

AN ORDINANCE 2015-09-17-0796

**ACCEPTING THE LOWEST RESPONSIVE BID, INCLUDING ONE ADDITIVE ALTERNATE, AND AWARDING A CONSTRUCTION CONTRACT WITH FRIESENHAHN PAVING, LLC. IN THE AMOUNT OF \$523,012.15 FOR THE PHIL HARDBERGER PARK PARKING PROJECT, A 2012-2017 BOND-FUNDED PROJECT, LOCATED IN COUNCIL DISTRICTS 8 AND 9.**

\* \* \* \* \*

**WHEREAS**, this project provides for much needed parking expansion adjacent to the dog park on the Blanco Road parcel of the Phil Hardberger Park; and

**WHEREAS**, Ordinance 2013-11-21-0785 accepted approximately two (2) acres of land adjacent to the Phil Hardberger Park from the Phil Hardberger Park Conservancy and authorized a reciprocal easement agreement with Henrietta Partners for access to the adjacent commercial development; and

**WHEREAS**, the donated tract was to serve as a transition area between the commercial development and the park proper; and

**WHEREAS**, this transition area provided an opportunity for much needed parking expansion at Phil Hardberger Park; and

**WHEREAS**, the commercial development agreement allowed for the construction of an access drive off of Blanco and Wurzbach Parkway which would allow ingress/egress to the Phil Hardberger Park's new parking lot; and

**WHEREAS**, this construction project will build 59 parking spaces as part of the base bid with another 27 parking spaces as part of the bid alternate for a total of 86 parking spaces.

**WHEREAS**, this project was advertised for construction bids;

**WHEREAS**, bids were opened on August 11, 2015, and four (4) bids were received and of these, Friesenhahn Paving LLC., submitted the lowest responsive bid; and

**WHEREAS**, this contract will be awarded in compliance with the new Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts to be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority and women-owned business participation on the contract; and

**WHEREAS**, the Economic Development Department approved a partial waiver submitted by Friesenhahn Paving LLC., because the contractor demonstrated a good faith effort to provide

**WHEREAS**, the Economic Development Department approved a partial waiver submitted by Friesenhahn Paving LLC., because the contractor demonstrated a good faith effort to provide subcontracting opportunities for small, minority and women-owned businesses; **NOW THEREFORE:**

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

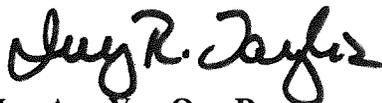
**SECTION 1.** The lowest responsive bid in the amount of \$523,012.15, from Friesenhahn Paving LLC., for the Phil Hardberger Park Parking Project, located in Council Districts 8 and 9, is hereby accepted. The contract described herein shall become effective upon the deposit of all required bonds and insurance certificates so long as such deposits are accomplished within sixty (60) days from the effective date of this ordinance. A copy of the contractor's executed Formal Invitation for Bids and Contract is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** The amount of \$523,012.15 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00430, Hardberger Park, and is authorized to be encumbered and made payable to Friesenhahn Paving LLC., for construction services.

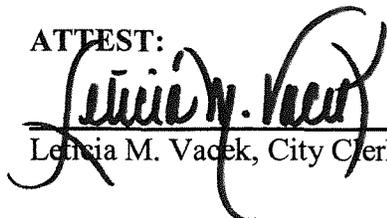
**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 4.** This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

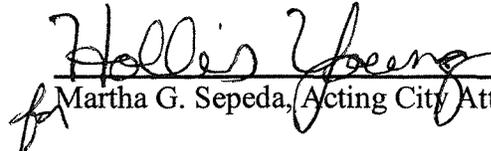
**PASSED AND APPROVED** this 17th day of September, 2015, 2015.

  
M A Y O R  
Ivy R. Taylor

ATTEST:

  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	22A ( in consent vote: 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 22A, 22B, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 40, 41, 42, 43 )
<b>Date:</b>	09/17/2015
<b>Time:</b>	10:02:11 AM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	An Ordinance for the Phil Hardberger Park Parking Project awarding a construction contract including one additive alternate in the amount of \$523,012.15 to Friesenhahn Paving LLC, a 2012-2017 Bond-funded Project located in Council Districts 8 and 9.
<b>Result:</b>	Passed

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

CITY OF SAN ANTONIO

Issued By: Transportation and Capital Improvements
ID NO.: 40-00430-05-03

Date Issued: July 13, 2015

(010) FORMAL INVITATION FOR BIDS (IFB) to CONTRACT
HARDBERGER PARK PHASE 4 (PARKING LOT) #40-00430A

Sealed bids, subject to the Terms and Conditions of this Invitation for Bids and other contract provisions, will be received at the Office of the City Clerk, City Hall, 100 Military Plaza, 2nd floor San Antonio, Tx 78205 until 2:00 P.M. CST on Tuesday, August 11, 2015 and publicly read aloud in City Council Chambers at 114 W. Commerce, Municipal Plaza Building. This is the solicitation deadline. Bids must be submitted in a sealed envelope and clearly marked with the due date of bid, bidder name, Project Name and ID NO. The City is not responsible for submissions not clearly and appropriately marked. Late submissions will be rejected and returned to bidder. A Non-Mandatory Pre-bid meeting will be held at 114 W. Commerce, San Antonio, TX 78205 in the 9th fl. conference room on Thursday, July 23, 2015 at 10:30 A.M. Deadline for questions: 4:00 P.M., July 30, 2015.

This invitation includes the following Contract Documents:

- 010 Invitation for Bids and Contract Signature Page
020 Bid Form
025 Unit Pricing Form
040 Standard Instructions to Respondent
060 Supplemental Conditions
075 Performance Bond
076 Payment Bond
081 General Conditions for Construction Contracts
091 HUD Supplemental Conditions
092 Federal Compliance Manual
Wage Decision

Plans, Specifications and Special Conditions may be purchased at a cost of \$100.00 per set (tax included) from the office of Pape-Dawson Engineers, Inc., 2000 NW Loop 410, Castle Hills, TX 78213; Phone: (210) 375-9000. No refund will be made for plan sets that are returned. Changes to Plans, Specifications and Special Conditions will be included in an addendum and will be posted on the web at http://www.sanantonio.gov/purchasing/biddingcontract/opportunities.aspx along with this solicitation. Bidder understands and agrees that bidder is responsible for obtaining addenda and adhering to all requirements in addenda. City is not responsible for incorrect information obtained through other sources.

The following documents (fully completed and with original signatures) constitute the required information to be submitted as a part of the bid proposal:

- 1.) 010 Invitation for Bids and Contract Signature Page
2.) 020 Bid Form
3.) 025 Unit Pricing Form
4.) Bid Bond
5.) Signed Addenda Acknowledgement Forms
6.) GMA - Section 3 Utilization Plan

It is understood and agreed that the work is to be substantially completed on or before 90 calendar days. This project does not include hazardous environmental work. This project requires 1 project sign(s).

Wage Decision - Respondent shall meet the prevailing wage rate requirements established for this contract and shall reference the wage decision posted with this solicitation on the City's website.

The undersigned, by his/her signature, represents that he/she is authorized to bind the bidder to fully comply with Contract Documents for the amount(s) shown on the accompanying bid sheet(s). The work proposed to be done shall be accepted when fully completed and finished to the entire satisfaction of the City. The undersigned certifies all prices contained in this bid have been carefully checked and are submitted as correct and final. The bidder by submitting this bid and signing below, acknowledges that he/she has received & read the entire Bid and Contract document and agrees to be bound by the terms therein, has received all Addenda, and agrees to the terms, conditions, and requirements of the bidder's bid proposal and all documents listed in the tables above and the enabling Ordinance and associated documentation that form the entire Contract upon approval by the City Council.

Official Name of Company (legal): FRIESENGER PAVING LLC.

Original Signature of Person Authorized to Sign Bid/Contract

Signer's Name: GARRETT HUNGERFORD (Please Print or Type)

**CITY OF SAN ANTONIO**

Project Name: Hardberger Park Phase 4 Parking  
ID NO.: 40-00430-05-03

Date Issued: July 27, 2015

The estimated construction budget for this contract is \$538,000

Page 1 of 1

020

**BID FORM**

**I. BASE BID**

Amount of Site Construction Base Bid (Insert Amount in Words and Numbers):

Total Amount of Base Bid (Insert Amount in Words and Numbers):

Four hundred forty-four thousand nine hundred eighty-two dollars fifteen cents

\$ 444,982.15

**II. ALTERNATES**

Amount of each Alternates (if applicable) insert in Numbers:

Additive Alternate #1 - The additional construction of 27 parking spaces

Total Amount of Bid for Additive Alternate #1 (Insert Amount in Words and Numbers):

Fifty three thousand dollars and thirty dollars zero cents

\$ 53,030.00

**III. UNIT PRICES**

Bidders shall submit unit pricing on the 025 Unit Pricing form, and it shall be attached immediately following this sheet.

**IV. ALLOWANCES (if applicable)**

Amount of each Allowance (if applicable) insert in Numbers: \$25,000.00

Allowance #1 - CPS Electrical (including Panels, Controls, Strong Box) 25000

Friesenhahn Paving LLC.

210-649-1998

Official Name of Company (legal)

Telephone No.

10966 HWY 87 E.

Address

Fax No.

Adkins TX 78601

garrett@fpaving.com

City, State and Zip Code

E-mail Address

Name of the proposed Project Manager: Dutch Friesenhahn

Name of the proposed Site Superintendent: Jeff Knowlton

Form 020 Bid Form

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK

2015 AUG 11 PM 1:32

CITY OF SAN ANTONIO  
025 UNIT PRICING FORM

ITEM NO.	BASE BID ITEM DESCRIPTION	UNIT OF MEASURE	QUANTITY	UNIT BID PRICE	TOTAL
	<b>The City only will accept bid pricing to the hundredths. Any pricing extended out to three decimal points will be truncated to two decimal points in the City's favor.</b>				
1	General Conditions	Lump Sum	1	\$5,000.00	\$ 5,000.00
2	Site Clearing and Grubbing	Lump Sum	1	\$25,000.00	\$25,000.00
3	Embankment	CY	800	\$14.00	\$11,200.00
4	Excavation	CY	1400	\$18.00	\$25,200.00
5	Haul-Off and Spread Excess Excavation (Ref. Notes C2.00 and L202)	CY	800	\$9.00	\$7,200.00
6	Remove Existing Asphalt Sidewalk	Square Feet	3820	\$2.00	\$7,640.00
7	Tree Protection (Ref. Details 1 & 2 / L000)	Linear Feet	336	\$5.00	\$1,680.00
8	Tree Pruning (Ref. Detail 4/ L000)	Lump Sum	1	\$500.00	\$ 500.00
9	Sawcut & Remove Ex Curb	Linear Feet	80	\$5.00	\$400.00
10	Truegrid Permeable Paving System (Ref. Detail 9/L301)	Square Feet	175	\$6.00	\$1,050.00
11	GEOGRID Tensar TX5	SY	3452.32	\$1.00	\$3,452.32
12	6" Lime Stabilized Subgrade	SY	3452.32	\$5.00	\$17,261.60
13	Compacted Flexible Base 8" Depth for Parking (Ref. Detail 9/L301)	Square Feet	9328	\$1.75	\$16,324.00
14	Compacted Flexible Base 9" Depth (Ref. Detail C3.00)	Square Feet	21743	\$1.75	\$38,050.25
15	2" Type D Asphalt	SY	3452.32	\$14.00	\$48,332.48
16	Concrete Curb (Flush) at Parking (Ref. Details C3.00)	Linear Feet	795	\$15.00	\$11,925.00
17	Concrete Curb (Raised) (Ref. Details C3.00)	Linear Feet	870	\$15.00	\$13,050.00
18	Concrete Paving 4" Depth (Ref. Detail 1/L301)	Square Feet	5764	\$4.50	\$25,938.00
19	Concrete Paving 6" Depth (Ref. Detail 7/L301)	Square Feet	1008	\$7.00	\$7,056.00
20	2" Decomposed Granite (Ref. Detail 9/L301)	Square Feet	9328	\$3.00	\$27,984.00
21	TPDES	Lump Sum	1	\$5,000.00	\$5,000.00
22	Pipe Stem Wheel Stop (Ref. Details L302)	Linear Feet	515	\$18.00	\$9,270.00
23	6" Pipe Bollard (Ref. Detail 5/L304)	Each	16	\$75.00	\$1,200.00
24	Concrete Curb at Wheel Stop (Ref. Details L302)	Linear Feet	440	\$15.00	\$6,600.00
25	Mulch (Ref. Detail 5/L401)	CY	46.1	\$32.00	\$1,475.20
26	Limestone Bench (Ref. Detail 10/L302)	Linear Feet	50	\$200.00	\$10,000.00
27	Limestone Cobble (Ref. Detail 1/L401)	CY	38.74	\$45.00	\$1,743.30
28	Seeding Construction Disturbed Areas (Ref. Details L401)	Square Feet	19724	\$0.50	\$9,862.00

CITY OF SAN ANTONIO  
025 UNIT PRICING FORM

29	Restroom Enclosures (Including concrete foundation) (Ref. Detail 1/L305)	Lump Sum	1	\$22,000.00	\$22,000.00
30	Steel Edging at Parking (Ref. Detail 6/L302)	Linear Feet	360	\$15.00	\$5,400.00
31	Metal Grate Curb Leaveout (Ref. Detail C3.00)	Linear Feet	90	\$124.00	\$11,160.00
32	Fence Demolition	Linear Feet	100	\$4.00	\$400.00
33	Dog Park Fence (Ref. Detail 1/L306)	Linear Feet	145	\$14.00	\$2,030.00
34	Dog Park Gate (Ref. Detail 3/L306)	Each	1	\$500.00	\$500.00
35	Dog Park Signage (Ref. Details 4 & 5 / L306)	Lump Sum	1	\$350.00	\$350.00
36	Parks and Recreation Rules and Regulations Signage (Ref. Detail 7/L303)	Lump Sum	1	\$750.00	\$750.00
37	Replace Fire Lane Striping at Entrance (Ref. Note C2.00 & Detail C3.01)	Linear Feet	97	\$2.00	\$194.00
38	Infiltration Trench (Including cobble, trenching, & boring) (Ref. Detail 3/L304)	Linear Feet	112	\$28.00	\$3,136.00
39	Bike Rack (Ref. Detail 2/L304)	Each	2	\$1,200.00	\$2,400.00
40	Trash Receptacle (Ref. Detail 6/L304)	Each	4	\$975.00	\$3,900.00
41	2' x 2' Detectable Warning Plates (Ref. Detail 5/L301)	Each	6	850	\$ 5,100.00
42	Park Sign; Include Steel Framing, Supports, Concrete Footing, Solid Steel Panels (Ref. Detail 1/L304)	Lump Sum	1	2500	\$ 2,500.00
43	Limestone Block Base for Park Sign (Ref. Detail 1/L304)	CY	10	650	\$ 6,500.00
44	3.5" Height Steel Sign Letters (Ref. Detail 1/L304)	Each	18	127	\$ 2,286.00
45	2.5" Height Steel Sign Letters (Ref. Detail 1/L304)	Each	16	127	\$ 2,032.00
46	Accessible Signage (Ref. Detail 4/L304)	Lump Sum	1	350	\$ 350.00
47	Parking Lot Lighting	Each	4	2800	\$ 11,200.00
48	Conduits for Parking Lot Lighting (Ref. Detail 2/E300)	Linear Feet	700	30	\$ 21,000.00
49	Vehicular Gate (Ref. Details 1/L303 and 3/L303)	Each	1	1200	\$ 1,200.00
50	Vehicular Gate Operator (Ref. Detail 5/L303)	Each	1	1200	\$ 1,200.00
					\$ 444,982.15
<b>ITEM NO.</b>	<b>ALTERNATE BID ITEM DESCRIPTION</b>	<b>UNIT OF MEASURE</b>		<b>UNIT BID PRICE</b>	
1	Site Clearing and Grubbing	Lump Sum	2000	\$1.00	\$2,000.00
2	Embankment	CY	156	\$9.00	\$1,404.00
3	Excavation	CY	156	\$12.00	\$1,872.00
4	Haul-Off and Spread Excess Excavation (Ref. Notes C2.00 and L202)	CY	80	\$12.00	\$960.00
5	Tree Protection (Ref. Details 1 & 2 / L000)	Linear Feet	440	\$5.00	\$2,200.00
6	Tree Pruning (Ref. Detail 4/ L000)	Lump Sum	1	\$300.00	\$300.00

CITY OF SAN ANTONIO  
025 UNIT PRICING FORM

7	Truegrid Permeable Paving System (Ref. Detail 9/L301)	Square Feet	100	\$6.00	\$600.00
8	GEOGRID Tensar TX5	SY	468	\$1.00	\$468.00
9	8" Lime Stabilized Subgrade	SY	468	\$2.00	\$936.00
10	Compacted Flexible Base 8" Depth for Parking (Ref. Detail 9/L301)	Square Feet	4212	\$2.00	\$8,424.00
11	Concrete Curb (Flush) at Parking (Ref. Details C3.00)	Linear Feet	342	\$15.00	\$5,130.00
12	2" Decomposed Granite (Ref. Detail 9/L301)	Square Feet	4212	\$3.00	\$12,636.00
13	Pipe Stem Wheel Stop	Linear Feet	220	\$18.00	\$3,960.00
14	Concrete Curb at Wheel Stop	Linear Feet	220	\$15.00	\$3,300.00
15	Limestone Cobble (Ref. Detail 1/L401)	CY	10	\$650.00	\$6,500.00
16	Steel Edging at Parking (Ref. Detail 6/L302)	Linear Feet	100	\$15.00	\$1,500.00
17	Infiltration Trench (Including cobble, trenching, & boring) (Ref. Detail 3/L304)	Linear Feet	30	\$28.00	\$840.00
					<b>\$53,030.00</b>
<p>Friesenhahn Paving _____ hereby certifies that the unit prices shown on this form in this bid proposal are the unit prices intended for this project. These unit prices are 'complete and in place', and include but are not limited to: necessary superintendence, labor, machinery, equipment, tools, materials, mobilization, insurance, overhead and other miscellaneous items and cost to complete the proposed work. It is further understood that these unit prices will be used by the City of San Antonio, at any time during the construction project, to adjust the final bid and/or contract amount through additions to or deletions from the scope and amount of work for the project, at the sole discretion of the City of San Antonio.</p>					
Friesenhahn Paving _____					
Signed: <u>Garrett Hungerford</u>					
Title: <u>Estimator</u>					



**GRONA BOLES MARTIN BLOXSOM**  
800 Isom Road, Suite 100  
P. O. Box 790828  
San Antonio, TX 78279-0828  
Phone: 210-366-5094 Fax: 210-366-9549

MEMO			Page 1
ACCOUNT NO.	OP	DATE	
FRIES05	LB	08/07/2015	
POLICY INFORMATION			
POLICY #			
BID BOND			
TYPE	EFFECTIVE	EXPIRATION	
BOND	08/07/2015	08/07/2015	

Friesenhahn Paving, LLC  
Friesenhahn Paving, Inc.  
10966 Hwy 87 E  
Adkins, TX 78101

Jesse

Re: Project 40004-30A

Enclosed you will find the Bid Bond for City of San Anton.

Call our office immediately if you have any questions or require any assistance.

Thank you.

Lisa Bielefeld



**BID BOND**

**KNOW ALL MEN BY THESE PRESENTS**, that we Friesenhahn Paving, LLC.  
as principal, hereinafter called the "Principal," and **SURETEC INSURANCE COMPANY**, as surety, hereinafter called the  
"Surety," are held and firmly bound unto City of San Antonio  
as obligee, hereinafter called the Obligee, in the sum of 10 % of the greatest amount bid by Principal for the  
payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs,  
executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

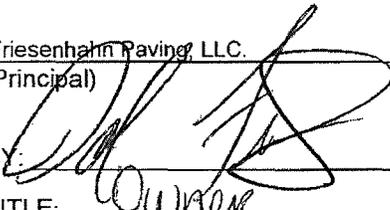
**WHEREAS**, the principal has submitted a bid for Hardberger Park Phase 4 Asphalt Parking Lot  
Proj. No. Project 40-004-30A

**NOW, THEREFORE**, if the contract be timely awarded to the Principal and the Principal shall within such time as  
specified in the bid, enter into a contract in writing or, in the event of the failure of the Principal to enter into such Contract,  
if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in  
said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work  
covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

**PROVIDED, HOWEVER**, neither Principal nor Surety shall be bound hereunder unless Obligee prior to execution of the  
final contract shall furnish evidence of financing in a manner and form acceptable to Principal and Surety that financing  
has been firmly committed to cover the entire cost of the project.

SIGNED, sealed and dated this 11th day of August, 2015.

Friesenhahn Paving, LLC.  
(Principal)

BY: 

TITLE: OWNER

**SURETEC INSURANCE COMPANY**

BY: 

Lisa M. Bielefeld, Attorney-in-Fact

# SureTec Insurance Company

## LIMITED POWER OF ATTORNEY

**Know All Men by These Presents**, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

**Lisa M. Bielefeld**

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for:

**Principal:** Friesenhahn Paving, LLC.  
**Obligee:** City of San Antonio  
**Amount:** \$ 600,000.00

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

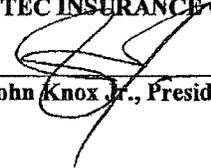
*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

*Attorney-in-Fact* may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (*Adopted at a meeting held on 20<sup>th</sup> of April, 1999.*)

**In Witness Whereof**, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 21st day of March, A.D. 2013.

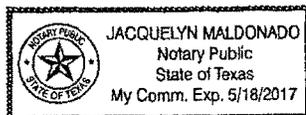
SURETEC INSURANCE COMPANY

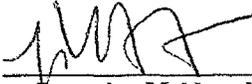
By:   
 John Knox Jr., President

State of Texas                      ss:  
 County of Harris



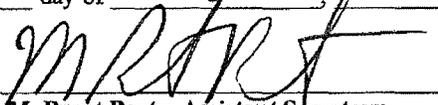
On this 21st day of March, A.D. 2013 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.



  
 Jacquelyn Maldonado, Notary Public  
 My commission expires May 18, 2017

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 11<sup>th</sup> day of August, 2015, A.D.

  
 M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.  
 For verification of the authority of this power you may call (713) 812-0800 any business day between 8:00 am and 5:00 pm CST.

**SureTec Insurance Company**  
**THIS BOND RIDER CONTAINS IMPORTANT COVERAGE INFORMATION**  
**Statutory Complaint Notice/Filing of Claims**

To obtain information or make a complaint: You may call the Surety's toll free telephone number for information or to make a complaint or file a claim at: 1-866-732-0099. You may also write to the Surety at:

SureTec Insurance Company  
9737 Great Hills Trail, Suite 320  
Austin, Tx 78759

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at 1-800-252-3439. You may write the Texas Department of Insurance at

PO Box 149104  
Austin, TX 78714-9104  
Fax#: 512-490-1007  
Web: <http://www.tdi.state.tx.us>  
Email: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

**PREMIUM OR CLAIM DISPUTES:** Should you have a dispute concerning your premium or about a claim, you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

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## CITY OF SAN ANTONIO SUBCONTRACTOR/SUPPLIER UTILIZATION PLAN

SOLICITATION NAME: **Hardberger Park Phase IV Parking Lot**

RESPONDENT NAME: Friesenhahn Paving LLC

SOLICITATION API: **Minority / Women-Owned Business Enterprise (M/WBE) Subcontracting Program and African American Business Enterprise (AABE) Subcontracting Program**

API REQUIREMENTS: Respondents must demonstrate commitment to satisfy a **eighteen percent (18%) M/WBE subcontracting goal**. Moreover, **two percent (2%)** out of the eighteen (18%) subcontracting goal is to be subcontracted to AABE firms. Segmented AABE goals target the participation of AABEs within select industries (Construction, Professional Services & Other Services) as identified by the availability in the Central Vendor Registry. Participation by AABE subcontractors automatically counts toward the M/WBE subcontracting goal.

Pursuant to the SBEDA Ordinance, M/WBEs and AABEs must also be certified as SBEs with the South Central Texas Regional Certification Agency (SCTRCA) and be headquartered or have a Significant Business Presence in the San Antonio Metropolitan Statistical Area to satisfy the above-stated goals.

Self-performance by M/WBE and/or AABE prime respondents does not count towards these subcontracting goals. Commitment to meet subcontracting requirements must be demonstrated by writing the **company name, SAePS vendor number of each subcontractor/supplier, dollar value or percentage of participation on the contract, and type of work to be performed\*\***.

In the absence of a waiver granted by the Small Business Office, failure of a Respondent to commit to satisfying the M/WBE and AABE subcontracting goals shall render its response NON-RESPONSIVE. For further clarification, please contact Ruben Flores at (210) 207-3923.

Enter Respondent's (Prime) proposed contract participation level.

	PARTICIPATION DOLLAR AMOUNT	% LEVEL OF PARTICIPATION	CERTIFICATION TYPE AND NUMBER	TYPE OF WORK TO BE PERFORMED (BY NIGP CODE)
Prime: Friesenhahn Paving	\$ 444,982.15	%		
SAePS Vendor #: 1047102			SCTRCA #:	

List ALL subcontractors/suppliers that will be utilized for the entire contract period, excluding possible extensions, renewals and/or alternates. Use additional pages if necessary.

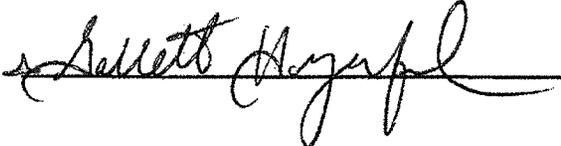
Sub:All Materials Construction	\$ 91,500.35	11 %		
SAePS Vendor #: 10030257			SCTRCA #:	
Sub:Southernstar Trucking	\$ 16,245.1	%		
SAePS Vendor #:			SCTRCA #:	
Sub:Eidridge Electric	\$ 24,500	%		
SAePS Vendor #:			SCTRCA #:	

**\*\* Prime respondent and all subcontractors/suppliers must be registered in the City of San Antonio Electronic Procurement System (SAePS). To learn more about how to register, please call (210) 207-0118 or visit <http://www.sanantonio.gov/purchasing/saeps.aspx>.**

Sub:	\$	%	
SAePS Vendor #:			SCTRCA #:
Sub:	\$	%	
SAePS Vendor #:			SCTRCA #:
Sub:	\$	%	
SAePS Vendor #:			SCTRCA #:
Sub:	\$	%	
SAePS Vendor #:			SCTRCA #:
Sub:	\$	%	
SAePS Vendor #:			SCTRCA #:
A.Total Prime Participation:	\$ 312,736.7	%	A. Total base bid amount to be kept by prime.
B.Total Sub Participation:	\$ 40,745.1	%	B. Total amount prime will pay to certified and non-certified subcontractors/suppliers
C.Total Certified Sub Participation:	\$ 91,500.35	%	C. Total amount prime will pay to certified subcontractors/suppliers per the eligibility requirements stated above
D.Total Prime & Sub Participation*:	\$ 444,982.15	%	D. Total prime and subcontractor(s)/supplier(s) participation must equal your base bid amount (A+B)

*If a business is not certified, please call the Small Business Program Office at (210) 207-3900 for information and details on how subcontractors and suppliers may obtain certification.*

I HEREBY AFFIRM THAT I POSSESS DOCUMENTATION FROM ALL PROPOSED SUBCONTRACTORS/SUPPLIERS CONFIRMING THEIR INTENT TO PERFORM THE SCOPE OF WORK FOR THE PRICE INDICATED ABOVE. I FURTHER AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND AND AGREE THAT, IF AWARDED THE CONTRACT, THIS DOCUMENT SHALL BE ATTACHED THERETO AND BECOME A BINDING PART OF THE CONTRACT.

Print Name: GARRETT HUNGERFORD Sign:  Title: ESTIMATOR  
Date: \_\_\_\_\_

\*\*\*\*\*

**FOR CITY USE**

Action Taken: Approved \_\_\_\_\_ Denied \_\_\_\_\_

**ASSISTANT DIRECTOR  
ECONOMIC DEVELOPMENT DEPARTMENT**



Note: Addenda Acknowledgement Form for Addendum 1 is attached herein. This form must be signed and submitted with the bid package.

RECEIPT OF ADDENDUM NUMBER(S) 1 IS HEREBY ACKNOWLEDGED FOR PLANS AND

SPECIFICATIONS FOR CONSTRUCTION OF HARDBERGER PARK PHASE 4 (PARKING LOT) - 40-00430A

FOR WHICH BIDS WILL BE OPENED ON TUESDAY, AUGUST 11, 2015 AT 2:00 P.M.

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

Company Name: FRIESENHAGEN PAVING

Address: 10966 HWY 87 E.

City/State/Zip Code: ADRIANS TX 78601

Date: 08/10/2015

Signature

GARRETT HUNGERFORD

Print Name/Title