

AN ORDINANCE 2010-02-04-0090

**AWARDING A CONSTRUCTION CONTRACT TO DEGAND CONTRACTING, INC., DBA SOUTH TEXAS INTERIORS, FOR UP TO \$186,630.00 FOR THE OSCAR PEREZ PARK IMPROVEMENTS PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 6.**

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**WHEREAS**, this ordinance awards a construction contract for Oscar Perez Park improvements by adding a new children play area and equipment as well as new pole mounted lighting for the existing walkway; and

**WHEREAS**, the proposed restoration work has been coordinated through the Historic and Design Review Commission (HDRC) and the Texas Historical Commission (THC) who have endorsed the project; and

**WHEREAS**, the bid was advertised in three local papers in October 2009, the Commercial Recorder, the San Antonio Observer and La Prensa de San Antonio; and

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

**WHEREAS**, plans were also available for review by potential bidders at local plan rooms and available through Bender Wells Clark Design, 830 North Alamo Street, San Antonio, Texas; and

**WHEREAS**, bids for this project were opened on December 16, 2009 and seven bidders responded; and

**WHEREAS**, of these, Degand Contracting, Inc., dba South Texas Interiors submitted the lowest responsive bid; and

**WHEREAS**, the Economic Development Department has approved the Good Faith Effort Plan submitted by Degand Contracting, Inc., dba South Texas Interiors; **NOW THEREFORE:**

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

**SECTION 1.** The low qualified bid of \$186,630.00, from Degand Contracting, Inc. dba South Texas Interiors, for capital improvements as part of the Oscar Perez Park Improvements Project is hereby accepted. The contract described herein shall become effective upon the deposit of all required bonds and insurance certificates so long as such deposits are accomplished within sixty (60) days from the effective date of this ordinance. All other bids will be considered rejected upon the Contract becoming effective or the expiration of sixty (60) days from the effective date hereof, whichever occurs first. A copy of the contractor's executed Formal Invitation for Bids

and Contract is on file with the Capital Improvements Management Services Department (CIMS) and is incorporated herein by reference.

**SECTION 2.** The amount of \$43,021.68 is authorized to be transferred from SAP Fund 29088049, Park Acquisition Westover Valley, SAP Internal Order # 226000000326, Functional Area 260029000001, SAP GL account 6102100 – Interfund Transfer out entitled Westover Valley to SAP Fund 45099000, General Obligation Capital Projects.

**SECTION 3.** The amount of \$927.73 is authorized to be transferred from SAP Fund 29088046, Park Acquisition Copper Canyon, SAP Internal Order # 226000000387, Functional Area 260029000001, SAP GL account 6102100 – Interfund Transfer out entitled Copper Canyon to SAP Fund 45099000, General Obligation Capital Projects.

**SECTION 4.** The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00113, Oscar Perez Park, shall be revised by increasing SAP WBS Element 40-00113-90-02 entitled Transfer from I/O# 226000000326, SAP GL Account 6101100 – Interfund Transfer In, by the amount of \$43,021.68.

**SECTION 5.** The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00113, Oscar Perez Park, shall be revised by increasing SAP WBS Element 40-00113-90-03 entitled Transfer from I/O# 226000000387, SAP GL Account 6101100 – Interfund Transfer In, by the amount of \$927.73.

**SECTION 6.** The budget in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00113, Oscar Perez Park, shall be revised by increasing\decreasing the SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0 (Optional)	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0 (Optional)
40-00113-01-03	Consultant Contractor Fees	5201170	Engineering Fees	\$33,196.50	-\$5,000.00	\$28,196.50
40-00113-01-04	Consultant Contingency	5402010	Cap Prog Admin Cost	\$0.00	\$5,000.00	\$5,000.00
40-00113-01-06	Design Mandatory Project Fees	5201040	Fees to Prof Contractors	\$0.00	\$315.00	\$315.00
40-00113-01-06	Design Mandatory Project Fees	5201100	Architectural Fees	\$0.00	\$707.10	\$707.10
40-00113-05-01	Advertise	5203040	Advertising/Publications	\$1,400.00	\$600.00	\$2,000.00
40-00113-05-02	Construction Costs	5201140	Construction Cost	\$221,310.00	-\$221,310.00	\$0.00
40-00113-05-02-01	Construction - City	5201140	Construction Cost	\$0.00	\$186,630.00	\$186,630.00
40-00113-05-06	Material Testing	5201040	Fees to Prof Contractors	\$0.00	\$3,732.60	\$3,732.60
40-00113-05-07	Project Contingency	5201140	Construction Cost	\$17,737.73	\$66,217.35	\$83,955.08
40-00113-05-08	Construction Capital Admin	5402010	Cap Prog Admin Cost	\$0.00	\$7,057.36	\$7,057.36
			<b>TOTALS</b>	<b>\$273,644.23</b>	<b>\$43,949.41</b>	<b>\$317,593.64</b>

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02/04/10  
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**SECTION 7.** The amount of \$186,630.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00113, Oscar Perez Park, is authorized to be encumbered and made payable to Degand Contracting, Inc. dba South Texas Interiors, for construction services.

**SECTION 8.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 9.** This ordinance shall become effective immediately upon passage by eight (8) or more affirmative votes of the entire City Council; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

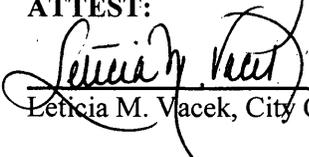
PASSED AND APPROVED this 4<sup>th</sup> day of February, 2010.



M A Y O R

Julián Castro

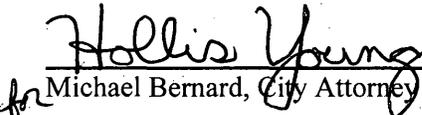
ATTEST:



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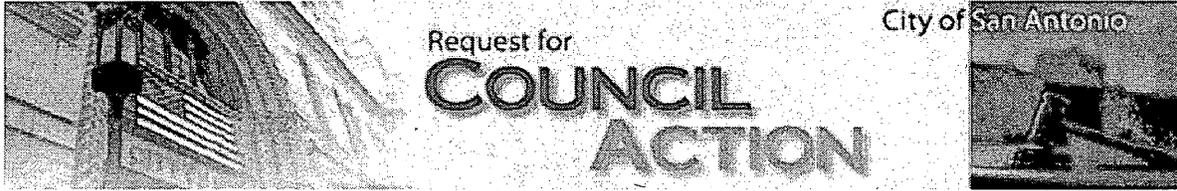
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



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for Michael Bernard, City Attorney



### Agenda Voting Results - 11

<b>Name:</b>	7, 8, 9, 10, 11, 12A, 13, 14, 16, 17A, 17B, 17C, 17D, 17E, 17F, 17G, 17H, 17J, 17K, 17L, 17M, 17N						
<b>Date:</b>	02/04/2010						
<b>Time:</b>	01:58:11 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance awarding a construction contract to Degand Contracting, Inc., dba South Texas Interiors, for up to \$186,630.00 for the Oscar Perez Park Improvements Project, an authorized 2007-2012 General Obligation Bond funded project located in Council District 6. [Pat DiGiovanni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
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				