

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL MEMORANDUM  
PURCHASING & GENERAL SERVICES DEPARTMENT**

CONSENT AGENDA  
ITEM NO. **7**

**TO:** Mayor and City Council

**FROM:** Janie B. Cantu, Director of Purchasing & General Services

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES:** Travis M. Bishop, Assistant City Manager;  
Malcolm Matthews, Director of Parks Department; File

**SUBJECT:** Emergency Repairs for Hemisfair Park Tower of the Americas Parking Deck

**DATE:** September 4, 2003

**SUMMARY & RECOMMENDATION:**

This ordinance authorizes the Purchasing & General Services Department to accept and ratify a contract from M. J. Boyle General Contractor, Inc. to provide the City of San Antonio Parks & Recreation Department with emergency repairs to the parking deck located at the Hemisfair Park Tower of the Americas. Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION:**

Submitted for council consideration and action is an ordinance accepting and ratifying a contract with M. J. Boyle General Contractor, Inc. to provide emergency repairs to the Hemisfair Tower Parking Deck.

The multi-level parking deck located at the Tower of Americas facility was originally built in 1968 for use during the Hemisfair exhibition. It serves currently as the main parking area for Tower tenants and customers. Recently a structural failure has rendered the parking deck unusable for safety reasons. On April 30, 2003, a Park Police report was filed to the effect that damage was possibly done due to an oversized vehicle parked on the upper deck. No evidence was available to determine the party responsible for the damage. Damage consists of a hole on the upper deck of the parking garage, approximately 24 inches by 18 inches in size. The concrete is broken through, exposing the metal reinforcing wire, and several support beams for the upper deck landing suffered significant cracks at the vicinity of the hole. The garage has remained closed since the incident preventing its use for the Tower of Americas restaurant and their guests. The project will be completed by October 1, 2003.

**POLICY ANALYSIS:**

Informal proposals were solicited from M. J. Boyle General Contractor, Inc., Duderstadt Foundation Co., Inc., and Vertex Corporation by the City of San Antonio Parks & Recreation Department with the City Manager's Office approval. The proposal from M. J. Boyle General Contractor, Inc. was accepted on the basis of lowest qualified proposal.

This contract will provide labor, materials, and equipment to repair the Hemisfair Tower Parking Deck. This contract includes a one-year warranty on parts and labor.

State statute allows for the handling of emergency repairs without the formal bid process.

**FINANCIAL IMPACT:**

The total cost of this contract is \$31,713.00. Funding will be from the General Fund. All expenditures will be in accordance with the FY02-03 Budget approved by City Council.

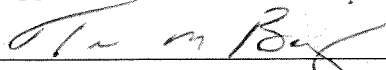
**COORDINATION**

This ordinance has been coordinated with the City of San Antonio Parks & Recreation Department.



Jamie B. Cantu, C.P.M., Director  
Purchasing & General Services

Approved:



Travis M. Bishop, Assistant City Manager  
City Manager's Office

**CITY OF SAN ANTONIO  
PURCHASING DEPARTMENT  
CERTIFICATE OF EXEMPTION FROM  
COMPETITIVE BID OR PROPOSAL REQUIREMENTS**

Date: 7-21-2003

Section 252.022 of the Local Government Code requires that municipalities comply with the procedures established for competitive sealed bids or proposals, before entering into a contract requiring an expenditure of \$15,000 or more except as specified below:

(Please check which exemption you are certifying)

- |                                                                                                                                                                            |                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> a procurement made because of a public calamity that requires funds to relieve the needs of the residents or to preserve city property | <input type="checkbox"/> paving, drainage, street widening and other public improvements or related matter where at least one-third of the costs are paid by special assessments  |
| <input checked="" type="checkbox"/> a procurement to preserve or protect the public health or safety of the city's residents                                               | <input type="checkbox"/> a public improvement project which has been authorized but for which there is deficiency of funds to complete in accordance with the plans as authorized |
| <input type="checkbox"/> a procurement necessary because of unforeseen damage to machinery, equipment or other public property                                             | <input type="checkbox"/> a contract with a developer of a subdivision or land to construct public improvements, not including a building, related to the development              |
| <input type="checkbox"/> a procurement for personal, professional or planning services                                                                                     | <input type="checkbox"/> personal property sold                                                                                                                                   |
| <input type="checkbox"/> a procurement for work paid for on a daily basis (day labor)                                                                                      | <input type="checkbox"/> services performed by blind or severely disabled persons                                                                                                 |
| <input type="checkbox"/> a purchase of land or right-of-way                                                                                                                | <input type="checkbox"/> goods purchased by a municipality for subsequent retail sale by the municipality                                                                         |
| <input type="checkbox"/> a procurement of items available from only one source                                                                                             |                                                                                                                                                                                   |
| <input type="checkbox"/> a purchase of rare books, papers and other materials for a public library                                                                         |                                                                                                                                                                                   |

This Certificate of Exemption is executed and filed with the Purchasing Department as follows:

1. The undersigned is authorized to approve an exemption.
2. An exemption according to Section 252.022 of the Local Government Code exists. More specifically, the following event has occurred:

A major failure has occurred at the Parks and Recreation Department's Tower of the Americas Parking Garage needing immediate repairs. A heavy vehicle accessing the upper deck of the facility caused major structural failure and cave-in of a portion of the ramp and upper level of the garage. The failure has caused the upper level to be unusable, and the lower level to be dangerous for users. An Engineer has completed plans for the repairs and three bids have been solicited for the required work.


3. Because the exemption stated above exists, the City of San Antonio intends to contract with M.J. Boyle General Contractors, Inc. which will cost approximately \$30,275.

Recommended Certification

  
Originator

7-21-03

Recommended Certification

  
Department Director or designee

Certified

  
City Manager or designee (if necessary)

# City of San Antonio Bid Tabulation

Opened: August 18, 2003		M. J. Boyle General Contractors, Inc.	Duderstadt Foundation Co., Inc.	Vertex Corporation
For: Emergency Repairs for Hemisfair Park Tower of the Americas Parking Deck		1919 N. St. Mary's	2215 Blknap Place	27888 Dos Cerros Circle
03-094	MR	San Antonio TX 78212	San Antonio TX 78212	Boerne TX 78006
Labor and Material to repair Parking Garage located at Hemisfair Park.				
Price Complete		\$31,713.00	\$42,829.00	\$60,000.00
Terms		Net 30	N/A	N/A
Total Award		\$31,713.00		