:** (a) At least 10 percent (10%) of the total dollar amount of all Section 3 covered contracts for building trades work arising in connection with housing rehabilitation, construction, and other public construction with federal funds; and (b) At least three percent (3%) of the total dollar amount of all other covered Section 3 contracts to eligible Section 3 businesses.

If a business is not certified, or if an individual would like to be Section 3 certified, please call the Office of Grants Monitoring and Administration, Special Projects Division at (210) 207-5471 for information and details on how subcontractors may obtain certification.

Intake forms to start the certification process may be found at:  
[www.sanantonio.gov/gma/programs/Section3.aspx](http://www.sanantonio.gov/gma/programs/Section3.aspx)

*It is understood and agreed that, if awarded a contract by a sub-recipient agency or directly by the City of San Antonio, the Contractor will not make additions, deletions, or substitutions to this certified list without consent of the Office of Grants Monitoring and Administration through a submitted written revised Section 3 Utilization Plan.*

1. Please identify your organization's Section 3 point of contact. \_\_\_\_\_
2. List all contractors that will be used for this contract. (Indicate all Section 3 Businesses. Use additional sheets as needed.)

NAME, ADDRESS, & E-MAIL OF SECTION 3 CONTRACTOR	CONTRACT AMOUNT	Section 3	CERTIFICATION NUMBER

*Only companies certified as Section 3 businesses by the City of San Antonio or partnering agencies, can be applied towards the contracting goals. All Section 3 subcontractors must submit a copy of their certification certificate through the General Contractor. Proof of certification must be attached to this form.*

3. Estimated number of new hires due to the award of the contract \_\_\_\_\_
4. What percentage of the new hires will be certified Section 3 Individuals? \_\_\_\_\_
5. What signage and/or job postings will be placed at the project site to inform neighboring residents of Section 3 new hire opportunities?

4. Indicate outreach methods used to solicit bids from Section 3 Businesses.

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5. If Section 3 contracting and hiring goals will not be achieved in a percentage that equals or exceeds the City's goals, please give explanation.

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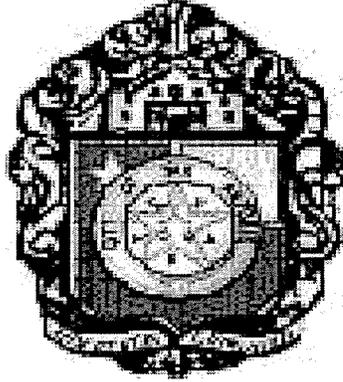
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6. List all Section 3 bids received but rejected. (Use additional sheets as needed.)

COMPANY NAME	Section 3 CERTIFICATION NUMBER	REASON FOR REJECTION





**CITY OF SAN ANTONIO  
DEPARTMENT OF GRANTS MONITORING AND ADMINISTRATION  
FEDERAL COMPLIANCE MANUAL**

*Revised February 2008*

## ***Introduction***

As sub-grantees you are an indispensable part of the City's federal grant program. You provide the City of San Antonio and the U.S. Department of Housing and Urban Development (HUD) with assurance that the diverse communities, groups and individuals whom the federal program is intended to serve are in fact reached by the program.

Procedures established for administration of the City of San Antonio and U.S. Department of Housing and Urban Development supported grant programs require adherence to several applicable Federal Regulations. To aid in the identification of those regulations and to establish uniformity in policies and procedures utilized for compliance with them, the Department of Grants Monitoring and Administration has compiled the "Federal Compliance Manual". This manual is not meant to constitute a complete compilation of all duties imposed upon sub-grantees by law or administrative ruling or to narrow the standards to which sub-grantees must adhere.

Certain requirements defined in this manual may not be the direct duty of the sub-grantee. Nevertheless the sub-grantee has ultimate responsibility for seeing that the requirement is met. All City departments, agencies and other contractors receiving federal funds for the operation of a project are required to adhere to all applicable regulations included in this manual.

## ***DISCLAIMER***

The views and materials presented herein are those of the City of San Antonio's Department of Grants Monitoring and Administration and not those of HUD. The recommendations and interpretations offered in this manual are meant to supplement, not replace, the formal regulations and policies of the Community Development Block Grant and HOME Entitlement Program. In areas of doubt, readers are advised to consult the specific program regulations.

## FEDERAL COMPLIANCE MANUAL

### I. Record Keeping

Accurate record keeping is crucial to the successful management of City funded activities. Insufficient documentation is likely to lead to monitoring findings, and these findings will be more difficult to resolve if records are *missing*, inadequate or inaccurate.

- A. The requirements for financial management systems and reporting are found in 24 CFR Part 85.20 for governmental and public agency sub-grantees, and in OMB Circular A-122 Attachment F, for non-profit sub-grantees. The purpose of these requirements are to ensure that a sub-grantee receiving federal funds has a financial management system sufficient to:
1. Provide effective control over and accountability for all funds, property, and other assets;
  2. Identify the source and application of funds for federally sponsored activities, including verification of the reasonableness, allowability, allocability of costs, and verification that funds have not been used in violation of the restrictions or prohibitions that apply to this federal assistance; and
  3. Permit the accurate, complete, and timely disclosure of financial results, in accordance with the reporting requirements of the City or HUD.
- B. The soundness of any organization's financial management structure is determined by its system of internal controls. Internal controls consist of a combination of procedures, specified job responsibilities, qualified personnel, and records which together create accountability in an organization's financial system and safeguard its cash, property, and other assets. Through its system of internal controls, an agency's management can ensure that:
1. Resources are used for authorized purposes and in a manner consistent with applicable laws, regulations, and policies;
  2. These resources are protected against waste, mismanagement or loss; and
  3. Reliable information on the source, amount and use of resources is secured, maintained up-to-date, and disclosed in appropriate records and reports.
- C. Some of the basic elements that a sub-grantee should consider in developing its system of internal controls include:
1. An organizational chart setting forth the actual lines of responsibility of individuals involved

- in approving or recording financial transactions.
2. Written definition of the duties of key employees.
  3. A formal system of authorization and supervision sufficient to provide accounting control over assets, liabilities, receipts, and expenditures. This should include:
    - a. Maintenance of a policy manual specifying approval authority for financial transactions and guidelines for controlling expenditures; and
    - b. Written procedures for the recording of transactions as well as an accounting manual and a chart of accounts.
  4. Adequate separation of duties so no one individual has authority over an entire financial transaction. In organizations with very limited staff it may be difficult to achieve optimal separation of duties. In such instances, the most critical functional areas are separation between custody of cash, record keeping for cash, and control of assets easily converted to cash. Separation of duties specifically involves the separation of three types of functional responsibilities:
    - a. Authorization to execute a transaction;
    - b. Recording of the transaction; and
    - c. Custody of the assets involved in the transaction.
  5. Hiring policies to ensure that staff qualifications are commensurate with job responsibilities.
  6. Physical access to records, blank forms, cash and other assets should be limited to authorized personnel only. For example, access to accounting records should be limited to only those individuals having record-keeping or supervisory responsibility for them.
  7. Periodic comparisons of financial records to actual assets and liabilities, with corrective action taken in response to any discrepancies. As with separation of duties, it is a crucial exercise to uncover and correct inadvertent record-keeping errors in a timely manner. It is also essential for identifying potential weaknesses in an organization's system for safeguarding resources, as well as possible instances of fraud or misuse of assets.
- D. The system of authorizations should provide a way for management to ensure supervisory approval of transactions, and documentation of these transactions for accounting purposes. A system of authorizations can be general - as in a procedure manual which explains how accounting functions are to be performed - or very specific, as in identifying who has the authority to sign a contract on behalf of the organization or to sell a piece of equipment.

- E. Sub-grantees are required to have accounting records that adequately identify the source and application of City funds provided to them. To meet this requirement, a sub-grantee's accounting system should include at least the following elements:
1. A chart of accounts. This is a list of names and the numbering system for the individual accounts that contain the basic information about particular classifications of financial transactions for the organization.
  2. Cash receipts journal. This journal documents (in chronological order) when funds were received, in what amounts, and from what sources.
  3. A cash disbursements journal. This journal documents the expenditures of the organization in chronological order (e.g., when the expense was incurred, how much was spent, to whom it was paid, and for what purpose).
  4. A payroll journal. This journal documents the organization's expenses for salaries and benefits, and distinguishes different categories for regulatory purposes.
  5. A general ledger. After a transaction is entered in a journal, that information also should be transferred to the proper accounts contained in the general ledger. The general ledger summarizes in chronological order the activity and financial status of all the accounts of an organization. The entries in the journal and ledger should be crossed-indexed to permit the tracing of any recorded transaction (i.e., an audit trail).
- F. For the City's programs, these accounting records must contain reliable and up-to-date information about the source and uses of funds, including:
1. Federal grant awards (or sub-grantee allocations) received by the organization;
  2. Current authorization and obligations of City funds;
  3. Un-obligated balances (funds remaining available for distribution);
  4. Assets and liabilities;
  5. Program income;
  6. Actual outlays or expenditures, with further breakdown by:
    - a. The grant program from which the funds are derived;
    - b. The eligible activity classifications (housing and rehabilitation, economic development, public facilities, public service, etc.) or similar classifications that clearly indicate use of program funds for eligible activities.
- G. The internal control requirements provide for the separation of duties and the secure storage of accounting records in limited access areas. In maintaining these accounting records a sub-grantee should also ensure that:

1. Journal entries are properly approved and explained/supported;
  2. Posting and trial balances are performed on a regular basis; and
  3. Fidelity bond coverage is obtained for responsible officials of the organization.
- H. The standards for determining the reasonableness, allowability, and allocability of costs incurred as part of federally financed activities are found in 24 CFR Part 85 for governmental sub-grantees, and in OMB A-122 for nonprofit sub-grantees. According to basic guidelines contained within these OMB circulars, a cost is allowable under the federal program if:
1. The expenditure is necessary, reasonable and directly related to the grant. This standard applies equally to such items as salaries and administrative services contracts, as well as to real property and equipment purchases or leases, travel, and other administrative expenditures. In determining the reasonableness of a given cost, consideration shall be given to:
    - a. Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the organization or performance of the award;
    - b. The restraints or requirements imposed by such factors as generally accepted sound business practices, arms length bargaining, federal and state laws, and regulations, terms, and conditions of the award;
    - c. Whether the individuals concerned acted with prudence in the circumstances, considering their responsibilities to the organization, its members, employees and clients, the public at large, and the government; and
    - d. Significant deviations from the established practices of the organization that may unjustifiably increase the award costs.
  2. The expenditure has been authorized by the City, generally through approval of the budget for activity. The City, based upon the provision of the contract, may disallow any expenditure by sub-grantee on such activities exceeding the approved amount.
  3. The expenditure is not prohibited under federal, state, or local laws, or regulations.
  4. The expenditure is consistently treated, in the sense that the sub-grantee applies generally accepted accounting standards in computing the cost, and utilizes the same procedures in calculating costs as for its non-federally assisted activities.
  5. The cost must be allocable to the federal program. A cost is allocable to a particular cost objective (e.g., grant, program or activity) in proportion to the relative benefits received by that objective. This means that:
    - a. If an office is utilized by two programs during the same hours, the costs of the office must

- be allocated between the two programs on an equitable basis.
- b. The same expense cannot be claimed against more than one account (e.g., double billing is prohibited).
  - c. A cost originally allocable to a particular program cannot be shifted to another program in order to overcome deficiencies, to avoid restrictions imposed by the funding source or by law, or for any other reason;
  - d. The composition of direct and indirect costs must be clear. Direct costs must be identified specifically with a particular activity. Indirect costs are those incurred for common objectives, which benefit more than one activity. A sub-grantee's indirect costs must be supported by an indirect cost proposal/cost allocation plan.
6. The cost is net of all applicable credits. Any credits such as purchase discounts or price adjustments must be deducted from total costs charged. The sub-grantee is not allowed to make a profit from any costs charged to City funds.
- I. The general standard is that all accounting records must be supported by source documentation. Supporting documentation is necessary to show that the costs charged against City funds were incurred during the effective period of sub-grantee's contract with the City, were actually paid (or properly accrued), were expended on allowable items, and had been approved by the responsible officials in the sub-grantee's organization.
1. The source documentation must explain the basis of the costs incurred, as well as showing the actual dates and amount of expenditures.
    - a. With respect to payroll, source documentation includes employment letters and all authorizations for rates of pay, benefits, and employee withholdings. For staff time charged to the program activity, time and attendance records must be available.
    - b. With respect to the cost of space and utilities, space costs must be supported by documentation such as rental or lease agreements. The bills from the utility companies will support payment of utilities. Both types of expenses will be supported by canceled checks, if the cost of space or utilities is split between City funds and other funding sources, there must be a reasonable method in place to allocate the charges fairly among the sources.
    - c. With respect to supplies, documentation includes purchase orders or requisition forms initiated by an authorized representative of the sub-grantee, an invoice from the vendor (which has been signed and dated by the sub-grantee) indicating the goods were received and the canceled check from the vendor demonstrating that payment was made, and

information regarding where the supplies are being stored, and for what cost objectives they are being used.

2. All source documentation does not have to be located in the Department of Grants Monitoring and Administration's project files, but it must be readily available for review by the City, HUD or other authorized representatives at all times.
  3. The sub-grantee must ensure that either (a) an encumbrance/obligation is recorded whenever a contract is signed or purchase order is issued, or (b) up-to-date information on the status of all obligations is otherwise readily accessible.
  4. The sub-grantee must maintain a complete, accurate and up-to-date record of the receipt and use of City generated program income.
- J. Sub-grantees must have procedures in place to monitor obligations and expenditures against their approved budget(s) for City funded activities. The City is under no obligation to reimburse a sub-grantee for expenditures that exceed approved budget line items or the overall budget for City assisted activities. Therefore, the sub-grantee must have an on-going system to compare actual receipts, encumbrances, and expenditures with the City program budget in order to ascertain in a timely fashion whether it will be necessary to initiate a formal budget revision. In addition, since the budget reflects the sub-grantee's best estimate of the resources necessary to accomplish the project scope of services, any pattern of line item overruns should prompt a careful re-assessment of whether the available resources will still be sufficient to achieve the agreed-upon objective.
- K. Sub-grantees are required to have procedures in place to minimize the time elapsed between receipt of funds from the City and the actual disbursement of those funds.
1. The City operates under the cost reimbursement method that entails a transfer of City funds to the sub-grantee based on actual expenditures or incurred cost by the sub-grantee prior to the request for funds.
  2. Sub-grantee must include accurate information in its reimbursement requests. This requirement is intended to address the intentional falsification of reimbursement information.
  3. Sub-grantee must return erroneously reimbursed funds to the City in a timely fashion.
  4. Program income (other than program income deposited in a City authorized revolving fund) must be disbursed in payment of program costs prior to requesting further reimbursements from the City. (24 CFR 570.504(b)(2)(ii) and 570.504 (c)).
- L. Financial reports prepared by a sub-grantee must be accurate, timely, current, and represent a complete disclosure of the financial activity and status in each program under which assistance is received. A sub-grantee's accounting and record-keeping system must be able to support the data

included in (a) its reimbursement requests, (b) its other financial and progress reports, and (c) any submission necessary for the sub-grantee's performance reports.

## **II. Procurement and Contracting**

This section outlines the requirements for using Federal funds to purchase materials, products or services under the CDBG and HOME Entitlement programs. Whether you are a small agency purchasing occasional office supplies or a large organization contracting for millions of dollars of construction services, the requirements governing the purchasing process are designed to ensure free and open competition. You should seek to buy with City funds only what is necessary under the terms of your contract and no more. You should also be able to ensure the integrity of your purchasing decisions, to document the history, results and decisions behind your purchases, to follow the rules for certain kinds of transactions and to offer opportunities to low and disadvantaged firms to respond to your purchasing needs. By following these requirements you are helping to guarantee the fairness and the vitality of our free market system, and to ensure that taxpayer resources are not being wasted.

Sub-grantees will maintain a written code of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer or agent of the sub-grantees shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when: (i) The employee, officer or agent, (ii) Any member of his/her immediate family, (iii) His/her partner, or (iv) An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The sub-grantee's officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subcontracts. Sub-grantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by State or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the sub-grantee's officers, employees, or agents, or by contractors or their agents. The City/County may by regulation provide additional prohibitions relative to real, apparent, or potential conflicts of interest.

A. Grantee Responsibilities.

This section covers general information about the procurement requirements:

1. General provisions
2. Summary of Federal requirements
3. Bonding and insurance
4. Use of local, small, minority and/or women-owned businesses
5. Procurement Options
  - a. Small Purchases
  - b. Competitive Sealed Bid
  - c. Competitive Proposals
  - d. Non-competitive Proposals/Sole Source
6. Other Options for Performing the work
7. Continuing with a previously-selected contractor

B. General Provisions

The standards and procedures for procurement are intended to ensure that supplies, equipment, construction, and other services acquired in whole or part with federal funds are:

- Obtained as efficiently and economically as possible; and
- Procured in a manner that provides, to the maximum extent practical, open and free competition.

Solicitations must explain all the requirements that the bidder/offeror has to meet for his or her bid/offer to be evaluated by the sub-grantee. Solicitations for goods and services must be based on a clear and accurate description of the material, product, or service to be procured, and cannot contain features which unduly restrict competition. Some of the situations considered to be restrictive of competition include, but are not limited to:

- Placing unreasonable qualifying requirements on firms;
- Requiring unnecessary experience and excessive bonding;
- Specifying only “brand name” products instead of allowing an “equal” product;
- Non-competitive pricing practices between firms or affiliated companies; and
- Non-competitive awards to consultants on retainer contracts.

Awards are to be made to the bidder/offeror whose bid/offer is responsive to the solicitation and is most advantageous to the sub-grantee, price and other factors considered. Any and all bids may be rejected when it is in the sub-grantee’s interest to do so. The sub-grantee must ensure that the award is made only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. Consideration should be given to such matters as contractor

integrity, compliance with public policy, record of past performance, and financial and technical resources.

C. Summary of Federal requirements

1. Records and files. According to 24 CFR 85.36(b)(9), the sub-grantee must maintain records to detail the significant history of a procurement. The sub-grantee must maintain files on the rationale for selecting the methods of procurement used, selection of contract type, the contractor selection/rejection process, and the basis for the cost or price of a contract. (See Chapter 7 for more on recordkeeping.)
2. Pre-qualified lists of vendors/contractors. If such lists are used, they must be current, developed through open solicitation, include adequate numbers of qualified sources, and must allow entry of other firms to qualify at any time during the solicitation period (24 CFR 85.36(c)(4)).
3. Unfair competitive advantage. To eliminate unfair competitive advantage, if the sub-grantee has used a contractor to develop or draft specifications, requirements, statements of work, invitations for bids, and/or requests for proposals, the sub-grantee should exclude that contractor from the competition for such.
4. Debarred/ineligible contractors. The sub-grantee must ensure that awards are not made to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549, "Debarment and Suspension" (24 CFR 85.35).
5. Written procedures for contractor selection. The sub-grantee must have written selection procedures for procurement transactions, adequate to ensure that:
  - a. The purchase of unnecessary or duplicate items is avoided. Where appropriate, an analysis should be made of lease vs. purchase alternatives (24 CFR 85.36(b)(4));
  - b. Whenever possible, use of federal excess and surplus property, or of intergovernmental agreements for procurement or use of common goods and services should be considered as a way to foster greater economy and efficiency (24 CFR 85.36(b)(5) and (6));
  - c. All purchase orders (and contracts) are signed by the sub-grantee's authorized official(s);
  - d. Items delivered and paid for are consistent with the purchase order and/or contract for the goods or services;
  - e. Timely payment to vendors occurs once the order is delivered, inspected, accepted, and payment authorized;
  - f. A cost or price analysis is performed for every procurement action, including contract modifications, and documentation to that effect is maintained in the sub-grantee's files. The

method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the sub-grantee must make independent estimates before receiving bids or proposals (24 CFR 85.36(f)); and,

- g. Profit or fee is negotiated separately from price where competition is lacking or a cost analysis is performed. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of past performance, and industry rates for the area (24 CFR 85.36(f)(2)).
6. Contract pricing. The sub-grantee must not use "cost plus a percentage of cost" pricing for contracts (24 CFR 85.36(f)(4)); in addition, the sub-grantee should use "time and material" type contracts only after a determination is made that no other contract is suitable and the contract includes a ceiling price that the contractor exceeds at its own risk (24 CFR 85.36(b)(10)).
7. Protest procedures. The sub-grantee must have protest procedures in place to handle and resolve disputes relating to procurement (24 CFR 85.36(b)(12)).
8. Documenting contractor performance. The sub-grantee must have a documented system of contract administration for determining the adequacy of contractor performance (24 CFR 85.36(b)(2)).
9. Code of conduct. The sub-grantee must have a written code of conduct governing employees, officers, or agents engaged in the award or administration of contracts (24 CFR 85.36(b)(3)).

#### D. Bonding and insurance

For construction or facility improvement contracts or subcontracts exceeding \$100,000, the sub-grantee must ensure that its procurement meets the minimum federal requirements (24 CFR 85.36(h)) for bid guarantees, performance bonds, and payment bonds. These include:

1. A bid guarantee from each bidder equivalent to 5% of the bid price. The bid guarantee must be a firm commitment in the form of a bid bond, certified check or other negotiable instrument as assurance that the bidder is prepared to execute a contract within the time specified for the bid amount;
2. A performance bond from the (sub)contractor for 100% of the contract price to secure the (sub)contractor's fulfillment of all obligations under the contract; and,
3. A payment bond from the (sub)contractor for 100% of the contract price, to assure payment of all persons supplying labor and material under the contract.

E. Use of local, small, minority and/or women-owned businesses

1. Federal regulations make it very clear that sub-grantees should make every effort to use local business firms and contract with small, minority- owned, and women-owned businesses in the procurement process. Specifically, the sub-grantee must take affirmative steps to use small firms, minority-owned firms, women-owned firms, or labor surplus area firms in the grantee's CDBG-financed activities (24 CFR 85.36(e)). For example, the sub-grantee should:
  - a. Incorporate such businesses in solicitation lists whenever they are potential sources;
  - b. Ensure that such businesses are solicited when identified as potential sources;
  - c. Divide procurement requirements, when economically feasible, to permit maximum participation of such businesses; and
  - d. Require prime contractors, when subcontracts are let, to take affirmative steps to select such firms.
2. In conformance with the requirements of Section 3 of the Grants Monitoring and Administration Act of 1968, to the greatest extent feasible, the sub-grantee must award contracts for work to be performed to eligible business concerns located in or owned by residents of the target area to ensure that the employment and other economic opportunities generated by federal financial assistance for Grants Monitoring and Administration programs shall, to the greatest extent feasible, be directed toward low- and very-low income persons, particularly those who are recipients of government assistance for housing (see 24 CFR 570.607(b)).

Note, however, that the desire to award contracts to local firms is not a legitimate excuse for avoiding an open and competitive procurement process.

3. The City of San Antonio, as a public employer, has a policy to ensure equal employment opportunity and the City carries out affirmative action programs to fulfill that policy in the allocation of City of San Antonio contracts. It shall be the purpose of the Small Business Economic Development Advocacy (SBEDA) Program to increase minority business enterprise utilization in the awarding of City of San Antonio contracts for professional services, construction, and procurement, and, to better assist small business enterprise in competitively bidding on City projects or procurement. This program shall also assist business enterprises owned and controlled by women and business enterprises owned and controlled by handicapped individuals.

- a. It is the policy of the City of San Antonio that Small and/or Minority Business Enterprises shall have a maximum practicable opportunity to participate in the awarding of City contracts.
- b. The contractor agrees to use its best efforts to carry out this policy through award of sub-contracts to small and/or minority business enterprises to the fullest extent consistent with the efficient performance of the contract to which this Manual is attached and/or to which it relates.
- c. To the greatest extent feasible, sub-grantees shall adhere to the herein described SBEDA participation and utilization policies and provisions.

In the event of the contractor's failure or refusal to comply with this SBEDA clause, either during the bidding process or at any time during the term of a contract, the contract may be cancelled, terminated or suspended in whole or in part by the City of San Antonio.

#### F. Procurement Options

Contracted: If the sub-grantee wants to contract out for services, the sub-grantee must go through a procurement process. If the total cost of the project from all funding sources is less than \$100,000, the sub-grantee can procure services using one of several options discussed below. If the total cost of the project exceeds \$100,000, the sub-grantee may not use the small purchase method.

**No loss leader arrangements**: The intent of federal regulations is to require maximum open and free competition. Any "loss leader" type of arrangement in which a consultant offers to provide free services before an applicant receives a grant in return for a future contract is prohibited by federal regulations.

**Note about the procurement methods**: Among the procurement approaches described below, the competitive sealed bid resulting in a firm, fixed price contract is the preferred procurement approach when there are numerous available and qualified providers, when the requirements and specifications are thoroughly detailed and are unlikely to change, and where the sub-grantee has the opportunity to make the provider assume a large share of the risk for non-performance.

HUD allows grantees to follow either their local small purchase procurement policy or the federal policy. If the local policy is used, it must be at least as stringent as the federal policy, described below.

##### 1. Small Purchase

The small purchase method may be used for procurement of \$100,000 or less in the aggregate, pursuant to 24 CFR 85.36(d) (1). A procurement of more than \$100,000 may not

be inappropriately broken up into smaller components solely to qualify for the small purchase approach. Competition is sought through oral or written price quotations. The grantee must document the receipt of an adequate number (usually three) of price or rate quotations from qualified vendors.

2. Competitive Sealed Bid [24 CFR 85.36 (d)(2)]

The competitive sealed bid is the preferred method for procuring construction services. This method must lend itself to a firm, fixed price contract (lump sum or unit price) where the selection can be made principally on the basis of price.

- a. The sub-grantee must advertise the Invitation for Bid (IFB) in publications of general circulation;
- b. The IFB must include complete and accurate specifications and pertinent attachments, and clearly define items or services needed, in sufficient detail for the bidders to properly respond;
- c. Bids must be opened publicly at the time and place stated in the IFB;
- d. The sub-grantee must receive at least two or more responsible bids for each procurement transaction; and
- e. If awarded, the contract must be given to the lowest responsive and responsible bidder. The sub-grantee can, however, decide not to make the award to any of the bidders.

3. Competitive Proposals [24 CFR 85.36(d)(3)]

This method has two sub-parts—the Request for Proposal and the Request for Qualifications.

**Request for Proposals**

- a. The Request for Proposals (RFP) must clearly and accurately state the technical requirements for the goods and services required;
- b. The sub-grantee must publicize the RFP, and to the maximum extent practicable, honor reasonable requests by parties to have an opportunity to compete;
- c. Proposals must be solicited from an adequate number of qualified sources, consistent with the nature and requirements of the procurement;
- d. The sub-grantee must conduct a technical evaluation of the submitted proposals to identify the responsible offerors;
- e. As necessary, the sub-grantee must conduct negotiations with those offerors who are deemed responsive and responsible and fall within a competitive price range, based on the sub-grantee's evaluation of the bidders' pricing and technical proposals. After

negotiations, these bidders may be given the opportunity to submit a “best and final” offer; and

- f. The sub-grantee must award the contract to the most responsive and responsible offeror after price and other factors are considered through scoring the proposals or “best and final” offers according to predetermined evaluation criteria. The successful proposal/offeror must clearly be the most advantageous source of the goods and services.

#### Request for Qualifications

For procurement involving architecture or engineering services, the sub-grantee may use the Request for Qualifications (RFQ) competitive proposal procedure whereby competitors’ qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. In these instances, price is not used as a selection factor.

Once the most qualified firm is identified, only that firm is asked for a price proposal that is subject to negotiation of a fair and reasonable price. If negotiations with the selected firm are unsuccessful, this process is repeated with the next highest-ranked firm, until a fair and reasonably priced contract can be awarded. The sub-grantee must take care to document the basis for its determination of the most qualified competitor and the reasonableness of the contract price. This qualifications-based approach to the competitive proposals method may not be used to purchase types of services other than architectural and engineering services (24 CFR 85.36(d)(3)(v)).

For applicants’ information, the above-cited federal rule relating to the procurement of architectural and engineering (A/E) services is quoted verbatim:

“Grantees and sub-grantees may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors’ qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.”

This means that:

- ▶ Qualifications-based procurement can be used only for A/E services.
- ▶ A Request for Qualifications may be issued.
- ▶ The competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation.
- ▶ An RFQ cannot be used to purchase other types of services, even though A/E firms are potential sources to perform other types of services.

In addition, the federal procurement regulations generally discourage the use of local geographical preferences in the evaluation of bids or proposals except where mandated by federal statutes, due to the restrictions on open competition that result. However, in procuring architectural and engineering services, geographic location is permitted as a selection criteria provided this criterion leaves an appropriate number of qualified firms (24 CFR 85.36(c)(2)).

#### 4. Non-Competitive Proposals/Sole Source [24 CFR Part 85.36 (d) (4)]

This method may be used only under very limited circumstances and the sub-grantee must obtain the Department of Grants Monitoring and Administration's approval before using this method. When requesting permission to use this method, the sub-grantee will have to show that another method of procurement was not feasible because:

- a. The item or service was only available from a single source;
- b. A public emergency or condition requiring urgency existed which did not permit the use of competitive procurement; or
- c. Competition was determined to be inadequate after solicitation of proposals from a number of sources.

#### G. Continuing with a previously selected contractor.

If the jurisdiction has a consultant under a pre-existing, multi-year contract, it is permissible to continue to use that consultant for the new grant as long as the activity to be carried out was outlined in the original scope of work used to procure the consultant, and the process used to procure the consultant met Federal requirements.

Please note that multi-year contracts should be limited to three years and to one specialty area, such as housing, public works, or economic development. A single RFP for CDBG administrative services including housing, public works, and economic development is not consistent with federal procurement requirements. That is, an RFP of such broad scope would place unreasonable requirements on firms in order for them to qualify to do business. Therefore, the Department of Grants Monitoring and Administration restricts three-year contracting to specific specialty areas. A single RFP to carry out all CDBG and HOME housing-related activities or all CDBG economic

development-related activities is acceptable.

### **III. Civil Rights and Fair Housing, Employment and Contracting Opportunities**

For a more complete explanation of the standard and procedures relevant to any particular requirement, refer to the federal regulations, to the executive orders or laws cited, and to your written contract with the City of San Antonio.

The sub-grantee must certify that it will administer its federal funds in compliance with the following laws and Executive Orders:

- A. Title V of the Civil Rights Act of 1964 (Public Law 88-352): This law states that no person shall be refused on the grounds of race, color, or national origin, or be excluded from, participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
- B. The Fair Housing Act - Title VIII of the Civil Rights Act of 1968 (Public Law 90-284): This law prohibits discrimination in the sale, rental, and financing of housing and the provisions of brokerage services because of race, color, religion, sex, national origin, handicap, or familial status.
- C. Executive Order 11063, as amended by Executive Order 12259 (implemented in 24 CFR Part 107): This order and its implementing regulations require the Department of Grants Monitoring and Administration to take all actions necessary to prevent discrimination because of race, color, religion, sex, or national origin in the use, occupancy, sale, leasing, rental or other disposition of residential property assisted with federal loans, advances, grants or contributions.
- D. Section 104 (b) of Title I of the Grants Monitoring and Administration Act of 1974, as amended: This law provides that any grant under section 106 shall be made only if the sub-grantee certifies to the satisfaction of the Secretary of HUD that the sub-grantee will, among other things, affirmatively further fair housing.
- E. Section 109 of Title I of the Grants Monitoring and Administration Act of 1974, as amended: This section mandates that no person on the grounds of race, color, national origin, sex, or religion shall be excluded from participation, denied the benefits of, or otherwise be subject to discrimination under any activity funded in whole or in part with federal funds.
- F. Section 504 of the Rehabilitation Act of 1973, as amended: This section specifies that no otherwise qualified individual shall, solely by reason of his or her handicap, be excluded from participation (including employment), denied program benefits, or subjected to discrimination

under any program or activity receiving federal assistance.

- G. Americans with Disabilities Act of 1990: This law prohibits discrimination on the basis of disability in employment, state and local government services, and in public accommodation and commercial facilities. The Act defines the range of conditions that qualify as disabilities, and the reasonable accommodations that must be made to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for persons with disabilities.
- H. The Age Discrimination Act of 1975, as amended: This law provides that no person shall be excluded from participation, denied program benefits, or subjected to discrimination on the basis of age under any program or activity receiving federal assistance.
- I. Executive Order 11246 (as amended by Executive Order 11375 and 12086) Equal Opportunity Under HUD Contracts and HUD assisted Construction Contracts: This order requires that grantees and sub-grantees, and their contractors and subcontractors, agree not to discriminate against any employee or applicant for employment because of race, color, creed, religion, sex, or national origin.
  - 1. Exemptions to Equal Opportunity Clause (41) CFR Chapter 50:
    - a. Contracts and subcontracts not exceeding \$10,000 (other than government bills of lading) are exempt. The total amount of the contract, rather than the amount of the federal financial assistance, shall govern in determining the applicability of this exemption.
    - b. Except in the case of subcontractors for the performance of construction work at the site of construction, the clause shall not be required to be inserted in subcontracts below the second tier.
    - c. Contracts and subcontract not exceeding \$100,000 for standard commercial supplies or raw materials are exempt.
  - 2. Anyone contracting with the City for federally funded projects must insert the above clauses in all applicable subcontracts.
  - 3. The subcontractor will submit a quarterly report to the Department of Grants Monitoring and Administration three months after the start of work on the contract and every three months thereafter. Said report shall be made on HUD Form 3 (Economic Opportunities for Low and Very Low Income Persons in Completion with Federally Assisted Project) and the New Hire Form.
  - 4. Should the Department of Grants Monitoring and Administration determine a contractor to be in non-compliance with the equal opportunity requirements, procedures to “show cause” why funds should not be withheld will be reported with a copy of the report going to HUD.

- J. Section 3 of the Grants Monitoring and Administration Act of 1968 requires that to the greatest extent feasible, a sub-grantee must:
1. Ensure opportunities for training and employment arising in connection with housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing reconstruction, or other public construction project are given to low and very low-income persons residing within the metropolitan area in which the federally funded project is located; where feasible, priority should be provided to low and very low-income residents within the service area of the project or the neighborhood in which the project is located, and to low and very low-income participants in other HUD programs; and
  2. Award contracts for work undertaken in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing reconstruction, or other public construction projects to business concerns that provide economic opportunities for low and very low-income persons residing within the metropolitan area in which the federally funded project is located; where feasible, priority should be given to business concerns which provide economic opportunities to low and very low-income residents within the service area of the project or the neighborhood in which the project is located, and to low and very low-income participants in other HUD programs.

#### **IV. Labor Standards**

Sub-grantees are strongly encouraged to consult closely with the City during the planning of any construction or rehabilitation projects in order to assure that all the requisite labor standards will be properly observed.

##### **A. Statutory provisions.**

1. The Davis-Bacon Act, the Contract Work Hours and Safety Standards Act and the Copeland (Anti Kickback) Act apply to construction being assisted with federal funds except that housing rehabilitation projects with less than eight units do not trigger these requirements. The Fair Labor Standards Act (relating to minimum wages) will be applicable in most cases whether or not the previous acts apply. Sub-grantees must include provisions relating to the foregoing listed acts as more particularly described below in each application contract.
2. Davis-Bacon and Related Act (40 USC 276 (A)-7) ensures that mechanics and laborers employed in construction work under federally assisted contracts are paid wages and fringe benefits equal to those which prevail in the locality where the work is performed. This act

also provides for the withholding of funds to ensure compliance and excludes from the wage requirements apprentices enrolled in bona fide apprenticeship programs.

3. The Copeland (“Anti Kickback”) Act (40 USC 276c) governs the deductions from paychecks which are allowable and makes it a criminal offense to induce anyone employed on a federally assisted project to relinquish any compensation to which he/she is entitled, and requires all contractors to submit weekly payrolls and statements of compliance.
4. The Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333) provides that mechanics and laborers employed on federally assisted construction jobs are paid time and one-half for work in excess of 40 hours per week, and provides for the payment of liquidated damages where violations occur. This act also addresses safe and healthy working conditions.
5. Fair Labor Standards Act of 1938, as amended (29 USC 201, etc. seq.) Establishes the basic minimum wage for all work and requires the payment of overtime at the rate of at least time and one-half. It also requires the payment of wages for the entire time that an employee is required or permitted to work and establishes child labor standards.

## **V. Davis-Bacon Act Compliance Requirements**

The Davis-Bacon Act was enacted in 1931, amended in 1935 and 1964, to protect communities and workers from the economic disruption caused by competition arising from non-local contractors coming into an area and obtaining federal construction contracts by underbidding local wage levels.

The Davis-Bacon Act requires payment of locally “prevailing wages” and benefits to laborers or mechanics employed on direct federal contracts in excess of \$2,000 for construction, alteration, or repair (including painting and decorating) of public buildings or public works.

A complete copy of the Davis-Bacon and Related Acts is on file and available for review in the City’s Department of Grants Monitoring and Administration.

- A. All laborers and mechanics employed or working on the site of the work shall be paid unconditionally and not less often than once a week the full amount of wages and bona fide fringe benefits computed at rates not less than those contained in the wage determination.
  1. Employers who do not make contributions or payments to bona fide fringe benefits funds, plans, or programs shall pay an amount equivalent to the fringe benefit rate (if any) required on the wage determination directly to the employee added to the basic hourly rate of pay.
    - a. The employer may make payroll deductions as permitted by the Department of Labor

(DOL) Regulations 29 CFR Part 3. These regulations prohibit the employer from requiring employees to “kick back” any of their earnings. Deductions may include employee obligations for income taxes, Social Security payments, insurance premiums, retirement, savings accounts, and any other legally permissible deduction authorized by the employee. Deductions may also be made for payments on judgments and other financial obligations legally imposed against the employee.

- b. Each laborer and mechanic shall be classified in accordance with the work classification listed on the wage determination and the actual type of work he/she performs and shall be paid the appropriate wage rate and fringe benefits for the classification regardless of the level of skill.
  - c. Laborers and mechanics that perform work in more than one classification may be compensated at the rate specified for each classification provided that the employer maintains time records that accurately set forth the time spent in each classification in which work was performed. If accurate time records are not maintained, the employee shall be compensated at the highest of all wage rates for the classifications in which work was performed.
  - d. If the wage determination does not include a work classification needed for the construction of the project, HUD may approve an additional classification and wage rate.
2. Apprentices and trainees may be compensated at rates less than prescribed by the wage determination for their craft only in accordance with the following parameters.
- a. The apprentice or trainee shall be individually registered in a bona fide certification program.
  - b. Each apprentice and trainee shall not be paid less than the specified rate in the registered program for his/her level of progress. If the rate specified is represented as a percentage of the journeyman rate for that craft, the percentage shall be applied to the corresponding wage rate contained in the applicable wage determination.
  - c. The maximum number of apprentices or trainees employed on the site of work may not exceed the ratio of apprentices or trainees to journeymen permitted to the employer in the certified program. Apprentices or trainees, who are employed at the site in excess of the allowable ratio, shall be paid the wage rate contained on the applicable wage determination for classification of work actually performed. Compliance with the allowable ratio shall generally be met on a day-to-day basis.
  - d. In the event approval of an apprenticeship or trainee program is withdrawn, the employer

shall no longer be permitted to utilize apprentices/trainees at less than the predetermined rate for the type of work performed, unless or until an acceptable program is approved.

3. Payrolls and basic records to such payrolls shall be maintained by each employer with respect to his/her workforce employed on the site of the work. The principal contractor shall maintain such records relative to all laborers and mechanics working on the site of the work. Payrolls and related records shall be maintained during the course of the construction work and preserved by the contractor and all employers for at least 3 years following the completion of the work. Such records shall contain:
  - a. The name, address and social security number of each laborer and mechanic;
  - b. His or her correct work classification(s);
  - c. Hourly rates of pay including rates of contributions or costs anticipated for fringe benefits;
  - d. Daily and weekly number of hours worked, including any overtime hours;
  - e. Deductions made and actual net wages paid;
  - f. Evidence pertaining to any fringe programs;
  - g. Evidence of the approval of any apprenticeship or trainee program, the registration of each apprentice or trainee and the ratios and wages contained in the program.
4. Certified weekly payroll reports (CPRs) shall be submitted with respect to each week any contract work is performed. The principal contractor is responsible for full compliance with regard to its own workforce and with regard to the compliance of every subcontractor. For this reason, all CPRs and any related records are submitted to the CITY through the principal contractor.
  - a. CPR information may be submitted in any form provided that the CITY can reasonably interpret the information to monitor employer compliance with the labor standards.
  - b. CPRs shall be submitted for each contractor/subcontractor (employer) beginning with the first week such employer performs work on the site of the work. CPRs shall be submitted promptly following the close of each such pay week.
  - c. CPRs for each employer shall be numbered sequentially beginning with "1". The CPR for the last week of work performed on the project by each employer shall be clearly marked "final."
    - (1) The first payroll on which each employee appears shall contain the employee's name, address and social security number. Thereafter, the address and social security only need to be reported if there is a change in such information.

- (2) The first payroll on which any apprentice or trainee appears shall be accompanied with a copy of that apprentice's or trainee's registration in an approved program. A copy of the approved program pertaining to the wage rates and ratios shall also accompany the first CPR on which the first apprentice or trainee appears.
  - (3) The division of hours worked in different classifications shall be accurately maintained and clearly reported. The employer may list the employee once for each classification, distributing the hours of work accordingly, and reflecting the rate of pay and gross earnings for each classification. Deductions and net pay may be based upon the total gross amount earned for all classifications.
  - (4) The CPR should reflect only hours worked at the site of work. If an employee performs work at job sites other than the project for which the CPR is prepared, those hours should not be reported on the CPR. In these cases the employer should list employee's name, classification and the hours for this project only, and the rate of pay and gross earnings on this project. Deductions and net pay may be reflected based upon the employee's total earnings (for all projects) for the week.
- d. Employers are not required to submit CPRs for weeks during which no work was performed on the site of the work, provided that the CPRs are numbered sequentially or that the employer has provided written notice that its work on the project has been suspended.
- e. Each weekly payroll shall be accompanied by a "Statement of Compliance". The Statement of Compliance shall be executed by the original signature of the principal executive of the contractor/subcontractor, or of a person authorized in writing by the principal. The statement shall certify to the following:
- (1) That the payroll period documents contain the information required to be maintained and that the information is correct and complete;
  - (2) That each laborer or mechanic (including each helper, apprentice, or trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in federal regulation 29 CFR 3; and
  - (3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed as specified in the applicable wage determination incorporated into the contract.

- f. The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.
- (1) Each employer shall make the required records (CPRs and related documents) available for inspection copying or transcription by authorized representatives of the CITY, HUD, or DOL. In addition, each employer shall permit authorized representatives to interview employees during work hours on the job site.
  - (2) Failure by an employer to submit the required records or to make them available, or permit on-site employee interviews may, after written notice to the contractor, cause a suspension of any further payment, advance or guarantee of funds. In addition, failure to submit the records on request or to make them available may be grounds for debarment action pursuant to 29 CFR 5.12.
  - (3) In order to protect the personal privacy interests of employees, copies of weekly payrolls shall not be released to outside parties and may be withheld under Exemption 6 of the Freedom of Information Act (FOIA) unless the employees' personal identifiers (e.g., name, address, and social security number) are first deleted.
  - (4) The identity of any person providing information concerning the labor standards compliance of any contractor or subcontractor shall not be disclosed in any manner to anyone other than authorized City or Federal officials unless written consent is provided in advance by such person. Additionally, any portions of a statement or written document provided by such person that would reveal the identity of the source shall not be disclosed without prior written consent. Disclosure of such statements and documents shall be governed by the provisions of the Freedom of Information Act and the Privacy Act of 1974.

## **VI. Labor Standards Administration, Compliance Monitoring and Enforcement**

Routine monitoring of projects, Certified Payroll Records and related documentation is performed to ensure compliance of all employers with the applicable labor standards provisions. Monitoring identifies possible misunderstandings on the part of the employers, discrepancies in the records, and violations. Written monitoring reports to the principal contractor advise the contractor of the status of compliance, provide clarification where misunderstanding may exist, and informs the contractor of any additional submissions, which may be required to correct discrepancies or to complete the record.

- A. The City is responsible for the administration and enforcement of labor standards provisions for HUD assisted programs administered by the City. For each program and proposed project or contract the City shall:
1. Determine the specific labor standard parameters applicable to the project.
  2. Obtain the Davis-Bacon wage and hour determination and labor standards provisions applicable to the project from the HUD Labor Relations Field staff and ensure incorporation of the same in the project specifications.
  3. Ensure that the wage determination is still current at bid opening or other appropriate wage determination effective date.
  4. Verify the eligibility of the principal contractor.
  5. Conduct a Pre-construction Conference to inform and instruct the contractor and subcontractors concerning their wage and reporting obligations.
  6. Identify and initiate requests for additional classifications and wage rates needed for the construction of the project.
  7. Perform timely routine monitoring reviews of CPRs and related submissions for compliance with labor standards.
  8. Notify the principal contractor in writing of any labor standards deficiencies and required corrective actions.
  9. Investigate complaints of underpayment or other labor standards violations.
  10. Prepare and submit to HUD reports on all enforcement activity.
  11. As necessary, refer cases for administrative hearing (29 CFR, Part 5, 5.11) and/or makes recommendations for debarment (29 CFR, Part 5,5.12).
  12. As necessary, require escrow accounts to ensure the payment of outstanding wage or liquidated damages liability.
  13. Dispose of any escrow accounts established for labor standards purposes.
  14. Establish and maintain full documentation of all labor standards administration and enforcement activities.
- B. The City is responsible for the creation, maintenance and preservation of labor standards enforcement files for each project. The files shall be kept up-to-date, maintained in a consistent manner, and secured for the life of the active monitoring of the project and preserved for at least three (3) years following the completion of the project and the final disposition of any compliance issues. The City shall establish a system of labor standards enforcement files for each covered project.

- C. The City is responsible for the following monitoring activities:
1. Interviews of workers will be conducted on a regular basis and will include a broad sampling of the work classifications being employed on the project. (Record of Employee Interviews Form (form HUD-11)).
  2. On-site inspections will be made to ensure that the required notices are posted.
  3. Weekly payrolls will be reviewed and compared with employee interviews and wage rates to verify compliance with applicable labor standards and requirements (e.g. payment of minimum wages, payment of overtime, no ineligible deductions, etc.)
  4. Once the project is completed, a final wage compliance report shall be filed with HUD.
- D. For each construction contract, the Sub-grantee shall maintain a file with the following documentation:
1. Copy of wage rate request;
  2. Copy of wage rate, along with any additional classifications;
  3. Bid/contract documents with labor standards provision included;
  4. Contractor eligibility verification;
  5. Ten-day call verification;
  6. Pre-construction conference minutes/sign-in sheet;
  7. Payrolls, with evidence of their review;
  8. Notice of start of construction;
  9. Employee interviews;
  10. Evidence of any violations and corrective actions;
  11. Final wage compliance reports; and
  12. Monthly employment utilization reports, where applicable.
- E. Violations of the labor standards and requirements must be corrected. Failure to pay sufficient overtime wages will result in the assessment of liquidated damages in the amount of \$10 per worker per day. Only HUD and the Department of Labor are authorized to reduce or waive these liquidated damages. The contractor must be notified of his or her liability. Then, if appropriate, he or she may request a waiver.
- F. Debarred, Suspended and Ineligible Contractors and Sub-recipients. Federal cannot be used to directly or indirectly employ, award contracts to, or otherwise engage the services of any contractor or sub-recipient during any period of debarment, suspension or placement of ineligibility status. CITY will check all contractors, subcontractors, lower tier contractors and

sub-grantees against the Federal publication that lists debarred, suspended and ineligible contractors.

## **VII. Environmental Requirements**

In its use of federal funds, the City is required to assume responsibility for environmental review, decision-making and other actions that would otherwise apply to HUD under the National Environmental Policy Act of 1969 and other provisions of law. The Federal regulations explicitly prohibit Sub-grantees from assuming the City's environmental responsibilities.

However, under the applicable regulations, Sub-grantees are not allowed to incur program expenses until the City has completed an environmental review of the proposed activities, received the release of funds, and provided the Sub-grantee with formal clearance with directives for any action necessary to mitigate negative environmental impacts.

## **VIII. Historic Preservation**

Sub-grantees must comply with the provisions of the Historic Preservation Act and related laws and Executive Orders. Before any commitments are made for any physical improvements, alterations or demolition of any building, a sub-grantee must receive assurances from the City that they are in compliance.

Part of the City's responsibility is to consult with the State Historic Preservation Officer as to: (1) whether the property is or could be declared a historic property; (2) if the property is located in a historic district or an area which could be declared a historic district; (3) if the proposed changes to the property could adversely affect historic properties or neighborhoods which could be declared historic.

If properties can be adversely affected, prior to initiating project work, an agreement must be reached on appropriate mitigating measures with all parties identified. (36 CFR Part 800)

## **IX. National Flood Insurance Program**

If a community has had notice for more than a year that an area has been identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, federal funds cannot be used for acquisition or construction purposes in the area unless the community is participating in the National Flood Insurance Program and such insurance has been purchased for the properties in question.

## **X. Relocation, Real Property Acquisition and One-for-One Housing Replacement**

A sub-grantee must comply with (a) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) and 24 CFR 570.606(b); and (b) the requirements of 24 CFR 570.606(c) governing the Residential Anti-displacement and Relocation Assistance Plan (Plan) under section 104(d) of the GMA Act. The policies and requirements of these laws are described in HUD Handbook 1378, Tenant Assistance, Relocation and Real Property Acquisition.

Under URA and the Plan, the sub-grantee must provide relocation assistance to persons (families, individuals, businesses, non-profit organizations and farms) that are permanently displaced as a direct result of acquisition, rehabilitation, demolition or conversions for a federally assisted project. All property occupants must be issued certain notices on a timely basis. (Failure to issue timely notices may result in unnecessary expenses.)

The Plan also requires one-for-one replacement of any occupied or vacant low/moderate income housing that is demolished or converted to another non-residential use in connection with a federally assisted project. Finally, the Plan requires the identification of the steps that will be taken to minimize displacement.

## **XI. Lead-Based Paint**

There is a general prohibition against the use of lead-based paint in connection with any federally funded activities involving the construction or rehabilitation of residential structures. In addition:

- A. For properties constructed prior to 1978, the sub-grantee must notify applicants for rehabilitation assistance, and tenants or purchasers of properties owned by the sub-grantee or City and acquired or rehabilitated with federal funds, of the hazards of lead-based paint poisoning and the other specific information set out in 24 CFR 570.608(b)(2)(I) through (vi).
- B. According to 24 CFR 570.608(c)(3), for housing built prior to 1978 that is being rehabilitated with federal funds which may be occupied or frequented by families with children under seven years of age, the sub-grantee must undertake steps to ensure that such housing is inspected for defective paint and those surfaces found to be defective must be tested for the presence of lead paint. If lead-based paint is detected, all interior and exterior chewable surfaces found to contain lead must be treated in accordance with 24 CFR 570.608(c)(4).

## **XII. Political Activity**

Sub-grantees are prohibited from using federal funds to finance the use of facilities or equipment for political purposes, or to engage in other partisan political activities, such as sponsoring candidate forums, brochures, voter transportation, or voter registration.

## **XIII. Conflict of Interest**

Except for the use of federal funds to pay for salaries and other related administrative or personnel costs, the general standard is that no employee, agent, or officer of the sub-grantee, who exercises decision making responsibility with respect to the funds and activities, is allowed to obtain a financial interest in or benefit from the activities, or have a financial interest in any contract, subcontract or agreement regarding those activities or in the proceeds of the activities. Specific provisions include these requirements:

- A. Applies to any person who is an employee, agent, consultant, or officer, or elected or appointed official of the grantee, designated public agency, or sub-recipient, and their immediate family members, and business partner(s).
- B. Applies for such person during their tenure and for a period of one year after leaving the grantee or sub-grantee organization.
- C. Is applicable to the procurement of supplies, equipment, construction, and services; acquisition and disposition of real property; provision of assistance to individuals, businesses and other private entities for all eligible activities (24 CFR 570.201-204); and provision of loans to individuals, businesses, and other private entities.

### **Part 570.611 Conflict of Interest.**

- (a) *Applicability.*
  - i. In the procurement of supplies, equipment, construction, and services by sub-recipients, the conflict of interest provisions in 24 CFR 85.36 shall apply (see below).
  - ii. In all cases not governed by 24 CFR 85.36, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the sub-grantee to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities).

- (b) *Conflicts prohibited.* The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG/HOME activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG/HOME-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG/HOME-assisted activity, or with respect to the proceeds of the CDBG/HOME-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.
- (c) *Persons covered.* The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of sub-grantee that is receiving funds under this part.
- (d) *Exceptions.* (May happen in rare circumstances; see regulations for specifics).

Upon written request, exceptions may be granted by HUD, through the City, after consideration of the cumulative effect of various factors on a case-by-case basis and only with: (a) full disclosure of the potential conflict, and (b) a legal opinion of the sub-grantee's attorney that there would be no violation of state or local laws in granting the exception.

#### **XIV. Citizen Participation**

The citizen participation segment of the federal funding process must provide citizens with adequate information and notification regarding the amount of funds available for community development and housing activities, the range and scope of activities eligible, as well as other important program requirements as specified in the City of San Antonio Consolidated Plan Budget. Sponsors may submit proposals for projects that address priorities and needs as identified during the citizen participation process.

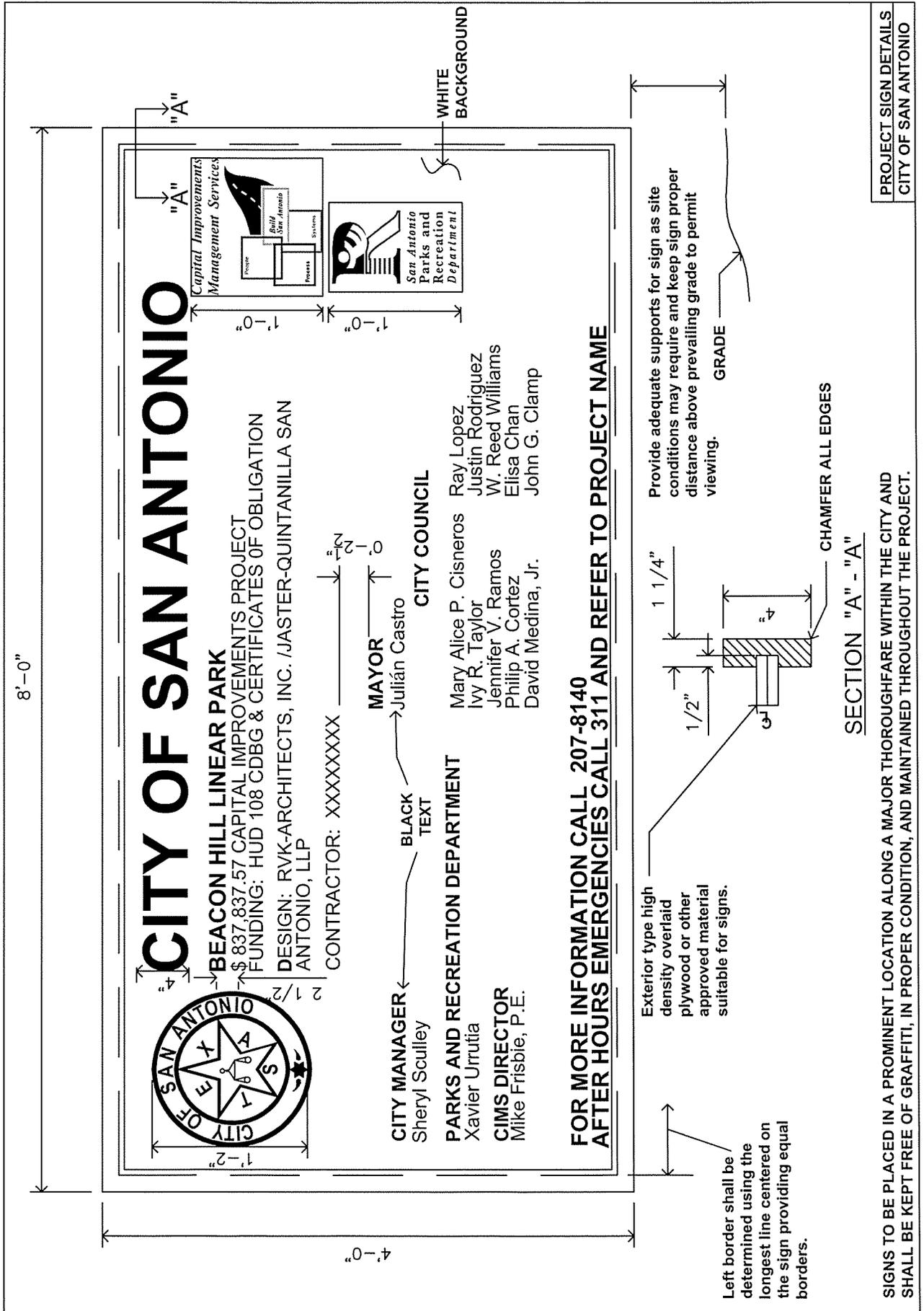
#### **XV. Resident Aliens**

Certain newly legalized aliens are not eligible to apply for benefits under covered activities handled by the CDBG and HOME programs. "Covered activities" are activities meeting

requirements of 24 CFR 570.208(a) that either (1) have income requirements limiting benefits exclusively to low and moderate income persons, or (2) are targeted geographically or otherwise to primarily benefit low and moderate income persons (except for activities that benefit the public at large), and provide benefits on the basis of an application.

## **XVI. References**

- 24 CFR 85, referred to as the "HUD common rule," establishes administrative requirements for grants to local government. 24 CFR 85.36 specifically addresses procurement. This chapter is largely based on the language contained in 24 CFR 85.36.
- 24 CFR 570.502(a)(12) invokes the "HUD common rule" for the State CDBG program.
- Federal Circular OMB A-87 establishes principles and standards for determining costs applicable to grants, contracts, and other agreements with state and local governments.
- Section 3 of the Housing and Urban Development Act of 1968, as amended, provides that to the greatest extent feasible, opportunities for training and employment that arise through State CDBG-financed projects shall be given to lower-income residents of a project area, and that contracts awarded in connection with such projects be awarded to businesses located in the project area or businesses owned, in substantial part, by residents of the project area.
- Section 109 of the Grants Monitoring and Administration Act of 1974, as amended, provides that no person shall be excluded from participation or employment, or be denied benefits, or be subjected to discrimination on the basis of race, color, national origin, or sex under any program or activity funded in whole or in part by the CDBG Program.
- Title VII, Civil Rights Act of 1964, provides that no person shall be excluded from participation, denied program benefits, or subjected to discrimination based on race, color, or national origin under any program or activity receiving federal financial assistance.
- Executive Order 11246, as amended, provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in any phase of employment during the performance of federal or federally assisted construction contracts.





**Integrated Testing and Engineering Company of San Antonio, L.P.**

Geotechnical & Environmental Engineering • Construction Services • Geologic Assessment

March 01, 2011

E.A. Palaniappan, Ph. D., P.E.  
Murali Subramaniam, Ph. D., P.E.  
Kaushi Subramaniam, B.S.

**Capital Improvements Management Services**

City of San Antonio  
San Antonio, Texas

Attention: **Ms. Alma Nunez, San Antonio Parks and Recreation**

Re: Addendum:  
Subsurface Exploration and Foundation Analysis  
Beacon Hill Linear Park Project  
**1406 Michigan Avenue and Gramercy Play Park**  
San Antonio, Texas

**InTEC Project No. S114015**

Gentlemen:

Integrated Testing and Engineering Company (InTEC) **completed a soil and foundation engineering report** (InTEC Project No. S111604 dated February 23, 2011) at the above referenced project site. A new concrete basketball court is planned to be built at 1406 Michigan Avenue location of the project. Slab on grade type foundation is being considered for this slab. It is our understanding that building pad preparation to reduce the anticipated potential vertical movement to 1 inch is not feasible at this time. As requested, we are proposing a vertical moisture barrier as an option to reduce the anticipated potential vertical movements. All other recommendations remain the same as in the original report.

We **appreciate and wish to thank you for the opportunity** to be of service to you on this project. If we can be of additional assistance during the materials testing-quality control phase of construction, please call us.

Respectfully Submitted,



InTEC of SAN ANTONIO  
F-7623

Very Truly Yours,  
**InTEC of San Antonio, L.P.**

Murali Subramaniam, Ph.D., P.E.

E.A. "Paul" Palaniappan, Ph.D., P.E.  
CHIEF ENGINEER

Copies Submitted: Above (1)

**BEACON HILL ADDENDUM NO. 2, ATTACHMENT "F" 12 PGS**

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## **DESIGN ENGINEERING ANALYSIS**

### **Foundation Design Considerations**

Review of the borings and test data indicates that the following factors will affect the foundation design and construction at this site:

- 1) The site is underlain by subsoils of high plasticity. Structures supported on or within the limestone will be subjected to **potential vertical movements or settlements on the order of 4 ½ to 5 ½ inches.**
- 2) The strengths of the underlying soils are adequate to support shallow or deep foundations.
- 3) Ground water seepage was not encountered in our borings at the time of the subsurface exploration phase.

### **Vertical Movements**

The potential vertical rise (PVR) for slab-on grade construction at the location of the structure had been estimated using Texas Department of Transportation Procedure TXDOT-124-E. This method utilizes the liquid limits, plasticity indices, and in-situ moisture contents for soils in the seasonally active zone, estimated to be about twelve feet at the project site.

The estimated PVR value provided is based on the proposed floor system applying a sustained surcharge load of approximately 1.0 lb. per square inch on the subgrade materials. **Potential vertical movement on the order of 4 ½ to 5 ½ inches was estimated at the finish grade elevation.**

**If proper drainage is not maintained, resulting potential vertical movements will be much greater than 2 or 3 times the anticipated vertical movements.**

If the existing grade is lower than the finish grade elevation, compacted crushed limestone select fill should be used to raise the grade. The select fill should be placed and compacted as recommended in Select Fill, Construction Guidelines section in this report. Each lift should be tested to verify compaction compliance and approved by InTEC before placement and compaction of the subsequent lifts.

### **Additional Method to Reduce Vertical Movements**

The following option may also be considered to lower potential vertical movements at the basketball court location. If additional options are required, please contact InTEC.

#### **a) Vertical Moisture Barrier**

It is our understanding that (a) slab on grade type foundation is planned to be used for the basketball court at this site, (b) there are no underground utilities underneath the slab, (c) the new slab will be flush with the existing ground, and (d) the surrounding grass areas will slope away from the structure. Vertical moisture barriers may be considered to lower the anticipated potential vertical movement by reducing the lateral moisture migration. The depth of vertical moisture barrier and the corresponding anticipated potential vertical movements presented in Table No. 1.

**Table No. 1**

<b>Depth of Vertical Moisture Barrier (feet) *</b>	<b>Anticipated Potential Vertical Movements (inches)</b>
6	3
8	2 ½

\*Vertical moisture barrier detail is presented in the illustration section

Use of vertical moisture barrier will help reduce the range of moisture content change and the potential vertical movements. If a severe drought condition prevails for an extended period of time, the clays underneath the structure may be getting drier to some extent and cause shrinkage of the clays and downward movement of the structure. If the drier clays get wet again, it may result in swelling of these clays and cause upward movement of the structure.

The drying of the clays may also happen for other reasons such as planting of trees nearby. The result will be the same as discussed above. The magnitude of the movement depends on the extent of moisture change.

**At the time of this investigation, use of vertical moisture barrier to reduce potential vertical movement appears to be a less expensive option. However, the accompanying risk of shrink / swell potential and its effect on the structure should be carefully evaluated by the owner in choosing this option.**

Coping with problems of shrink/swell due to expansive clays is a “fact of life” in the Texas region of south western U.S.A. Support of the building on deep underreamed footings with a structurally suspended floor slab (12 inch void) will provide a foundation system with the least risk for distress due to shrink/swell of the clays. It should be noted that expansive clay does not shrink/swell without changes in moisture content, and thus good site design is very important to minimize foundation movements.

It is our experience that support of the walls and columns on stiffened grid type beam and slab foundation or post tensioned beam and slab foundation will provide reasonable performance of the foundation if the clay subsoils are wet at the time of earthwork construction. However, some shrink/swell will probably occur causing some cracks in the floor slab and interior walls due to the foundation system because the subsoil conditions between borings are unknown, the moisture

content of the clays and groundwater conditions at the time of construction are unknown, and construction practices can be adversely effect the supporting properties of the subsoils.

## **FOUNDATION RECOMMENDATIONS**

### **General**

The following recommendations presented are based on the data obtained from our field and laboratory tests, our past experience with geotechnical conditions similar to those at this site, and our engineering design analysis.

Surface drainage is very important around the building and in the pavement areas. The surface water should be drained as fast as possible around the residences and roadways. If enough slopes are not available for a good surface drainage, gratings and pipes may be used to carry the water and drain the area fast. In some areas, a) where surface water gets into the subsurface and b) water travels laterally within the underlying gravel layers should be collected by French Drains and disposed off in the drain areas.

At the time of construction, utility and grade beam excavations may reveal that the soil stratigraphy encountered is different in between our borings. If this happens, we should be informed. We may revise the foundation recommendations accordingly.

### **Foundation Selection**

The type and depth of foundation suitable for a given structure primarily depends on several factors: **the subsurface conditions, the function of the structure, the loads it may carry and the cost of the foundation.** Additional considerations may include acceptable performance criteria

set by the owner, architect, or structural designer with respect to vertical and differential movements which the structure can withstand without damage.

### **Stiffened Grid Type Beam and Slab Foundation**

Stiffened grid type beam and slab foundation may be considered to support the structures at this project site provided (a) one of the options to reduce potential vertical movement is selected and the corresponding anticipated vertical movements will not impair the performance of the proposed structures (removal and replacement or vertical moisture barrier as presented in this addendum) and (b) all the recommendations presented in the Construction Guidelines section are followed.

It is desirable to design the foundation system utilizing the simplifying assumption that the loads are carried by the beams; an allowable bearing capacity of 1600 lbs per sq ft is recommended for beams founded within the existing clays or compacted crushed limestone select fill at a minimum depth of 24 inches below finish grade. The beams should be a minimum of 12 inches wide to prevent local shear failure. A design plasticity index value of 60 is recommended for the vertical moisture barrier option. A Climatic Rating (Cw) value of 17, a Support Index (C) value of 0.62, and Unconfined Compressive Strength value of 0.8 tsf are recommended.

### **Post-Tensioned Beam and Slab Foundation**

Post-tensioned slab-on-grade foundation may be considered to support the proposed structures at this project site provided (a) one of the options to reduce potential vertical movement is selected and the corresponding anticipated vertical movements will not impair the performance

of the proposed structures and (b) all the recommendations presented in the Construction Guidelines section are followed Pertinent design parameters were evaluated and are presented in the following paragraphs.

**PTI 3<sup>rd</sup> Edition:** Differential vertical movements should be expected for shallow type foundations at this site **due to expansive soil conditions which were encountered.** Differential vertical movements have been estimated for both the center lift and edge lift conditions for post-tensioned slab-on grade construction at this site. These movements were estimated using the procedures and criteria discussed in the Post-Tensioning Institute Manual entitled "**Design of Post Tensioned Slabs-on-Ground-Third Edition Manual.**" We recommend that the structural engineer consider the limitations and assumptions of the method by establishing minimum PTI design parameters for foundation system design to account for the relatively low Ym values produced when analyzing certain soil conditions. The estimated PTI differential movements (Ym) are provided in Table No. 2.

**Table No. 2 (PTI 3<sup>rd</sup> Edition) – Design Plasticity Index Value of 60**

<b><u>Center Lift (Ym values)</u></b>	<b><u>Inches</u></b>
Wet to dry soil moisture condition	2.18 *
<b><u>Edge Lift (Ym values)</u></b>	
Dry to wet soil moisture condition	3.32 *

Em – Center Lift = 8.6-ft

Em – Edge Lift = 4.6-ft

\* minimum 72 inch external vertical moisture barrier

**If proper drainage is not maintained, resulting potential vertical movements will be much greater than 2 or 3 times the anticipated vertical movements. The differential vertical movements experienced may be as much as the anticipated total vertical movements.**

The Post-Tensioning Institute (PTI) method incorporates numerous design assumptions associated with the derivation of required variables needed to determine the soil design criteria. **The PTI method of predicting differential soil movement is applicable only when site moisture conditions are controlled by the climate alone (i.e. not improper drainage or water leaks). The performance of a slab and movement magnitudes can be significantly influenced by yard maintenance, water line leaks, and trees present before and after construction.**

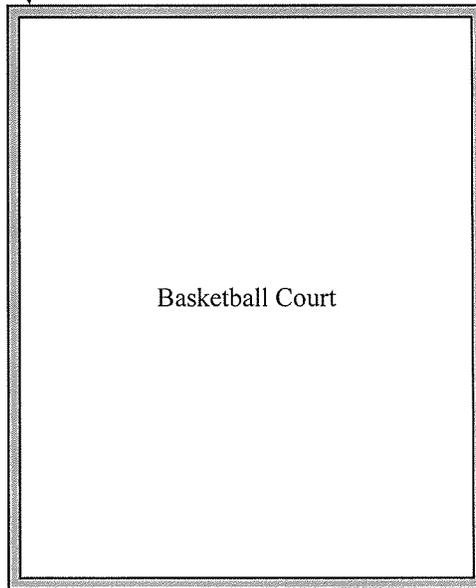
## Illustration Section

Addendum:  
Subsurface Exploration and Foundation Analysis  
Beacon Hill Linear Park Project  
San Antonio, Texas

InTEC Project Number:  
**S114015**

Date:  
02/28/2011

Vertical Moisture  
Barrier



Basketball Court

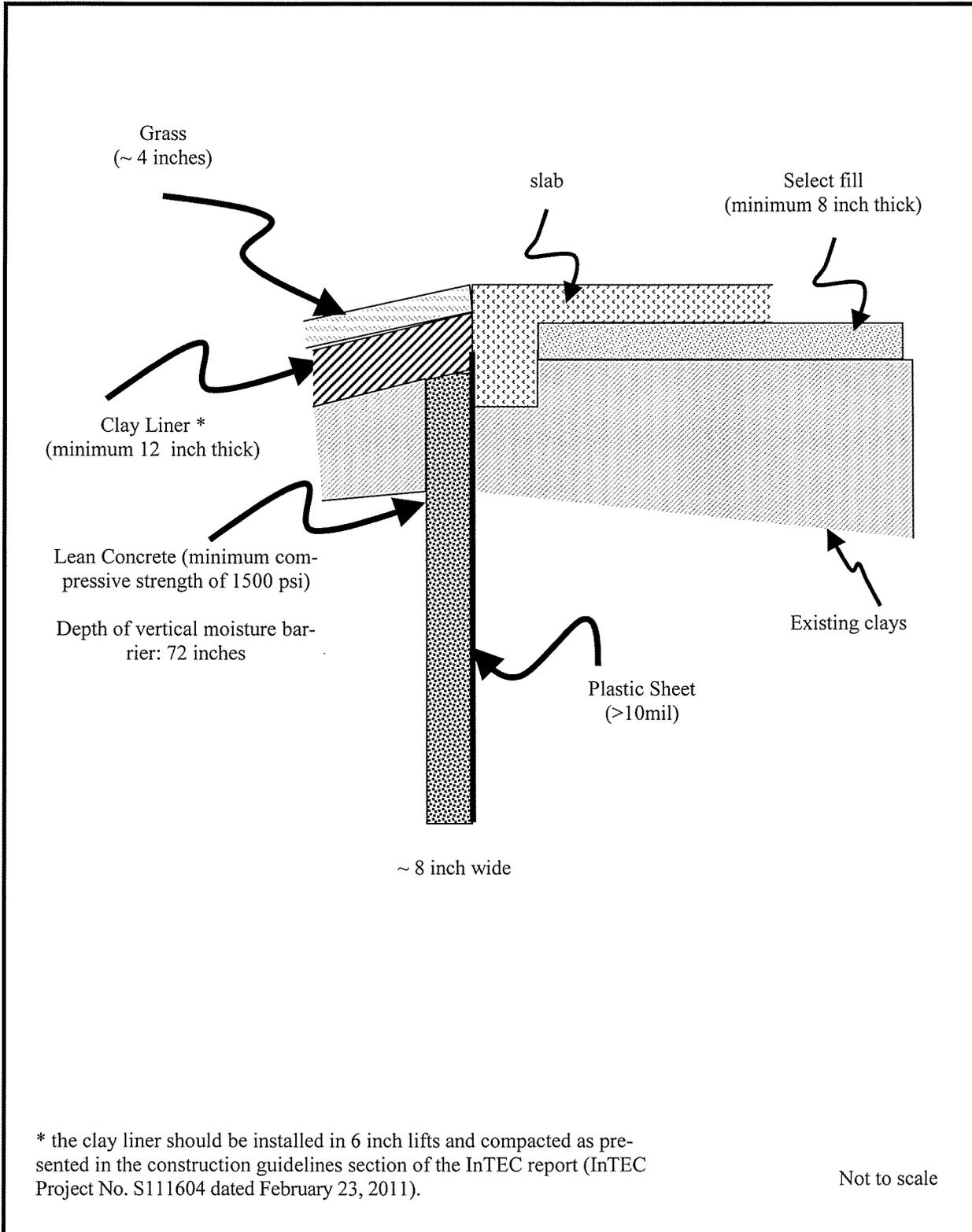
Not to scale

Addendum:  
Subsurface Exploration and Foundation Analysis  
Beacon Hill Linear Park Project  
San Antonio, Texas

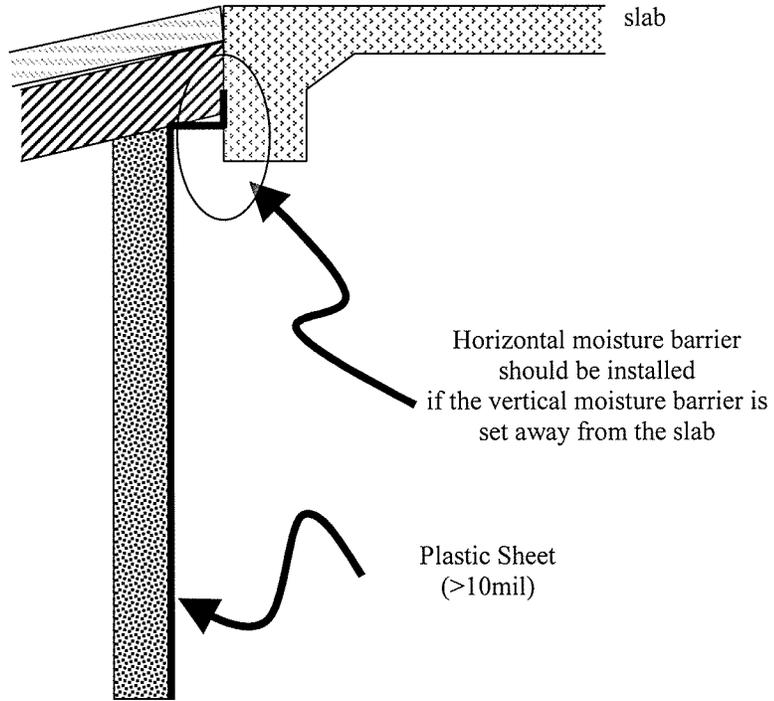
**Moisture Barrier Location**

InTEC Project Number:  
**S114015**

Date:  
02/28/2011



Addendum: Subsurface Exploration and Foundation Analysis Beacon Hill Linear Park Project San Antonio, Texas	<b>Moisture Barrier Detail</b>	
	InTEC Project Number: <b>S114015</b>	Date: 02/28/2011



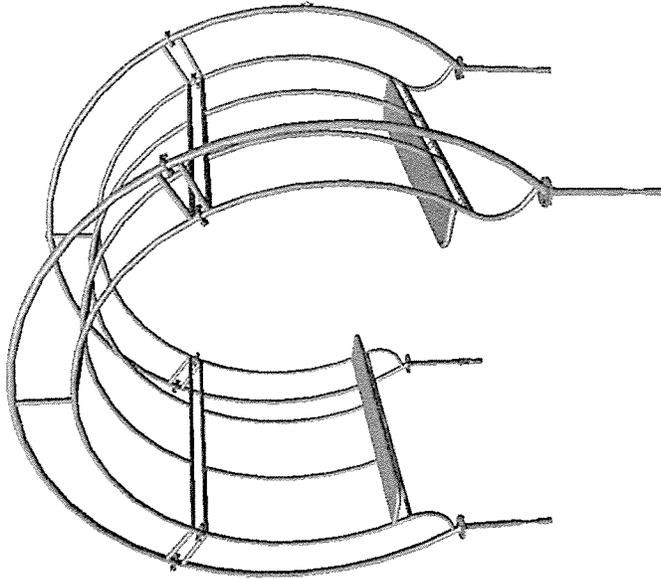
Not to scale

Addendum: Subsurface Exploration and Foundation Analysis Beacon Hill Linear Park Project San Antonio, Texas	<b>Moisture Barrier Detail</b>	
	InTEC Project Number: <b>S114015</b>	Date: 02/28/2011



# PLAYWORLD SYSTEMS®

The world needs play.®



Assembly View (representative model)

Model	Weight
ZZXX0444	422 lbs. (191,8 kg)
ZZXX0444S	421 lbs. (191,4 kg)

## Installation Instructions

Playworld Systems®  
 Models XX0444 and XX0444S  
 Origins Garden Gate  
 In-Ground and Surface Mount

### Installation Preparation

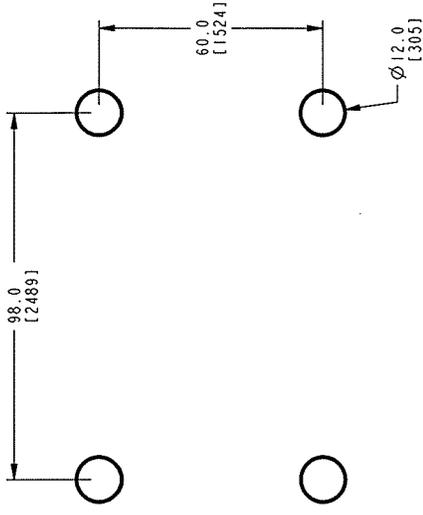
Recommended Crew: ..... Four (4) adults  
 Installation Time (in-ground): ..... 4 man-hours  
 Installation Time (surface mount): ..... 2 man-hours  
 Weight: ..... (refer to chart below)  
 Concrete Required (in-ground): ..... 0.24 cubic yard (0,18 cubic meters)

### ICON KEY

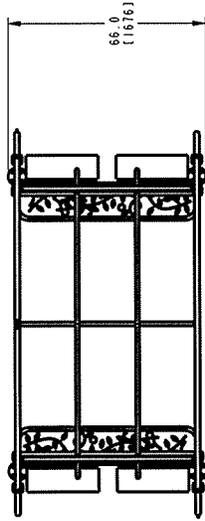
	Fully Tighten Hardware		Add 1 Drop of Thread Locking Adhesive
	Do <b>Not</b> Fully Tighten Hardware		Pour Concrete
	Drill		Dig Footing Holes
	Hammer		Critical Fall Height

# Installation Instructions

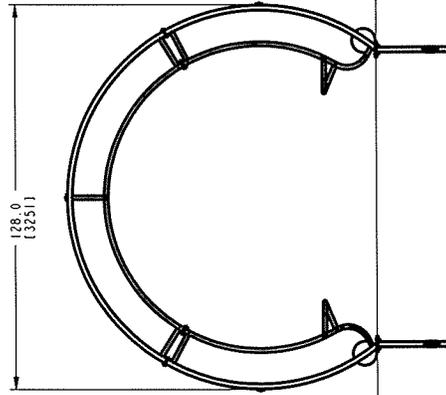
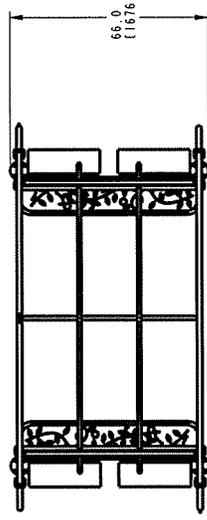
KEY	
Position	Unit of Measurement
Top #	Inches
Bottom #	[Millimeters]



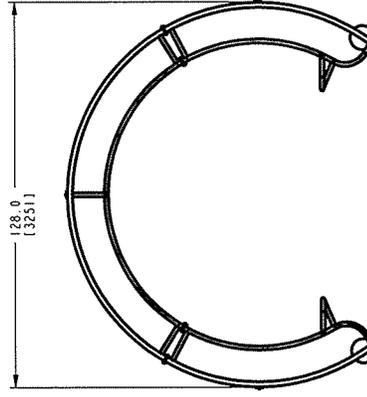
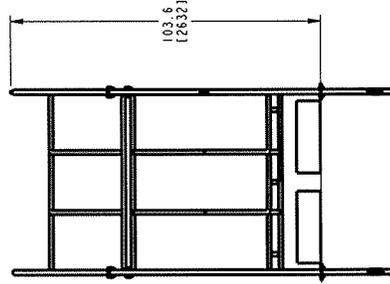
Top View



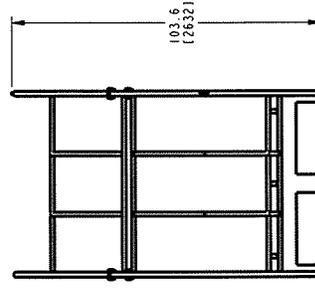
Top View



Elevation Views  
XX0444



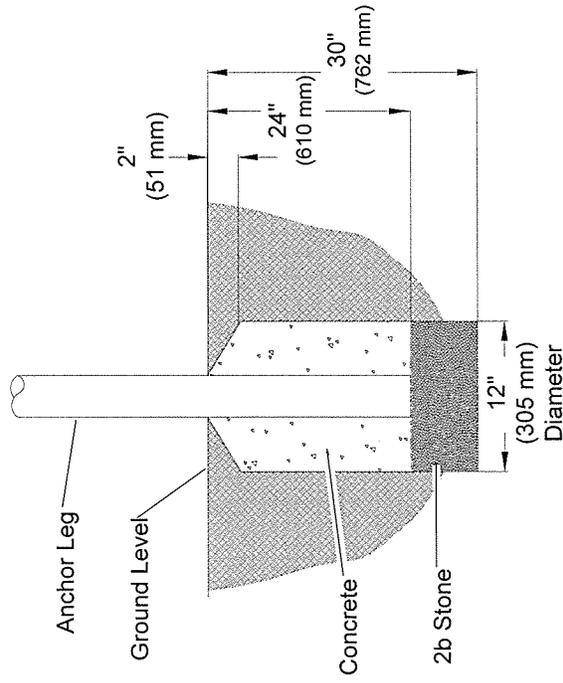
Elevation Views  
XX0444S



# Installation Instructions

## FOOTING NOTES (IN-GROUND)

- Do not encase bottom of support post in concrete. Place post directly on packed stone.
- The footings shown on Playworld Systems' documentation are recommendations based on historical performance in average soil conditions. Footing dimensions may be modified by the owner based on actual soil conditions.  
For example:
  - If local soil is loose or unstable, a larger footing may be required.
  - If local soil is considered stable, such as bedrock, clay or hard packed earth, a smaller footing may be used. Before changing footing dimensions, we strongly recommend that the footings be reviewed and approved by a registered engineer.
- Base of footing must be below frost line.

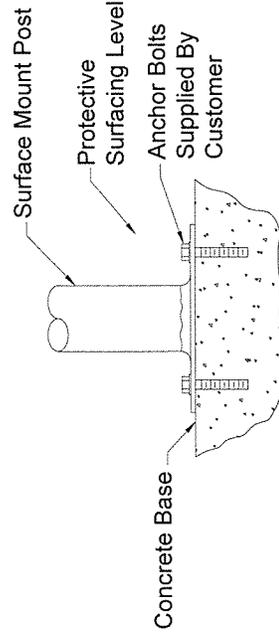


In-Ground Footing Detail

## FOOTING NOTES (SURFACE MOUNT)

- All support posts and component support legs shall have either a factory-applied sticker with line, or factory-applied mark designating protective surfacing level on a clear and level installation site.
- If play structure is installed on uneven terrain, maintain support post mark at protective surfacing level at lowest grade. Adjust other footings accordingly. Support posts and all attaching decks and play components must be plumb and level.
- Footing size may vary due to local soil and weather conditions.
- Base of footing must be below frost line.
- Comparison of protective surfacing materials is available in Handbook for Public Playground Safety published by U. S. Consumer Product Safety Commission.

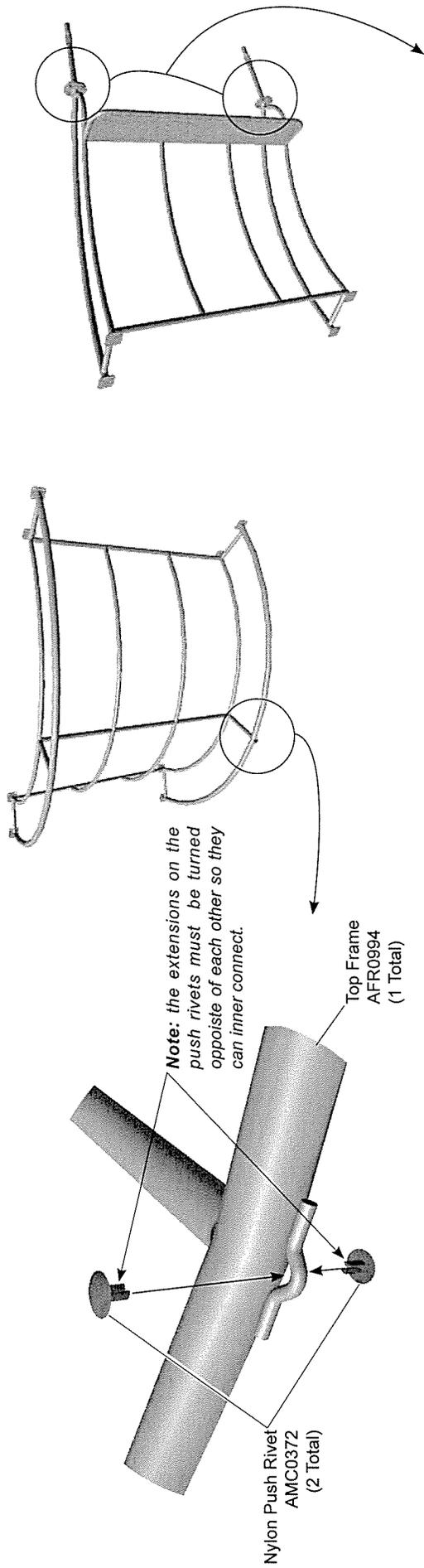
**Surface mount hardware is not supplied. Customer is responsible for concrete base and providing surface mount hardware as specified by a registered structural engineer for each specific project application.**



Surface Mount Footing Detail

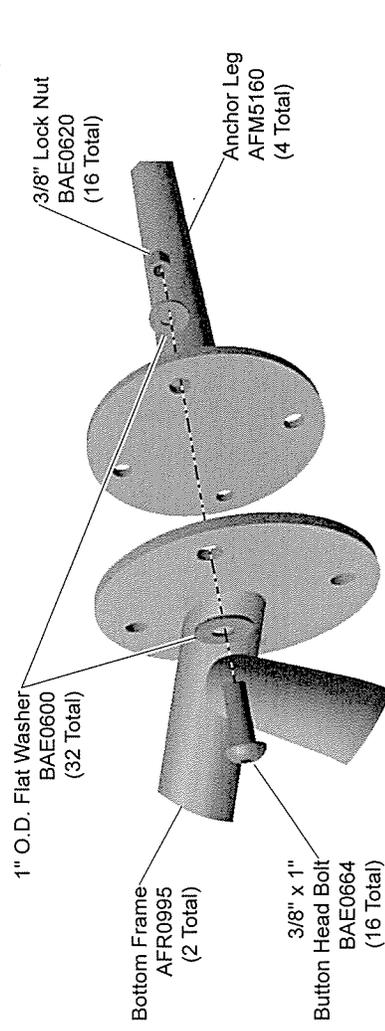
# Installation Instructions

Follow the details in alphabetical order. For clarification, each detail references the step description. The step descriptions start on page 6.



## Detail A Step 4

Insert the push rivets into the top rail on the top frame.

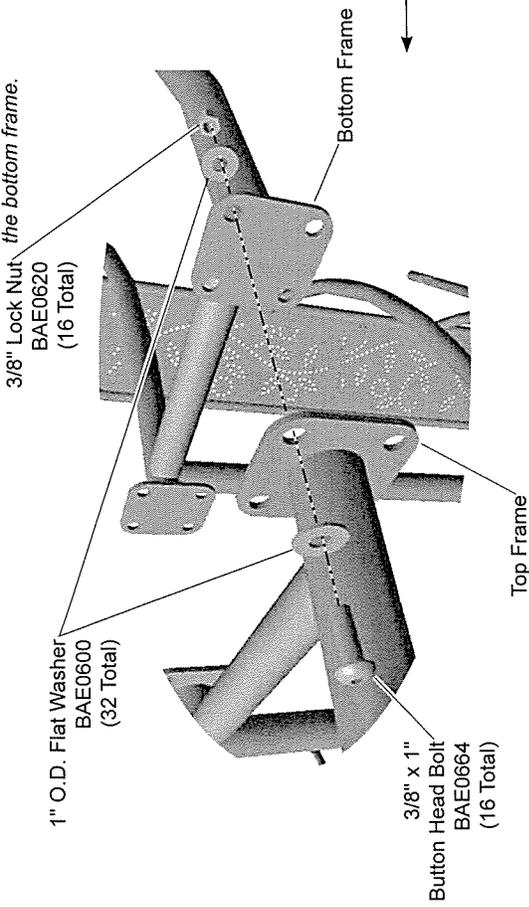


## Detail B Step 5

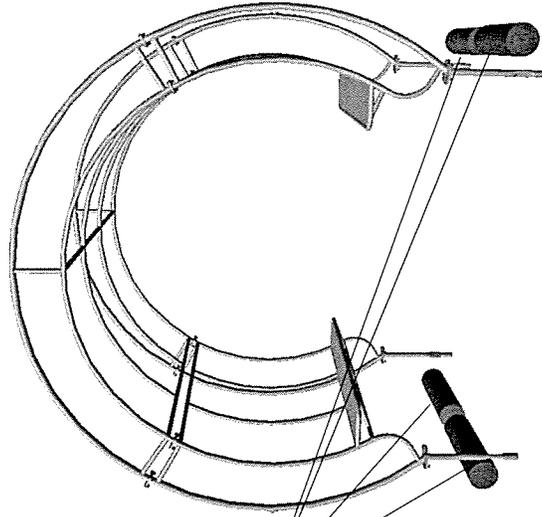
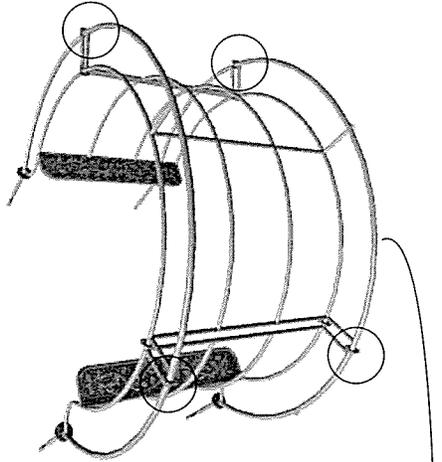
*(in-ground model only)*  
Attach the anchor legs to the bottom frames.

# Installation Instructions

Note: Lock nuts must be toward the bottom frame.



**Detail C**  
**Step 6**  
 Attach the top frame to the bottom frames.



2 Ft. Gardensoxx®  
 AMC0476  
 (4 Total)

**Detail D**  
**Step 8**  
 Place the Gardensoxx® on the ground beneath the bottom frames.

# Installation Instructions

**Notes Before You Begin:** Do not over tighten bolts during assembly, only snug tighten them until assembly is complete unless otherwise instructed.

**Carefully read and understand these installation instructions before you begin.**

**Step 1:** Before attempting to assemble your equipment, please review all installation information carefully. Should you experience any difficulty during the installation process, please call us at the phone number shown on the last page of these instructions.

**Step 2:** Separate and identify all components and hardware.

**Step 3:** Excavate or prepare the footings as shown in the **Footing Details** on page 3 of this document.

**Step 4:** Insert the push rivets into the top rail on the top frame. See **Detail A**. Insert the push rivets into the metal protrusion on the one side of the frame's top rail. Make sure to position the rivets as shown to enable the rivets to connect together.

**Step 5: (in-ground model only)** Attach the anchor legs to the bottom frames. See **Detail B**. Position the top mounting plate on each anchor leg against the bottom mounting plate on the bottom frames and attach as shown. Fully tighten the connections according to tightening torque specifications (See **Final Details**).

**Step 6:** Attach the top frame to the bottom frames. See **Detail C**. Position the top frame against the bottom frames, align the holes in the mounting plates, and attach as shown. Place the assembled component into, or onto, it's footings.

## Final Details.

**Step 7:** Plumb and level the component. Tighten **all** fasteners. Fully tighten all fasteners according to tightening torque specifications.

### Torque Specifications:

*Bolts and nuts* - Snug tighten and then tighten an additional one half turn.

**In-Ground:** Block and brace for concrete. Pour concrete after all equipment has been assembled. Allow 72 hours for concrete to completely cure.

**Surface Mount:** Plumb and level entire component. Fully tighten all fasteners according to tightening torque specifications. Bolt down all surface mount supports in accordance with specifications provided by your registered structural engineer.

**Important Note:** Surface mount hardware is not supplied. Customer is responsible for concrete base and for providing surface mount hardware as specified by a registered structural engineer for each specific project application.

**Step 8:** Place the Gardensoxx® on the ground beneath the bottom frames.  
**Detail D.** Position the Gardensoxx® on the ground beneath the bottom frames as shown.

# Bill of Materials

## XX0444 - ORIGINS GARDEN GATE

PART NO.	DESCRIPTION	QTY.
AFM5160	FAB METAL - 6.00" O.D. x 24.25"	4
AFR0994	FRAME - ORIGINS GARDEN GATE TOP	1
AFR0995	FRAME - ORIGINS GARDEN GATE SIDE	2
AMC0372	RIVET - PUSH IN NYLON	2
AMC0476	ORIGINS 2 FT GARDENSOXX®	4
BAE0600	WASHER - 1" O.D. FLAT	96
BAE0620	NUT - 3/8"-16 LOCK w/NYLON CAP	48
BAE0664	BOLT - 3/8"-16 x 1" BUTTON HEAD - SS	48
BAE0922	TOOL - TT 45 L WRENCH	1

## XX0444S - ORIGINS GARDEN GATE SURFACE MOUNT

PART NO.	DESCRIPTION	QTY.
AFR0994	FRAME - ORIGINS GARDEN GATE TOP	1
AFR0995	FRAME - ORIGINS GARDEN GATE SIDE	2
AMC0372	RIVET - PUSH IN NYLON	2
AMC0476	ORIGINS 2 FT GARDENSOXX®	4
BAE0600	WASHER - 1" O.D. FLAT	64
BAE0620	NUT - 3/8"-16 LOCK w/NYLON CAP	32
BAE0664	BOLT - 3/8"-16 x 1" BUTTON HEAD - SS	32
BAE0922	TOOL - TT 45 L WRENCH	1



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For Customer Service, Call  
800-233-8404 or

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Models XX0444(S)  
PA1253

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intentionally left blank.



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#### Fasteners

- Inspect for loose fasteners. Tightening torque specifications are:  
Bolts and Nuts: Snug tighten and tighten an additional one-half turn.
- If during the maintenance process a bolt needs to be removed from a part or parts, it will be necessary to apply a drop of liquid thread lock / loctite to the bolt before reinstallation.
- Inspect for missing, worn or broken fasteners. If any missing, worn or broken fasteners are found, refer to the installation instructions for proper replacement fastener. If any damage is detected, barricade equipment to prevent use until repair is completed. Contact your sales representative immediately for a replacement part.

#### Welds

- Inspect all welded joints. If any broken welds are detected, barricade equipment to prevent use until repair is completed. Contact your sales representative immediately for a replacement part.

#### Finish

- Inspect metal parts for finish damage. To repair painted surfaces, sand damaged area with sandpaper and wipe clean. Mask area and paint with primer and allow to dry. Paint primed area with color-matching paint and allow to dry. Recoat area with color-matching paint if required. Drying time is approximately 8 hours between coats.

#### Footings

- Inspect component to be solid in or on it's footing and secure. If any damage is detected, barricade equipment to prevent use until repair is completed.

#### Replacement Parts

- Refer to your installation instructions to obtain replacement part number.
- Contact your sales representative or call Playworld Systems' Customer Service for a replacement part.

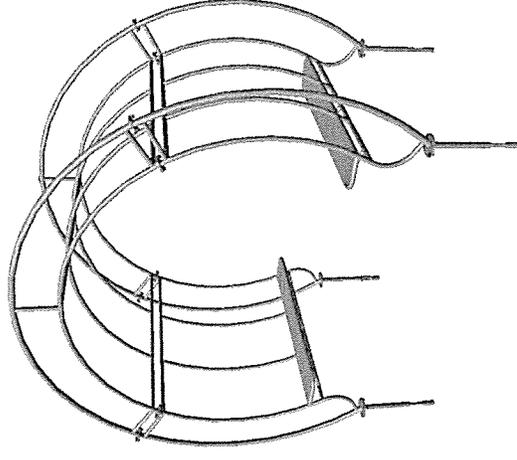
## Equipment Maintenance

Playworld Systems®

Models XX0444 and XX0444S

Origins Garden Gate

In-Ground and Surface Mount



*representative model*



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www.playworldsystems.com



Models XX0444(S)  
PA1253

# Inspection Form

## Preventive Maintenance

... for Safety's Sake!

- Be sure that you are using a copy of this Inspection Form and not your original.
- Use the Inspection Codes listed below and record condition of equipment at time of examination on the Inspection Checklist.
- Document any item from the Inspection Checklist that will require maintenance along with any corrective action on the Maintenance Schedule.
- Be sure to include appropriate dates and signatures on each section to properly document maintenance procedure.

### INSPECTION CHECKLIST

	Frequency	Inspection Code	Date	Date Repairs Completed
Inspect metal parts for structural and finish damage.	Medium			
Inspect for loose, missing, worn, or broken fasteners.	High			
Inspect footing to insure support is secure and footing is not damaged.	Low			

<b>Inspection Codes</b>
P = Pass    F = Fail
NA = Not Applicable

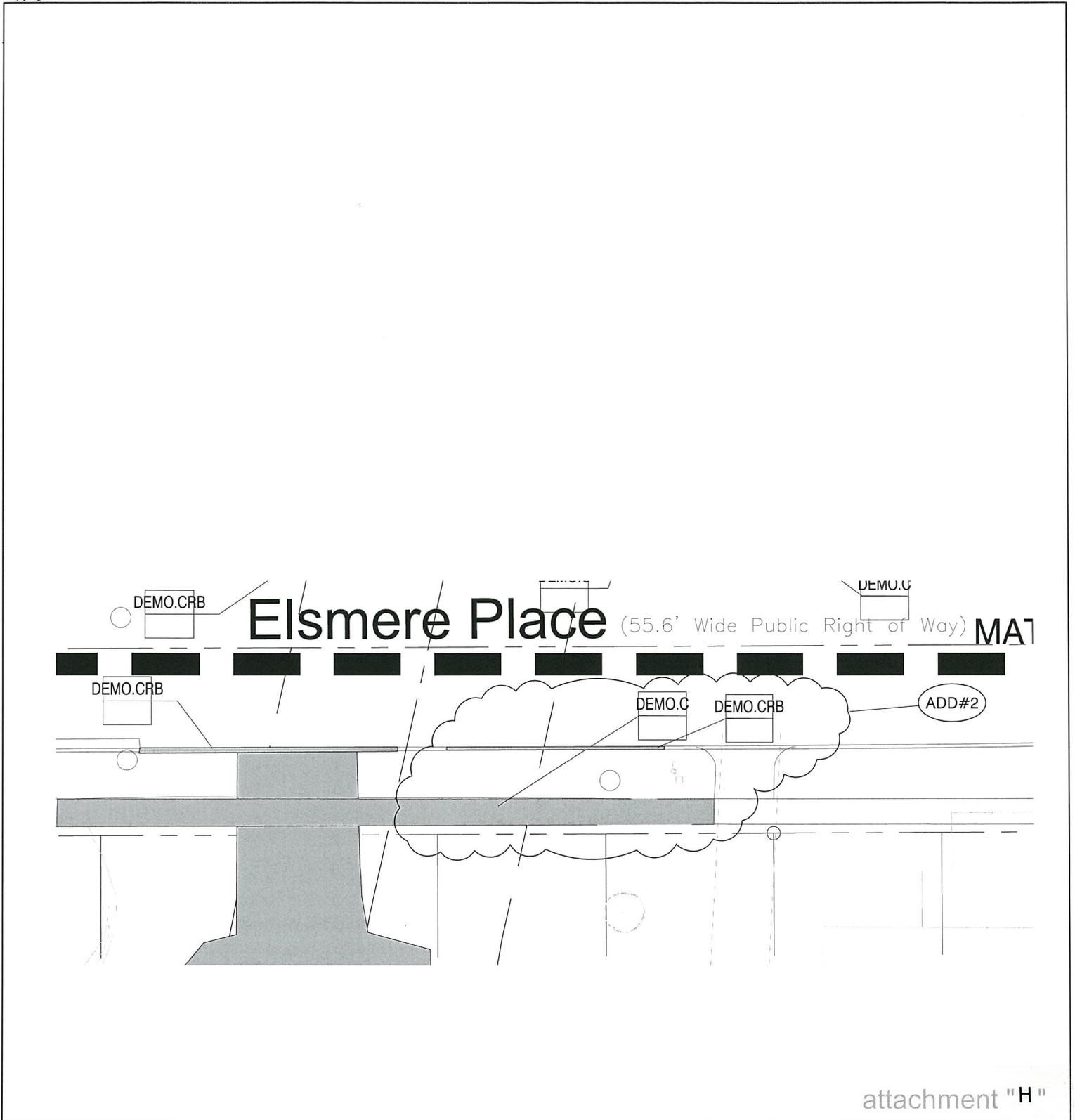
Inspector: Name (Please Print) \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_

### MAINTENANCE SCHEDULE

Item in Question	Description of Problem	Corrective Action	Date

Repairer: Name (Please Print) \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_





attachment "H"



addendum no. 2

### Beacon Hill Linear Park

san antonio, texas

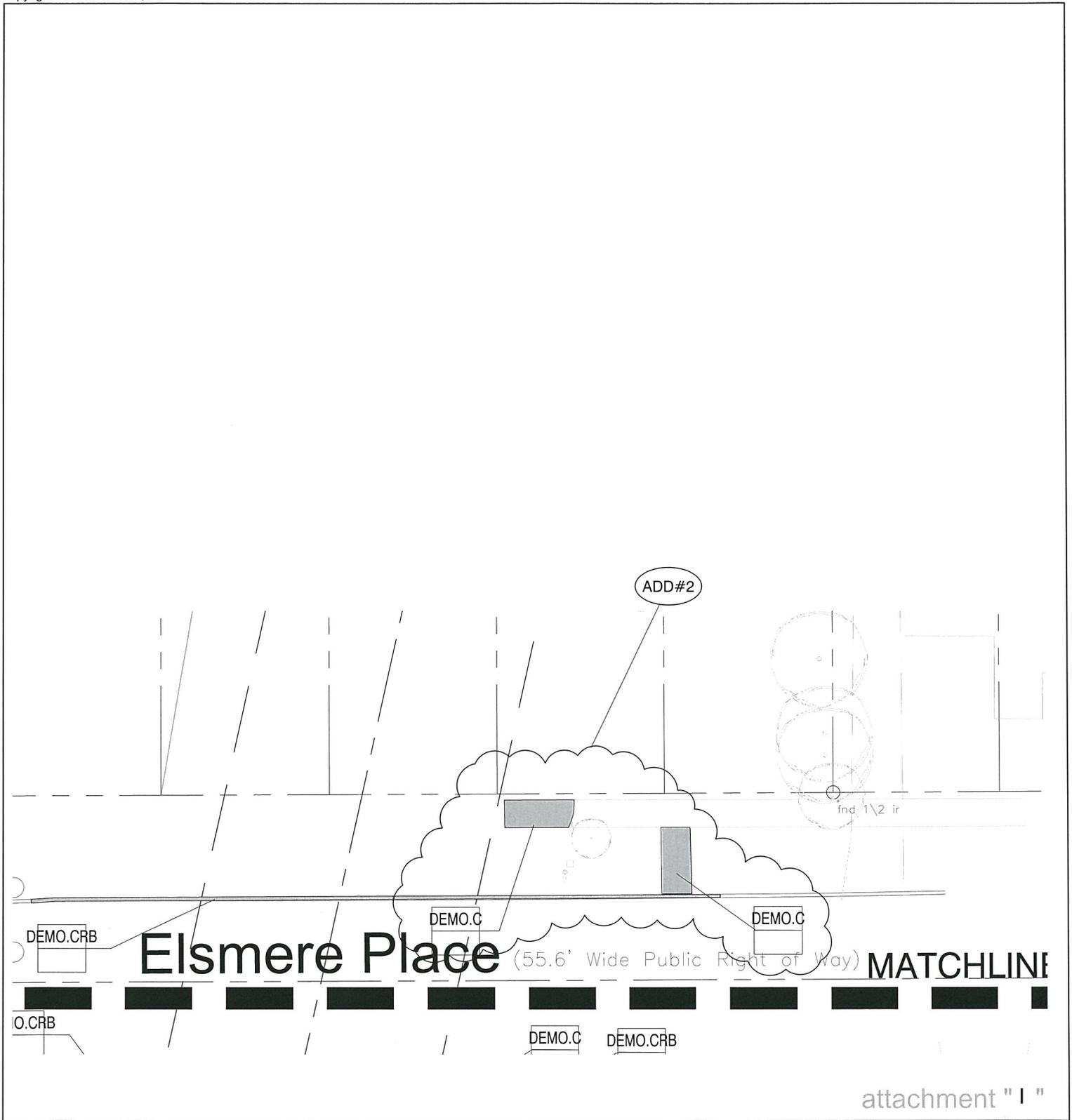
project #: 09076.D

date: 03/01/2011

### partial demolition plan - 1/L0.2

scale: 1" = 20'-0"





attachment " I "



addendum no. 2

### Beacon Hill Linear Park

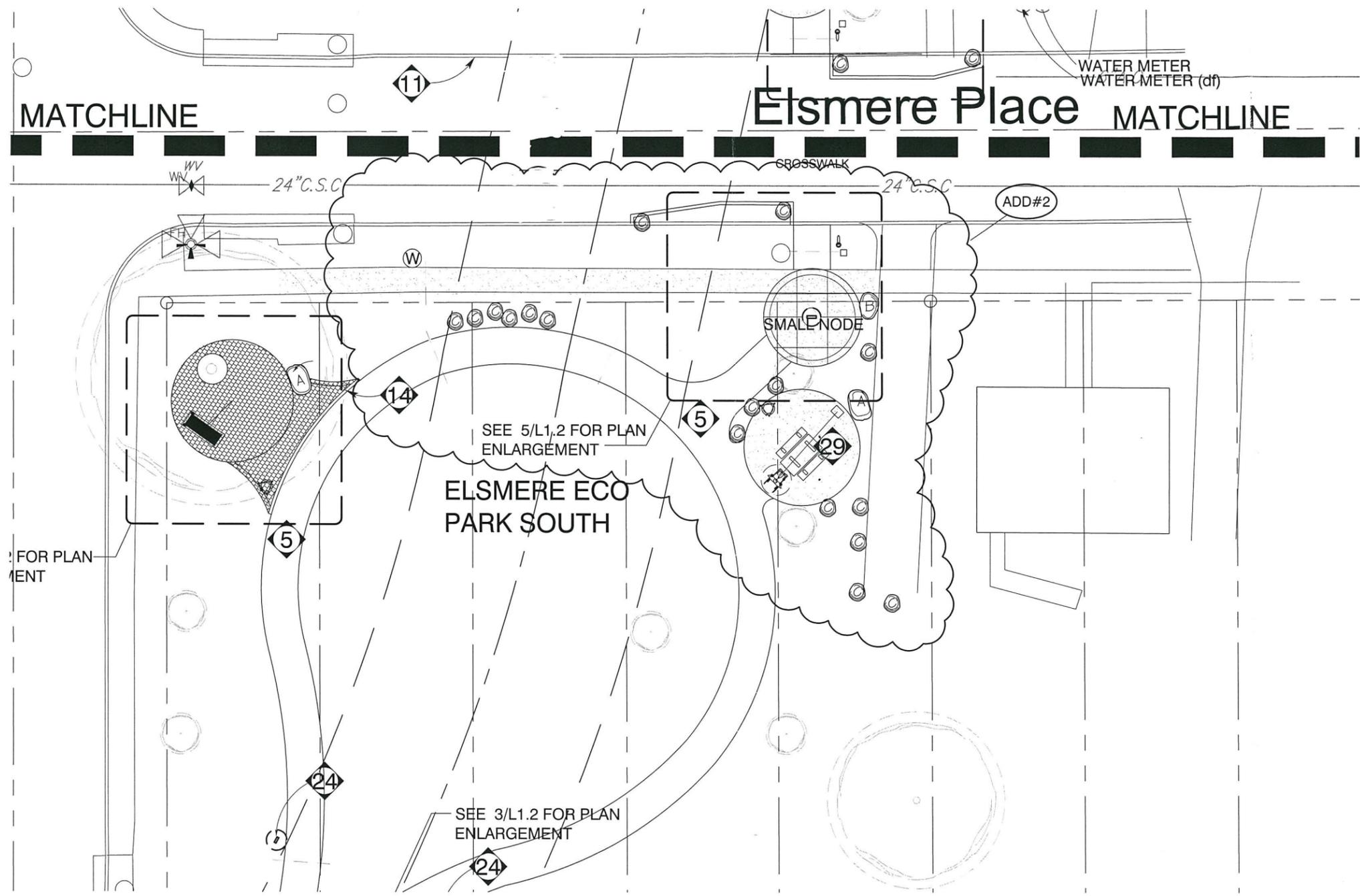
san antonio, texas

project #: 09076.D  
date: 03/01/2011

### partial demolition plan - 1/L0.3

scale: 1" = 20'-0"





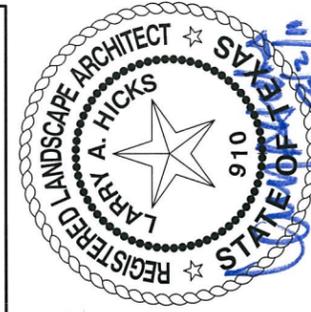
addendum no. 2

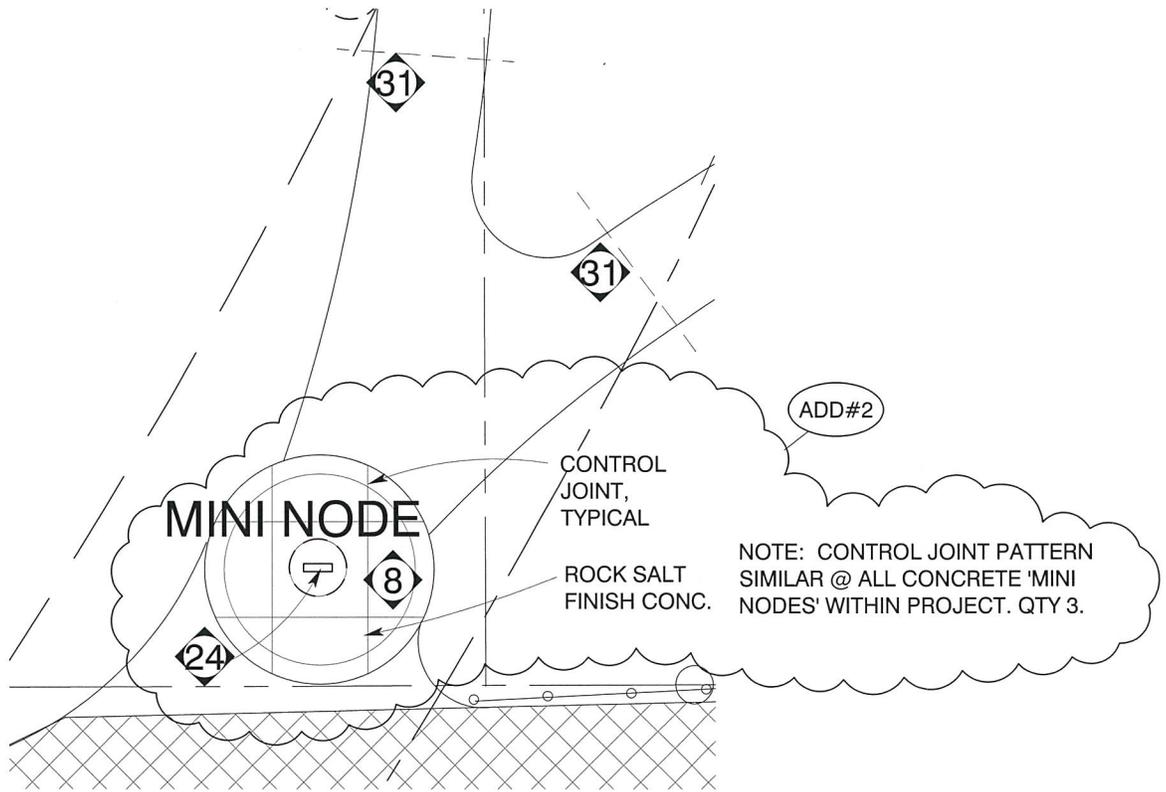
Beacon Hill Linear Park Phase One

san antonio, texas  
project #: 09076.D  
date: 03/01/2011

partial hardscape plan - 1/L1.2  
scale: 1" = 20'-0"

attachment "J"





**3**  
L1.2

# HARDSCAPE PLAN ENLARGEMENT

1" = 10'-0"

attachment " K "

addendum no. 2

## Beacon Hill Linear Park

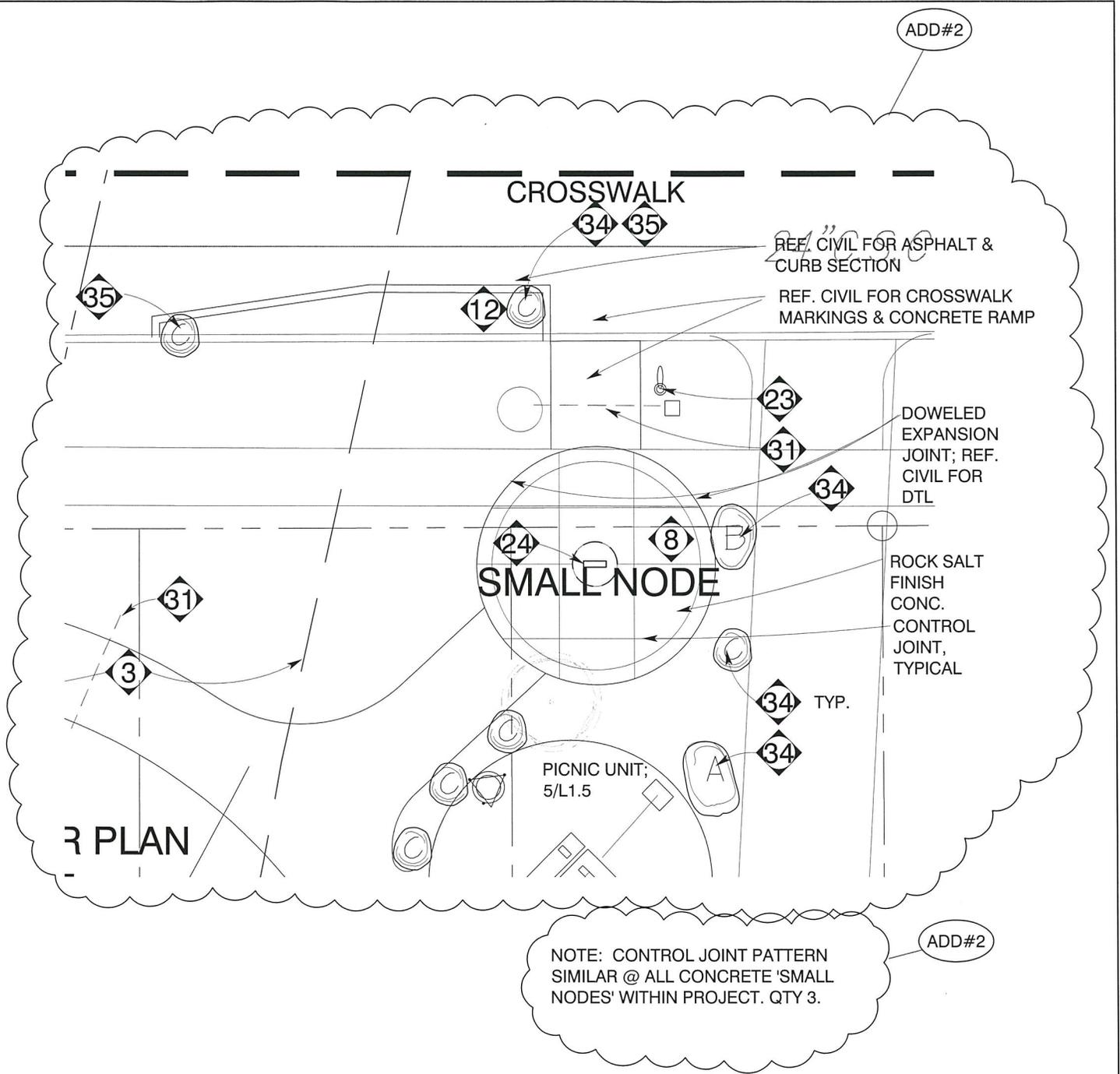
san antonio, texas

project #: 09076.D  
date: 03/01/2011

## hardscape plan enlargement 3/L1.2

scale: 1" = 10'-0"





NOTE: CONTROL JOINT PATTERN SIMILAR @ ALL CONCRETE 'SMALL NODES' WITHIN PROJECT. QTY 3.

5

# HARDSCAPE PLAN ENLARGEMENT

L1.2

1" = 10'-0"

attachment " L "



addendum no. 2

## Beacon Hill Linear Park

san antonio, texas

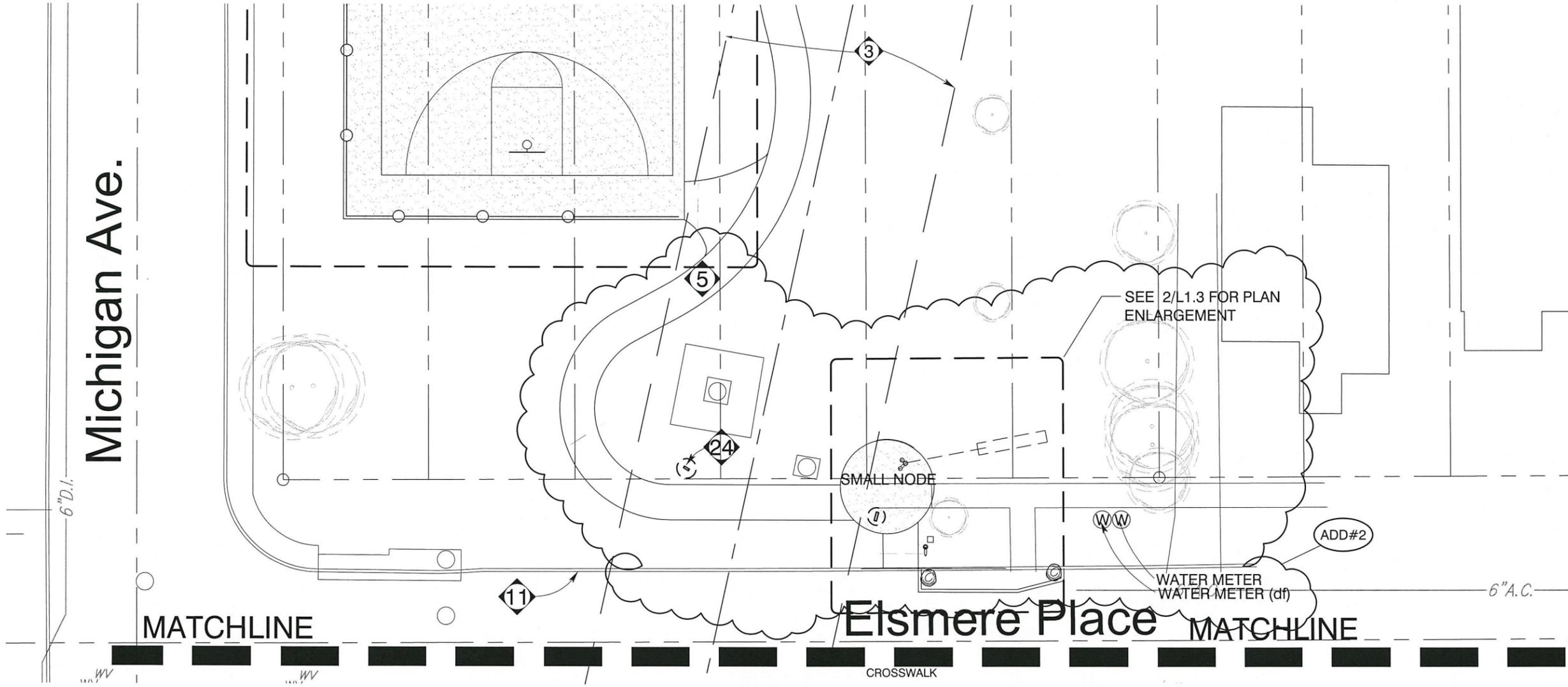
project #: 09076.D

date: 03/01/2011

## hardscape plan enlargement 5/L1.2

scale: 1" = 10'-0"





**1**  
L1.3  
**HARDSCAPE PLAN**  
1" = 20'-0"  
0 10' 20' 40'  
(IN FEET)



telephone: 210.733.3535

attachment "M"

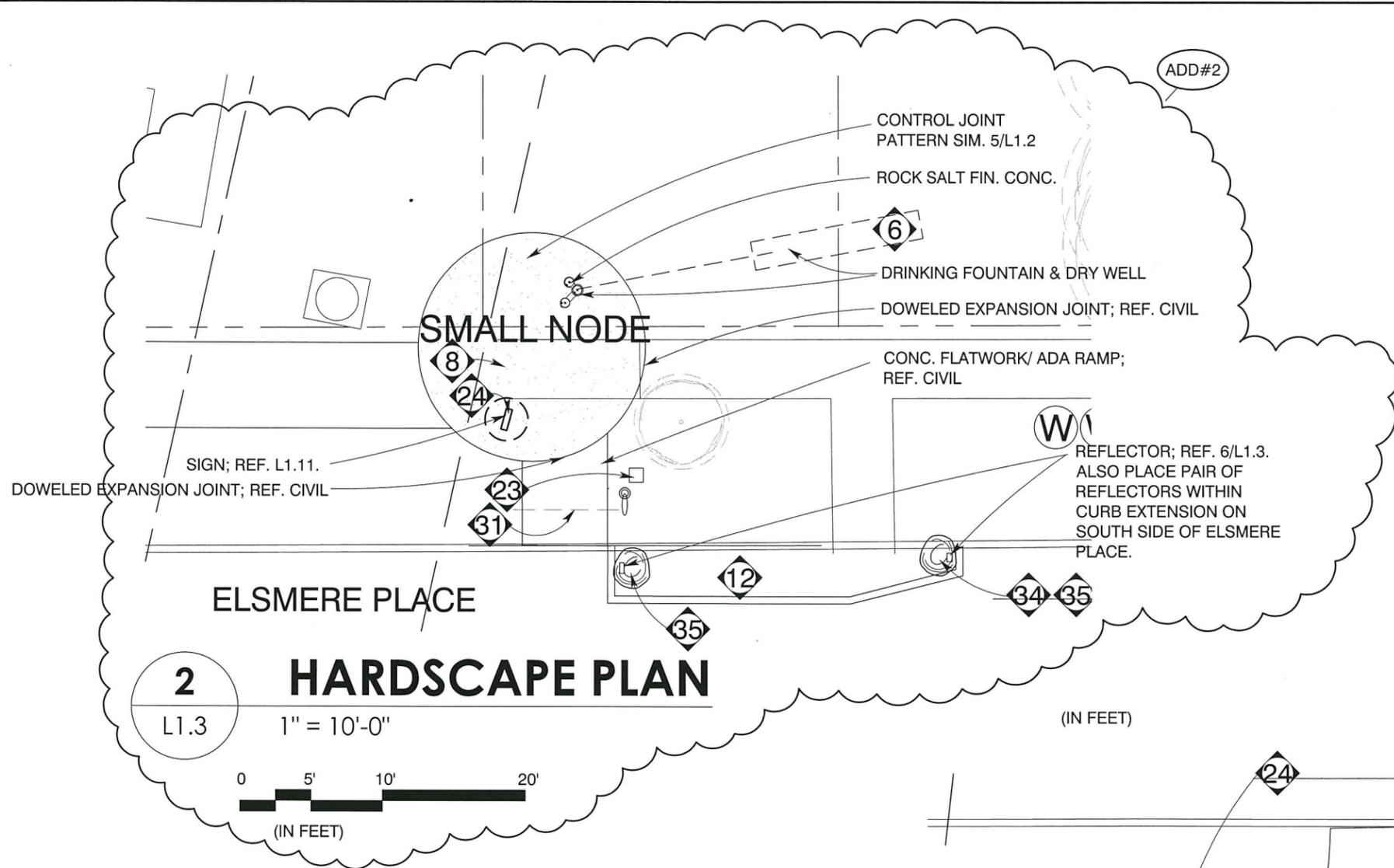
addendum no. 2  
Beacon Hill Linear Park Phase One  
san antonio, texas

project #: 09076.D  
date: 03/01/2011

partial hardscape plan - 1/L1.3  
scale: 1" = 20'

address: 745 e mulberry ave suite 601 san antonio texas 78212  
interior design landscape architecture

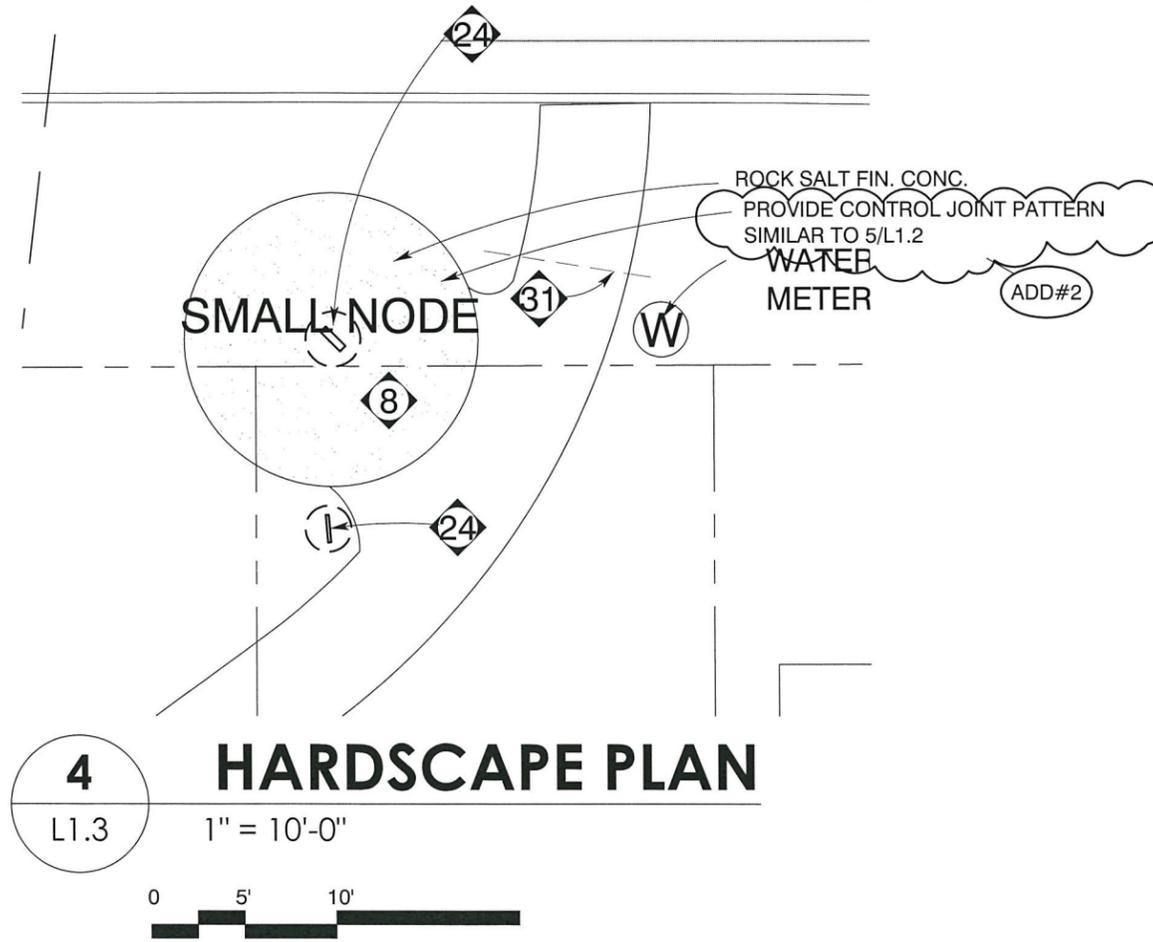
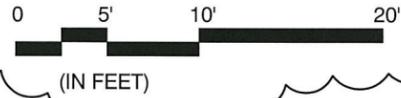
web: www.rvk-architects.com



## 2 HARDSCAPE PLAN

L1.3

1" = 10'-0"



## 4 HARDSCAPE PLAN

L1.3

1" = 10'-0"



addendum no. 2

Beacon Hill Linear Park Phase One

san antonio, texas

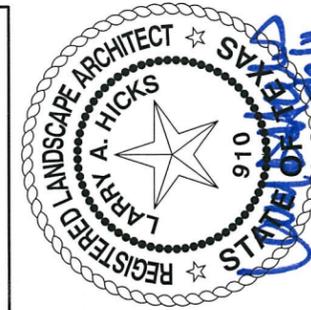
project #: 09076.D

date: 03/01/2011

hardscape plan - 2/L1.3 and 4/L1.3

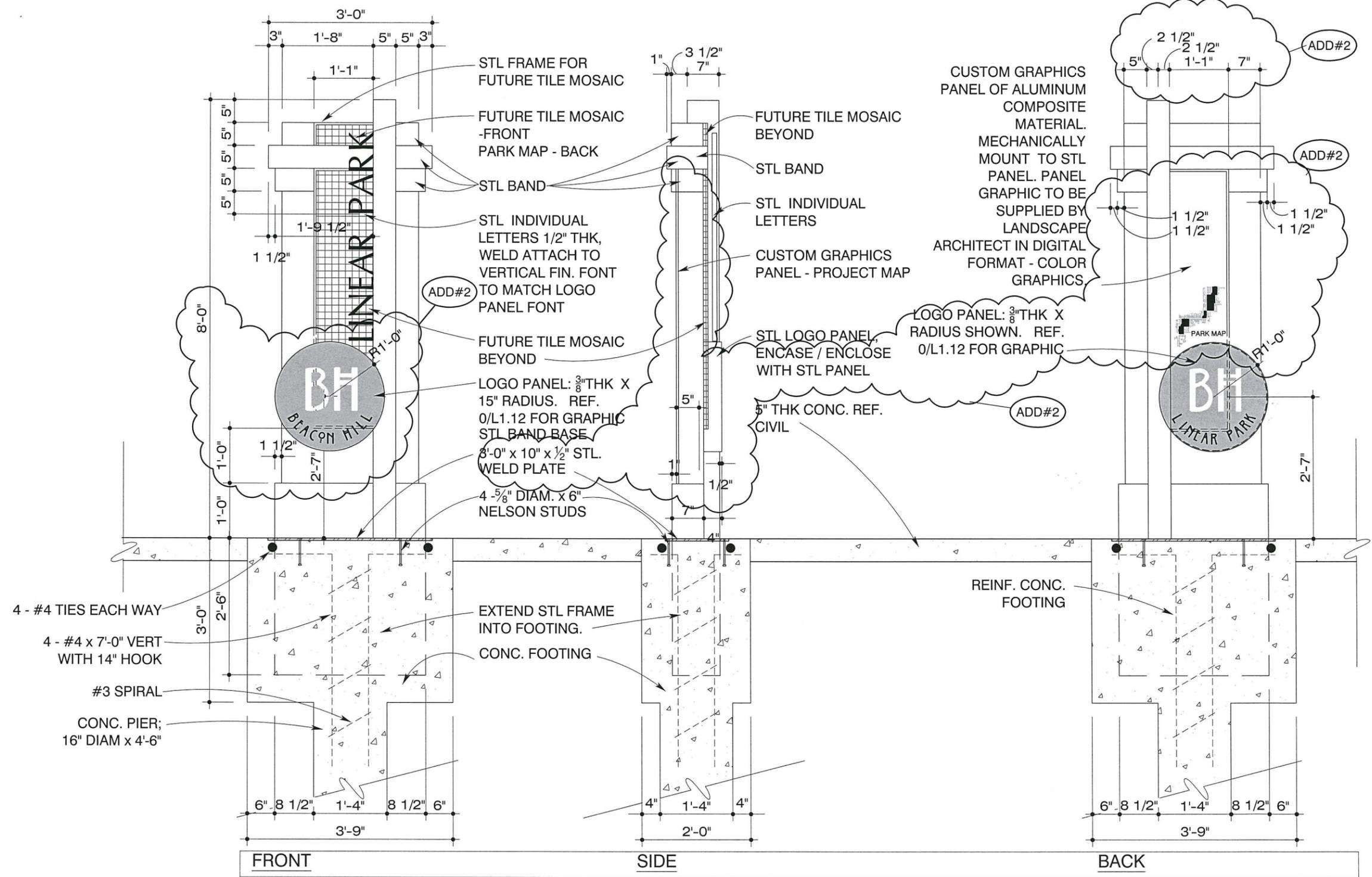
scale: as shown

attachment "N"





telephone: 210.733.3535



attachment "O"

addendum no. 2  
 Beacon Hill Linear Park Phase One  
 san antonio, texas

project #: 09076.D  
 date: 03/01/2011

sign ty 1 - Beacon - 1/L1.12  
 scale: 1/2" = 1'-0"

address: 745 e mulberry ave suite 601 san antonio texas 78212  
 architecture interior design landscape architecture

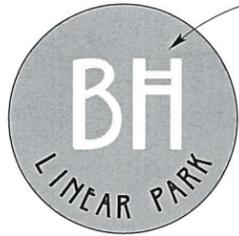
web: www.rvk-architects.com

NOTES:

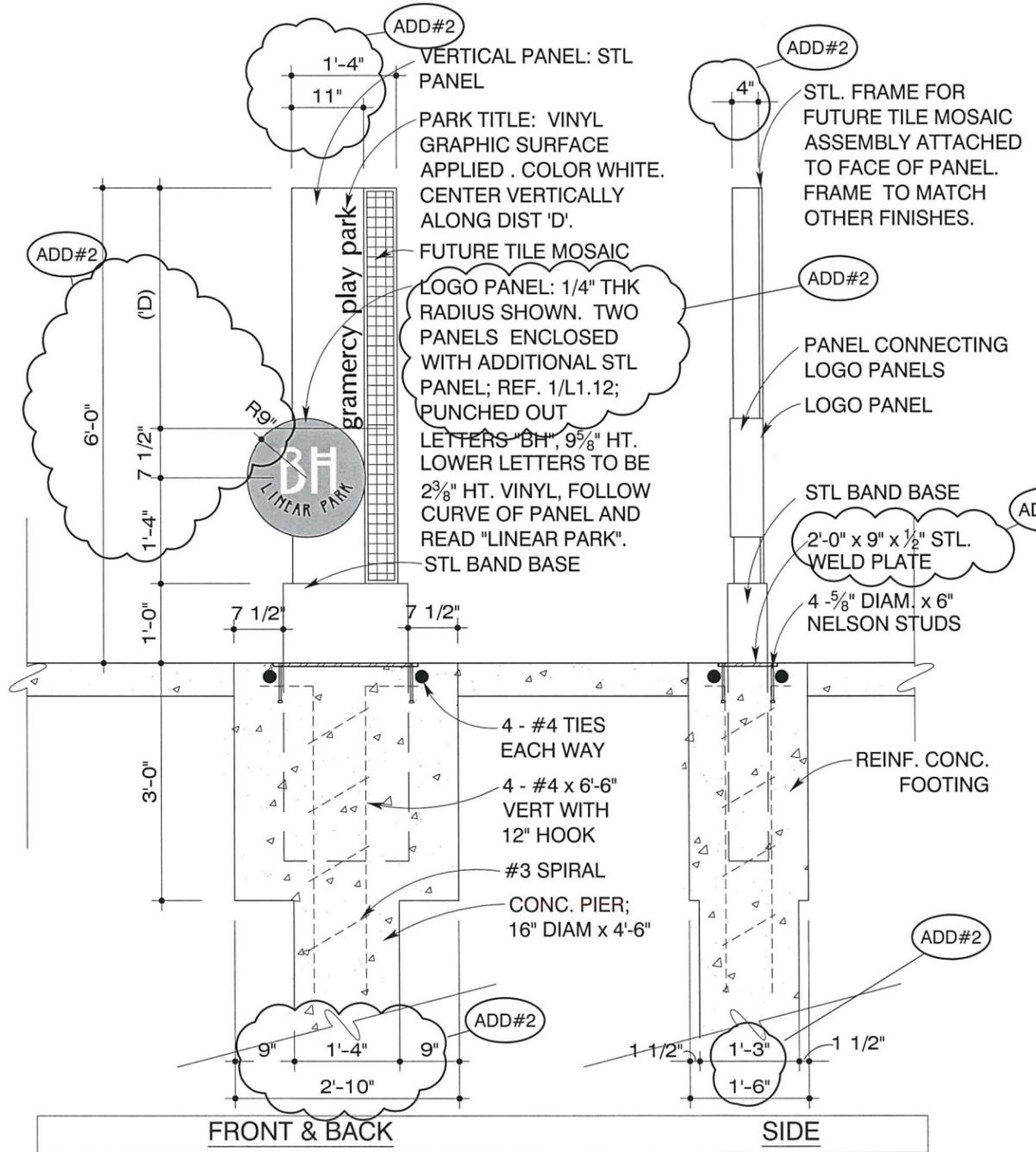
1. REFER TO SIGN PLAN L1.11 FOR LOCATIONS AND SPECIFIC SIGN TITLES.
2. STEEL SIGN COMPONENTS TO BE SHOP FABRICATED AND SHOP PRIMED AND PAINTED APPROVED BY THE LANDSCAPE ARCHITECT. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR APPROVAL.
3. VINYL LETTERING GRAPHICS TO BE REFLECTIVE, MFR. BY 3M OR APPROVED EQUAL. SUBMIT ALL GRAPHICS AS SHOP DRAWINGS FOR APPROVAL.
4. MOSAIC PANELS AND COMPONENTS TO BE SHOP FABRICATED AND INSTALLED ON SITE. PANEL DESIGN, MATERIALS AND CONNECTIONS TO BE SUBMITTED AS SHOP DRAWINGS FOR APPROVAL. COORDINATE WITH SIGN MANUFACTURER.
5. ALL WELDS SHALL BE CONTINUOUS AND GROUND SMOOTH. NO "BUBBLE GUM" TYPE WELD ALLOWED.
6. TILE MOSAIC AND BACKING BOARD TO BE FIELD INSTALLED BY OTHERS.

1	SIGN TY 1 - BEACON
L1.12	1/2" = 1'-0" QTY: 1

**0** **LOGO PANEL**  
 L1.12 1/2" = 1'-0"



LOGO PANEL. REF. SIGN DETAILS FOR PANEL SIZE. STEEL PLATE WITH PUNCHED OUT LETTERS "BH", 10" HT. LOWER LETTERS TO BE 2.25" HT. VINYL, FOLLOW CURVE OF PANEL AND READ AS SHOWN. ALL FONTS TO BE 'WILLOW' AVAIL. URBANFONTS.COM, OR ACCEPTABLE EQUAL.



NOTE: REFER TO NOTES OF DETAIL 1/L1.12

**2** **SIGN TY 2 - PARK**  
 L1.12 1/2" = 1'-0" QTY: 6



telephone: 210.733.3535

attachment "P"

addendum no. 2  
 Beacon Hill Linear Park Phase One  
 san antonio, texas

project #: 09076.D  
 date: 03/01/2011

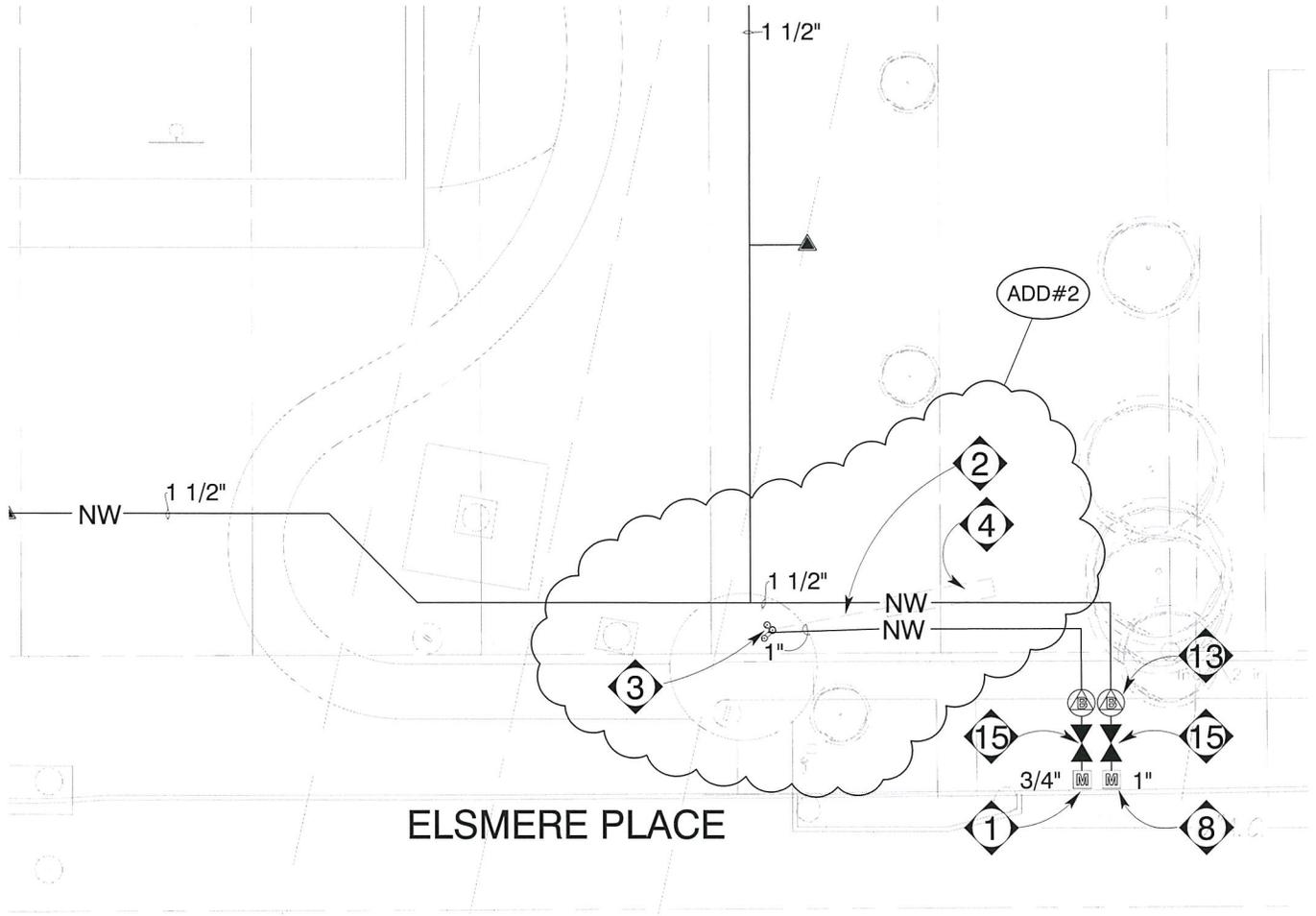
sign ty 2 - Park - 2/L1.12  
 scale: 1/2" = 1'-0"

address: 745 e mulberry ave suite 601 san antonio texas 78212

architecture interior design landscape architecture

*RVK*

web: www.rvk-architects.com



attachment "Q"

addendum no. 2

Beacon Hill Linear Park

san antonio, texas

project #: 09076.D

date: 03/01/2011

plumbing plan - 5/4.14

scale: 1" = 20'-0"



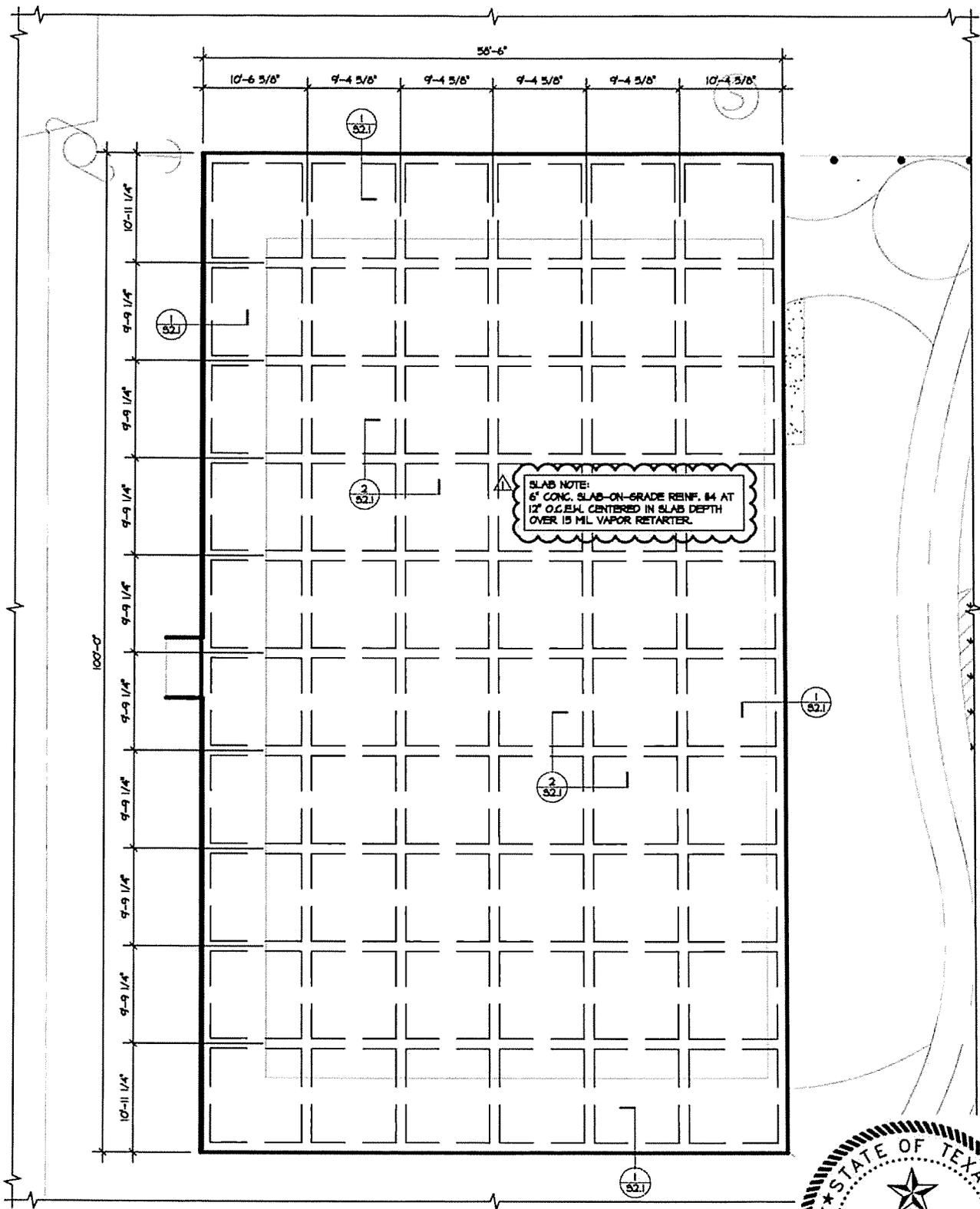
# STRUCTURAL NOTES

## VI. PAD PREPARATION ▲

- A. Select Fill Material should have Liquid Limit less than 40 and a Plasticity Index in between 5 and 20. The percent passing U.S. Standard Sieve No. 4 should be in between 40 and 80 percent and Sieve No. 40 passing should be in between 10 and 50 percent. The percent passing Sieve No. 200 should be less than 20 percent.
- B. At Basketball Court, prior to placing fill material, remove all organic and other deleterious material from the existing subgrade for a distance of 4'-0" beyond the slab edge.
- C. Structural fill shall be placed in 8 inch loose lifts, moisture conditioned, and compacted to a minimum of 95 percent of the maximum dry density as defined in ASTM D1557 at a moisture content within 3 percent of the optimum moisture content. Each lift should be compact tested by Geotechnical Engineer.
- D. Provide 1'-0" thick compacted impervious clay cap around edge of slab. The impervious clay is to have a Plasticity Index Value of 35 or greater. Place in 8 inch loose lifts and compact to a minimum of 95 percent of the maximum ASTM D698 Dry Density at a water content between optimum and optimum plus two percentage points. The top surface of clay seal should be sloped away from slab.
- E. Compaction and moisture content of subgrade and each lift of structural fill shall be inspected and approved by a qualified engineering technician, supervised by a Geotechnical Engineer.
- F. At the Basketball Court, provide a vapor retarder that conforms to ASTM E1745, Class A, with a maximum water vapor permeance of 0.008 perms per ASTM E96. Vapor retarder shall be no less than 15 mils thick.
- G. Building pad preparation information is based on a geotechnical report provided by INTEC, dated February 23, 2011.



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	BEACON HILL LINEAR PARK		
	CLIENT		
RVK			
REF.	SO.1	REV.	▲
DATE	03-02-2011	SHEET	SSD-001



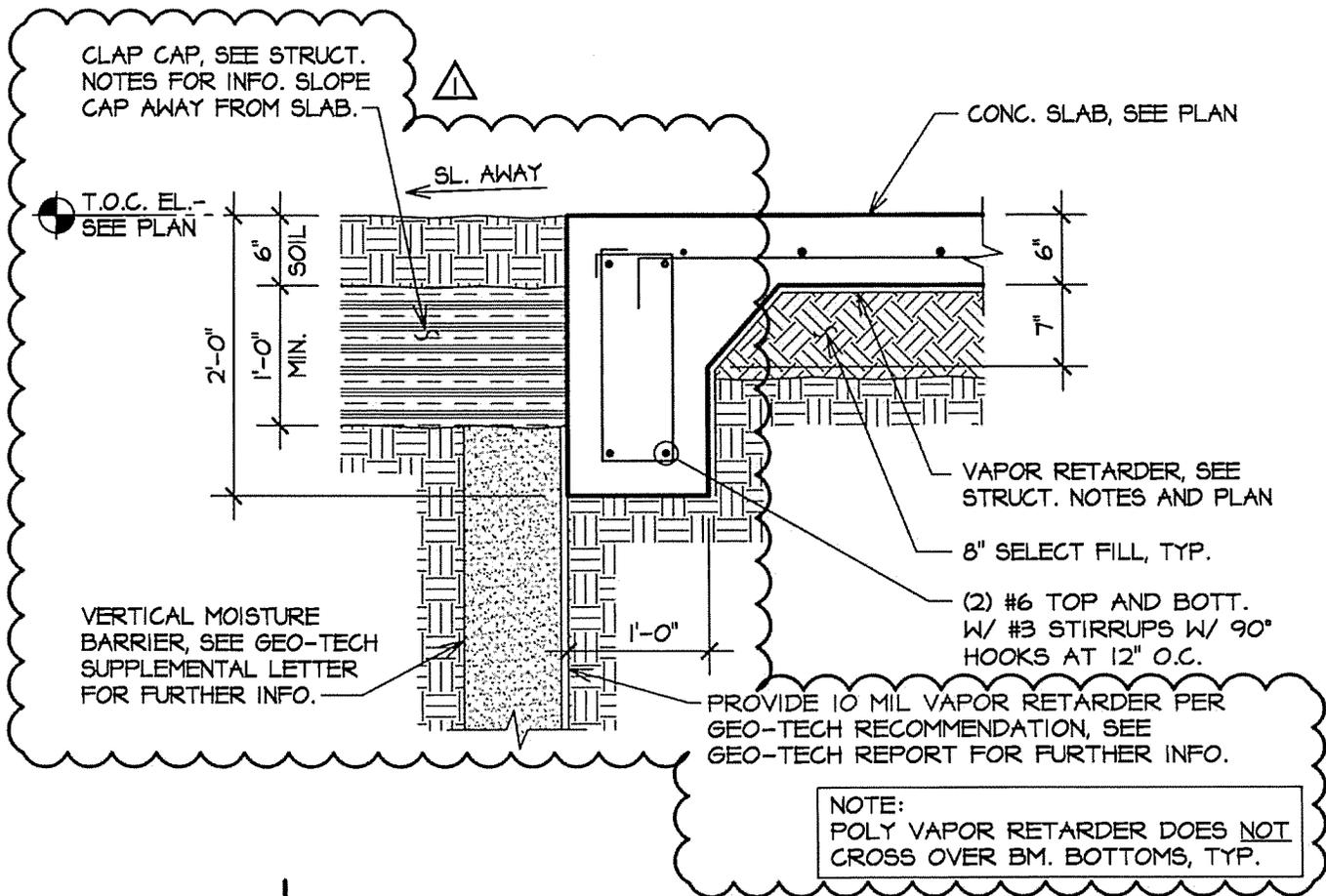
# 2 BASKETBALL COURT FOUNDATION PLAN

N.T.S.



shaping the built environment.  
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**TYPICAL EXTERIOR BEAM AT PAVING**

SCALE: 3/4"=1'-0" TYP. UNO



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	CLIENT		RVK				
REF.	S2.1	REV.		DATE	03-02-2011	SHEET	SSD-003

