

AN ORDINANCE **2011-03-31-0216**

AWARDING TWO CONSTRUCTION CONTRACTS TO OSCAR RENDA CONTRACTING, ONE IN THE AMOUNT NOT TO EXCEED \$11,814,556.20, AND THE SECOND AS A HEALTH AND SAFETY CONTRACT IN AN AMOUNT NOT TO EXCEED \$270,000.00 FOR WATER CONTROL DEVICES TO SEPARATE DEBRIS, TRASH, AND OTHER POLLUTANTS FROM STORMWATER PRIOR TO ITS ENTERING THE SAN ANTONIO RIVER, FOR A TOTAL NOT TO EXCEED THE AMOUNT OF \$12,084,556.20 OF WHICH \$1,988,249.80 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, \$356,216.00 WILL BE REIMBURSED BY CPS ENERGY, AND \$516,141.10 WILL BE FUNDED FROM CPS ENERGY COMMUNITY INFRASTRUCTURE AND ECONOMIC DEVELOPMENT FUNDS FOR THE BROADWAY CORRIDOR PHASE IIA; AND AMENDING THE FY 2011-2016 CAPITAL BUDGET TO REALLOCATE \$3,102,406.00 FROM IDENTIFIED 2007-2012 GENERAL OBLIGATION BOND PROJECT SAVINGS TO THE BROADWAY-HILDEBRAND DRAINAGE PROJECT, LOCATED IN COUNCIL DISTRICT 9.

* * * * *

WHEREAS, the scope of the Broadway Corridor Phase IIA Project provides for the reconstruction and widening of Hildebrand from the San Antonio River through Broadway with curbs, sidewalks, driveway approaches, and center turn lanes, as well as, improves the intersection of Hildebrand and Broadway with additional turn lanes and necessary traffic signal improvements; and

WHEREAS, coordination with various stakeholders and the San Antonio River Authority (SARA) have supported the City's commitment to not only maintain but improve the water quality of the San Antonio River by installing the four water control devices to separate debris, trash, and other pollutants prior to entering the San Antonio River; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **Oscar Renda Contracting** in the total amount not to exceed \$11,814,556.20; and

WHEREAS, this Ordinance awards a Health and Safety Construction Contract in an amount not to exceed \$270,000.00 to **Oscar Renda Contracting** to install water control devices to separate debris, trash, and other pollutants from stormwater prior to its entering the San Antonio River; and

WHEREAS, San Antonio Water Systems (SAWS) will reimburse the City an amount of \$1,988,249.80 for replacement and adjustment of their facilities throughout the Project area; and

WHEREAS, CPS Energy (CPS) will reimburse the City an amount of \$516,141.10 for replacement and adjustment of their facilities within the Project, as well as, includes the construction of the approved Broadway/Hildebrand Underground Conversion Project as part of

the CPS Energy CIED Program to bury all utility lines at the four corners of the Broadway/Hildebrand Intersection; and

WHEREAS, this Ordinance also amends the FY 2011-2016 Capital Improvement Program Budget to reallocate funds in the amount of \$3,102,406.00 from identified 2007 Bond Program Project savings to the Broadway-Hildebrand Drainage Project; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid submitted by **Oscar Renda Contracting** in the amount not to exceed \$11,814,556.20 is hereby accepted in connection with the Broadway Corridor Phase IIA Project. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

SECTION 2. Oscar Renda Contracting is selected for award of a Health and Safety Construction Contract in an amount not to exceed \$270,000.00 to install water control devices to separate debris, trash, and other pollutants from stormwater prior to its entering the San Antonio River.

SECTION 3. These construction contracts are hereby awarded to **Oscar Renda Contracting** for a total amount not to exceed \$12,084,556.20.

SECTION 4. The following financial adjustments are hereby authorized to effect this Ordinance:

- a) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00069, Zarzamora Drainage #39, Phase I, shall be revised by decreasing SAP WBS Element 40-00069-05-02-01 entitled City-Construction, SAP GL account 5201140, by the amount of \$788,866.00.
- b) The budget in SAP Fund 45099000, SAP Project Definition 40-00069, Zarzamora Drainage #39, Phase I, shall be revised by decreasing SAP WBS element 40-00069-90-04 entitled Transfer from GO-00402-01-01-27-01, SAP GL account 6101100, by the amount of \$788,866.00.
- c) The amount of \$788,866.00 is reverted in SAP Fund 45907002, 2010 GO Drainage Improvements, SAP WBS GO-00402-01-01-27-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00069-90-04. The amount of \$788,866.00 is authorized to be transferred from SAP Fund 45099000.
- d) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00067, W.W. White Area Streets, Phase II, shall be revised by decreasing SAP WBS Element 40-00067-05-06 entitled Contingency, SAP GL account 5201140, by the amount of \$788,866.00.
- e) The budget in SAP Fund 45099000, SAP Project Definition 40-00067, W.W. White Area Streets, Phase II, shall be revised by decreasing SAP WBS element 40-00067-

90-04 entitled Transfer from GO-00402-01-01-26-01, SAP GL account 6101100, by the amount of \$788,866.00.

- f) The amount of \$788,866.00 is reverted in SAP Fund 45907002, 2010 GO Drainage Improvements, SAP WBS GO-00402-01-01-26-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00067-90-04. The amount of \$788,866.00 is authorized to be transferred from SAP Fund 45099000.
- g) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00064, Skyline Area Drainage, Phase I A, shall be revised by decreasing SAP WBS Element 40-00064-05-06 entitled Contingency, SAP GL account 5201140, by the amount of \$633,798.00.
- h) The budget in SAP Fund 45099000, SAP Project Definition 40-00064, Skyline Area Drainage, Phase I A, shall be revised by decreasing SAP WBS element 40-00064-90-05 entitled Transfer from GO-00402-01-01-22-01, SAP GL account 6101100, by the amount of \$633,798.00.
- i) The amount of \$633,798.00 is reverted in SAP Fund 45907002, 2010 GO Drainage Improvements, SAP WBS GO-00402-01-01-22-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00064-90-05. The amount of \$633,798.00 is authorized to be transferred from SAP Fund 45099000.
- j) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00045, Alamo Farmstead Area Drainage - Rochelle, shall be revised by decreasing SAP WBS Element 40-00045-05-06 entitled Contingency, SAP GL account 5201140, by the amount of \$14,021.00.
- k) The budget in SAP Fund 45099000, SAP Project Definition 40-00045, Alamo Farmstead Area Drainage - Rochelle, shall be revised by decreasing SAP WBS element 40-00045-90-04 entitled Transfer from GO-00402-01-01-02-01, SAP GL account 6101100, by the amount of \$14,021.00.
- l) The amount of \$14,021.00 is reverted in SAP Fund 45907002, 2010 GO Drainage Improvements, SAP WBS GO-00402-01-01-02-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00045-90-04. The amount of \$14,021.00 is authorized to be transferred from SAP Fund 45099000.
- m) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00049, Commercial Tributary Phase II (Petaluma), shall be revised by decreasing SAP WBS Element 40-00049-05-06 entitled Contingency, SAP GL account 5201140, by the amount of \$876,855.00.
- n) The budget in SAP Fund 45099000, SAP Project Definition 40-00049, Commercial Tributary Phase II (Petaluma), shall be revised by decreasing SAP WBS element 40-00049-90-04 entitled Transfer from GO-00402-01-01-06-01, SAP GL account 6101100, by the amount of \$876,855.00.

- o) The amount of \$876,855.00 is reverted in SAP Fund 45907002, 2010 GO Drainage Improvements, SAP WBS GO-00402-01-01-06-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00049-90-04. The amount of \$876,855.00 is authorized to be transferred from SAP Fund 45099000.
- p) The amount of \$3,102,406.00 is appropriated in SAP Fund 45907002, 2010 GO Drainage Improvements, SAP WBS GO-00402-01-01-04-01, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 40-00047-90-04. The amount of \$3,102,406.00 is authorized to be transferred to SAP Fund 45099000.
- q) The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A, shall be revised by increasing SAP WBS element 40-00047-90-04 entitled Transfer from GO-00402-01-01-04-01, SAP GL account 6101100 – Interfund Transfer In, by the amount \$3,102,406.00.
- r) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A, shall be revised by increasing WBS element 40-00047-90-07, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$1,988,249.80.
- s) Funds are authorized to be received from CPS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A, shall be revised by increasing WBS element 40-00047-90-09, entitled CPS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$356,216.00.
- t) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A, shall be revised by increasing WBS element 40-00047-90-10, entitled CPS CIED Funds Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$516,141.10.
- u) The amount of \$5,963,012.90 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00047, Broadway Corridor - Phase III A, and the budget shall be revised by increasing SAP WBS Element as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
40-00047-05-02-01	Construction - City	5201140	Construction Cost	\$6,154,580.90	\$3,618,547.10	\$9,773,128.00
40-00047-05-02-02-01	SAWS SewerConstruction	5201140	Construction Cost	\$0.00	\$1,190,098.80	\$1,190,098.80
40-00047-05-02-02-02	SAWS WaterConstruction	5201140	Construction Cost	\$0.00	\$798,151.00	\$798,151.00
40-00047-05-02-03	CPS Gas	5201140	Construction Cost	\$0.00	\$356,216.00	\$356,216.00
			TOTALS	\$6,154,580.90	\$5,963,012.90	\$12,117,593.80

- v) Payment in the amount not to exceed \$12,084,556.20 in SAP Fund 45099000, General Obligation Capital Projects SAP Project Definition 40-00047, Broadway Corridor - Phase III A, is authorized to be encumbered and made payable to **Oscar Renda Contracting** for construction services.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

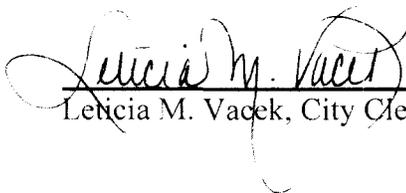
SECTION 6. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 31st day of March, 2011.



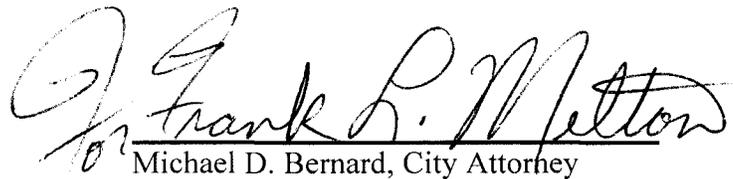
M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 5A

Name:	5A, 5B, 5C						
Date:	03/31/2011						
Time:	12:17:02 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance awarding a construction contract in the amount of \$12,084,556.20 to Oscar Renda Contracting, of which \$1,988,249.80 will be reimbursed by San Antonio Water System, \$356,216.00 will be reimbursed by CPS Energy, and \$516,141.10 will be funded from CPS Energy Community Infrastructure and Economic Development funds; and amending the FY 2011-2016 Capital Budget to reallocate \$3,102,406.00 from identified 2007-2012 General Obligation Bond Project savings to the Broadway-Hildebrand .						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x			x	
John G. Clamp	District 10		x				

Broadway-Hildebrand Drainage Project

March 31, 2011
City Council "A" Session
Item 5
Mike Frisbie, P.E., Director
Capital Improvements Management Services



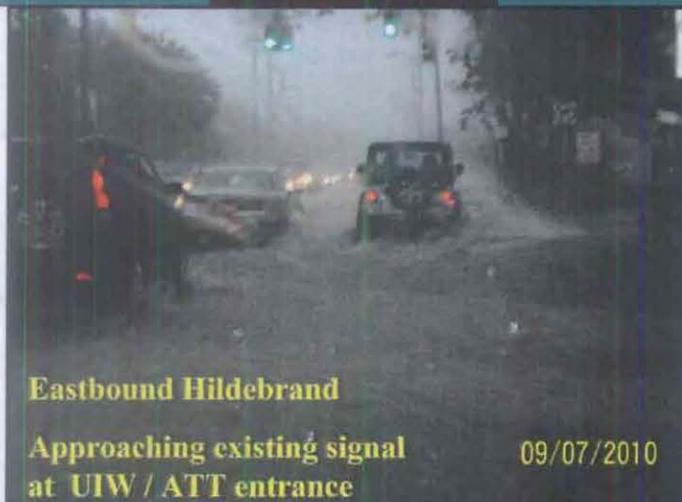
Broadway Corridor



Pictures taken during a normal rain event

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Broadway Corridor



Eastbound Hildebrand

**Approaching existing signal
at UIW / ATT entrance**

09/07/2010

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Broadway Corridor



5

Broadway Corridor



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Bond Language

- Provide a drainage system that is designed to convey a 100-year storm event across Broadway improving the Broadway corridor, beginning at Carnahan and terminating at Davis Court.

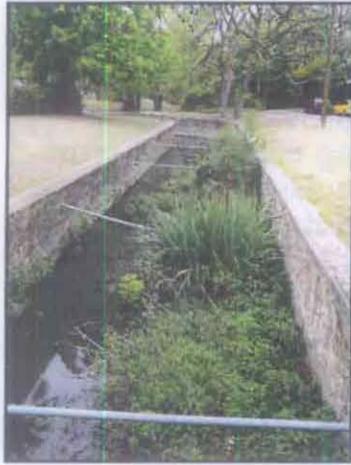
7

Project Background

- 2007-2012 Bond Drainage project to convey a 100-year (1%) storm event
- Consultant Preliminary Engineering Report examined drainage outfall options of Carnahan and Hildebrand
- Hildebrand route recommended
 - Follows existing drainage pattern
 - Keeps storm water in proper sub-watershed
 - Less costly and less extensive Corps of Engineers permitting

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Carnahan Drainage Channel



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Current Project

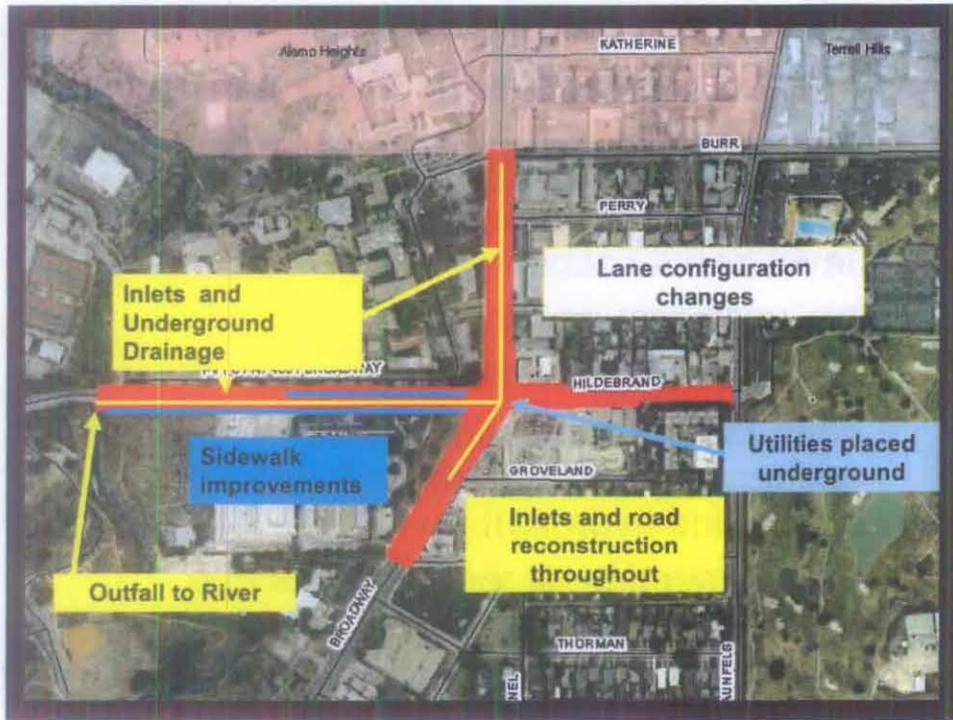
- Provide a drainage system that is designed to convey a 100-year storm event across Broadway improving the Broadway corridor, beginning on Broadway at Groveland Place north to Burr Road; and along Hildebrand from the outfall at the San Antonio River to New Braunfels Avenue. The project also includes reconstructing and widening Hildebrand with curbs, sidewalks, driveway approaches, turn lanes, traffic signal improvements and undergrounding of utilities.
- Bond Counsel approval – Yes, intent of Voter approval maintained

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Project Scope

- Install underground drainage, with outfall at San Antonio River
- Reconstruct Broadway and Hildebrand within project limits
- Underground utilities
- Traffic lane and signal improvements
- Sidewalk extensions to bus stops
- Miraflores Park Restoration

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Partner Contributions

- SAWS
 - 3,660 feet water line upgrades- \$503,000
 - 4,950 feet sewer lines upgrades- \$1 million
- CPS Energy
 - Significant utility adjustments at the intersection
 - Key participant in underground utility conversion
- AT&T
 - Donating significant property for turn lane
 - Significant adjustments in the intersection area
- UIW
 - Property donation along Hildebrand
- Other telecoms
 - Supporting underground conversion

Project Impact and Water Quality

- Project has no negative impact on water level or river scouring
- No upstream impact
- Small benefit downstream
- Four underground storm water separators will be installed to remove floatables, solids and hydrocarbons
- City is meeting all requirements and attained proper permits

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Engineering/Construction Approval

- Freese & Nichols – City Drainage Engineer approved design and hydraulics
- SARA – Approved project will have no impact to Headwaters
- Army Corp of Engineers – 404 Permit
- Texas Historical Commission – Approved no impact to River

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Project Schedule

- Construction award recommendation to City Council March 31, 2011
- Actual start will wait for reopening of Mulberry Bridge
- Construction duration estimated at 16 months. Project was bid with an accelerated schedule to minimize duration that would normally take 22 months

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Mulberry Bridge Update



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Broadway-Hildebrand Drainage Project

- Project is not being rushed
 - Project has been through due diligence and is ready for construction
 - Sooner it is built the sooner public can benefit from safety and efficiency
 - Delay now creates serious impacts

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Public Involvement

- Project has had substantial public involvement
 - Public Meetings with about 20 stakeholder groups
 - Broadway Corridor Website
 - E-mail blasts of upcoming activities

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Extensive Stakeholder Involvement

- Alamo Heights
- Army Corp of Engineers
- AT&T
- Bexar County
- Brackenridge Park Conservancy
- C7 Bexar Regional Watershed Management
- Citizen Bond Oversight Committee
- Conservation Society
- Headwaters Coalition
- Koontz-McCombs
- Mahncke Park Homeowners Association
- Midtown TIRZ
- Miraflores Park Stakeholders
- River Road Homeowners Association
- San Antonio River Authority
- San Antonio River Authority-Museum Reach
- Sisters of Charity of the Incarnate Word
- Terrell Hills
- Texas Historical Commission
- University of the Incarnate Word
- Watershed Improvements Advisory Committee
- Witte Museum Public Meeting

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Project Cost

- Pre-Bond Election: \$12M
- Approved in 2007 Bond: \$9M
- \$2.5M added for intersection and underground utilities
 - Total budget \$11.5M
- Estimates during design tracking at approx. \$14M
- County Contribution
- Mira Flores restoration and water quality inlets
- Bond Program Drainage Proposition savings to cover \$3.1M needed

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Broadway-Hildebrand Drainage Project

- Strive for consensus
 - Not always possible
- Support
- Opposition

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Broadway Option

- Why not take water down Broadway?
 - No benefit to downstream flooding
 - Does not get properties out of flood plain
 - Costs \$12M more to get to Catalpa-Pershing Channel
 - Funds to improve Channel would also be required

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Proposed River Road Benefiting Project

- Goal: Reduce downstream flooding
 - Divert water from SA River to Catalpa-Pershing Channel
 - 2007 Bond Savings (\$1M) and 2012 Bond
 - Support – Opposition

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Outfall Concerns

- Volume, water quality addressed
- Aesthetics

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Current Outfall Area



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Current Outfall Area



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Current Outfall Area



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River Outfall Design



RVK

BROADWAY CORRIDOR PHASE IIIA - MIRAFLORES PARK MITIGATION ENHANCEMENTS

Division of Sustainable Parks
San Antonio, Texas

PHOTO: 0108
12/15/2010

Miraflores Park Property View - only see the fence

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River Outfall Design



RVK

BROADWAY CORRIDOR PHASE IIIA - MIRAFLORES PARK MITIGATION ENHANCEMENTS

Miraflores at TheaterMills park
San Antonio, Texas

DATE: 10/10/10
DRAWN BY: [illegible]
CHECKED BY: [illegible]

PROJECT: 1000
10/10/10

River Level View – Miraflores Park in Background³³

Outfall Aesthetics

- Advisory Committee to contribute ideas for the aesthetics of the outfall
- Option: SAROC Parks Segment Subcommittee augmented as needed
- Changes made to be incorporated via Change Order during construction

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Future Connectivity to Spiritual Reach

- City is supportive of Concept
- Broadway-Hildebrand Project does not preclude access to North
- Likely pedestrian route along west side of SA River



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Pedestrian Bridge



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Additional Funding Needed

- Highly complicated 2007 Bond Drainage Project
- Accelerated schedule
- Water Quality inlets

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Broadway-Hildebrand Recommendation

- Proper due diligence complete
- Design based on sound engineering, science and environmental principles
- Tremendous public benefit
- Additional funding appropriate for project

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Previous Council Action

- February 19, 2009 – Add funding to Broadway Project from \$30M Bond Savings
- April 30, 2009 – Approves using CIED funds for underground conversion at Broadway-Hildebrand Intersection
- September 30, 2010 – Amends professional services agreement with Freese & Nichols for additional design work
- October 7, 2010 – Accepts donation of property from AT&T and the University of the Incarnate Word for the Broadway-Hildebrand Project

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Broadway-Hildebrand Request for Council Action

- A) Construction Contract Award
 - Includes reallocation of \$3.1M
- B) Overhead Utilities Underground Conversion Funding Agreements
- C) Park Restoration Memorandum of Agreement
- D) Design and Construction Services Amendment

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(A) Construction Contract Award

- Awards a low-bid construction contract to Oscar Renda Contracting in the amount of \$12,084,556.20
- Reallocates \$3,102,406 from 2007 Bond Savings to fully fund project
- Includes \$270,000 for Water Quality Inlets
- Oscar Renda bid is almost \$2.2M less than second lowest bidder

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(A) Construction Contract Award

- Project was advertised in December with bids opening on February 2, 2011
- Four bidders responded
- Accelerated construction schedule
 - 16 months
 - 6 day/week, sun-up to sun-down
 - \$10,000/day liquidated damages

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(A) Oscar Renda Contracting

- First job with City of San Antonio
 - References have been checked
 - Administrative hearing held March 23, 2011
- Headquartered in Roanoke, Texas
- SBEDA
 - Small Business 26.01%
 - Minority-owned Business 0.38%
 - Women-owned Business 9.18%
- Good Faith Effort Plan Approved

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(B) Underground Conversion Funding Agreements

- Authorizes execution of Funding Agreements with utilities for underground conversion in an amount not to exceed \$413,000
 - Verizon
 - Grande Communications
 - Time Warner Cable
 - TW Telecom
- Amends budget to accept \$200K from stakeholders into project
- Funded through 2007 Bonds, stakeholder contributions and General Fund (CIED Fund)

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(B) Underground Conversion Funding Agreements

- Ordinance 2009-04-30-0336 approved underground conversion for this project
 - Authorized \$170,000 from the CIED fund be transferred to the General Fund to be used on the project
- Utilities will provide credit to City based on costs of overhead adjustments.
 - Additional costs paid by City and stakeholder groups

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(C) Park Restoration Memorandum of Agreement (MOA)

- Authorizes MOA with Texas Historical Commission (THC) and US Army Corp of Engineers (USACE) for restoration to Miraflores Park
- MOA verifies compliance with the National Historic Preservation Act and satisfies approved 404 permit

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(C) Park Restoration MOA

- Miraflores Restoration
 - Rebuild rock wall and metal railing
 - Protect and rehabilitate the “hollow log” gate and the Saguaro sculpture
 - Rehabilitate the entry towers
 - Minimize aesthetic impact of the outfall
 - Tree mitigation
- Funding for this work is included in the construction contract with Oscar Renda Contracting

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(D) Professional Services Agreement (PSA) Amendment

- Authorizes an amendment in the amount of \$981,619 to the \$1,289,035.89 professional services agreement with Freese & Nichols
- \$53,139 will be reimbursed by SAWS

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(D) PSA Amendment

- City Items (\$865,552)
 - Evaluation and design of water quality control measures
 - Construction Phase Services
- SAWS Items (\$53,139)
 - SAWS water main extension
 - Update traffic control and tree protection plans related to the inclusion of the SAWS C-3 improvements

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Staff Recommendation

- Staff recommends approval of items A-D to include:
 - A) Award of a \$12,084,556.20 construction contract to Oscar Renda Contracting and amend the FY 2011-2016 Capital Budget to reallocate \$3,102,406 in 2007 Bond Savings
 - B) Authorizing Funding Agreements in an amount not to exceed \$413,000 for utility underground conversion
 - C) Authorizing a MOA with the THC & USACE for Miraflores Park Restoration
 - D) Authorizing an Amendment in an amount of \$918,619 to the Professional Services Agreement with Freese & Nichols

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Broadway-Hildebrand Drainage Project

March 31, 2011
City Council "A" Session
Item 5
Mike Frisbie, P.E., Director
Capital Improvements Management Services