

CITY OF SAN ANTONIO
PARKS AND RECREATION DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM

ITEM NO. 9

TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

SUBJECT: Basketball Court Improvements Package Construction Project

DATE: March 10, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance accepts the low, qualified bid from Manuel Ortiz Construction LLC associated with the Basketball Court Improvements Package Project in City Council Districts 1, 4 and 6; authorizes the execution of a standard construction contract in the total amount of \$750,000.00; and authorizes \$72,245.89 for contingency expenses. The amount of \$18,633.00 will be appropriated from 1999-2004 Park Bond Funds, \$499,851.89 will be appropriated from 2003-2007 Park Bond Funds, \$263,499.00 will be appropriated from Community Development Block Grant Funds, and the amount \$40,262.00 will be appropriated from revenues collected for UDC fees in lieu of park land dedication for total additional construction funding of \$822,245.89.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The 1999 and 2003 Bond Issues and the Community Development Block Grant Program have approved funding for basketball court improvements in five parks that were combined to accomplish more efficiency in design, contract construction and pricing. These are Rainbow Hills Park (528 Rasa) in City Council District 4, Heritage Duck Pond Park (900 Ellison Drive) in City Council District 4, Los Angeles Heights Park (1700 W. Hermosa) in City Council District 1, Acme Park (534 S. Acme Road) in City Council District 6, and Cuellar Park (5626 San Fernando) in City Council District 6. The base scope of work includes basketball court structures over existing courts at Rainbow Hills Park, Acme Park and Cuellar Park and new covered basketball courts at Los Angeles Heights Park and Heritage Duck Pond Park. Associated amenities include ADA modifications and goals. Bid alternates for lighting, asphalt resurfacing at Acme Park and concrete seating could not be accepted due to funding constraints. Durand-Hollis, Rupe Architects, Inc. has provided professional design services for the project, which was approved by Ordinance 99291 on June 3, 2004, and appropriating \$62,127.00 at that time for architecture services, bid advertising/printing, and mandatory construction fees.

The construction bid was advertised for two weeks in January 2005 in the Commercial Recorder, San Antonio Informer, and La Prensa De San Antonio. Six qualified bids were received and Manuel Ortiz Construction, LLC, a SBE/MBE firm, was selected with the base bid contract of

\$750,000.00. A standard construction contract will be executed. A summary of the bids is shown on Exhibit 1. The firm has two City projects that are in process of final approval with total contract of \$154,040.00.

Construction is anticipated to occur from April 2005 until September 2005. Acme Park has a date-certain completion date of May 20, 2005.

POLICY ANALYSIS

This project is in accordance with the 1999 and 2003 Bond Issues and with the Community Development Block Grant Program. The construction contract was advertised and selected in accordance with established bid procedures.

FISCAL IMPACT


The amount of \$18,633.00 will be appropriated from 1999-2004 Park Bond Funds, \$499,851.89 from 2003-2007 Park Bond Funds, \$263,499.00 will be appropriated from Community Development Block Grant Funds, and \$40,262.00 in UDC paid dedication funds, for total construction project funding of \$822,245.89. The amount of \$750,000.00 is for the construction contract and \$72,245.89 is for construction contingency. There are annual maintenance and operation expenses of \$36,519.00 per year associated with these improvements. Funds will be requested during the FY06 budget process.

COORDINATION

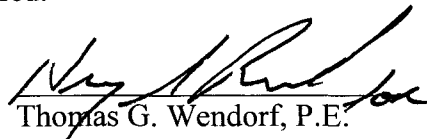
This item has been coordinated with the Finance Department, the Office of Management and Budget and the Housing and Community Development Department.

SUPPLEMENTARY COMMENTS

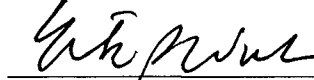
A Discretionary Contract Disclosure statement is not required.



Malcolm Matthews
Director of Parks and Recreation



Thomas G. Wendorf, P.E.
Director of Public Works



Christopher J. Brady
Assistant City Manager

Exhibit I
Construction Bids
Basketball Court Improvements Package

	<u>Bidder</u>	<u>Base Bid</u>
5	Manuel Ortiz Construction LLC	\$ 750,000.00
4	Greco Construction, Inc.	\$ 831,200.00
3	David & David Construction Co., Inc.	\$ 882,450.00
2	3TI, Inc.	\$ 891,000.00
1	Amstar, Inc.	\$ 1,104,600.00

Site Map

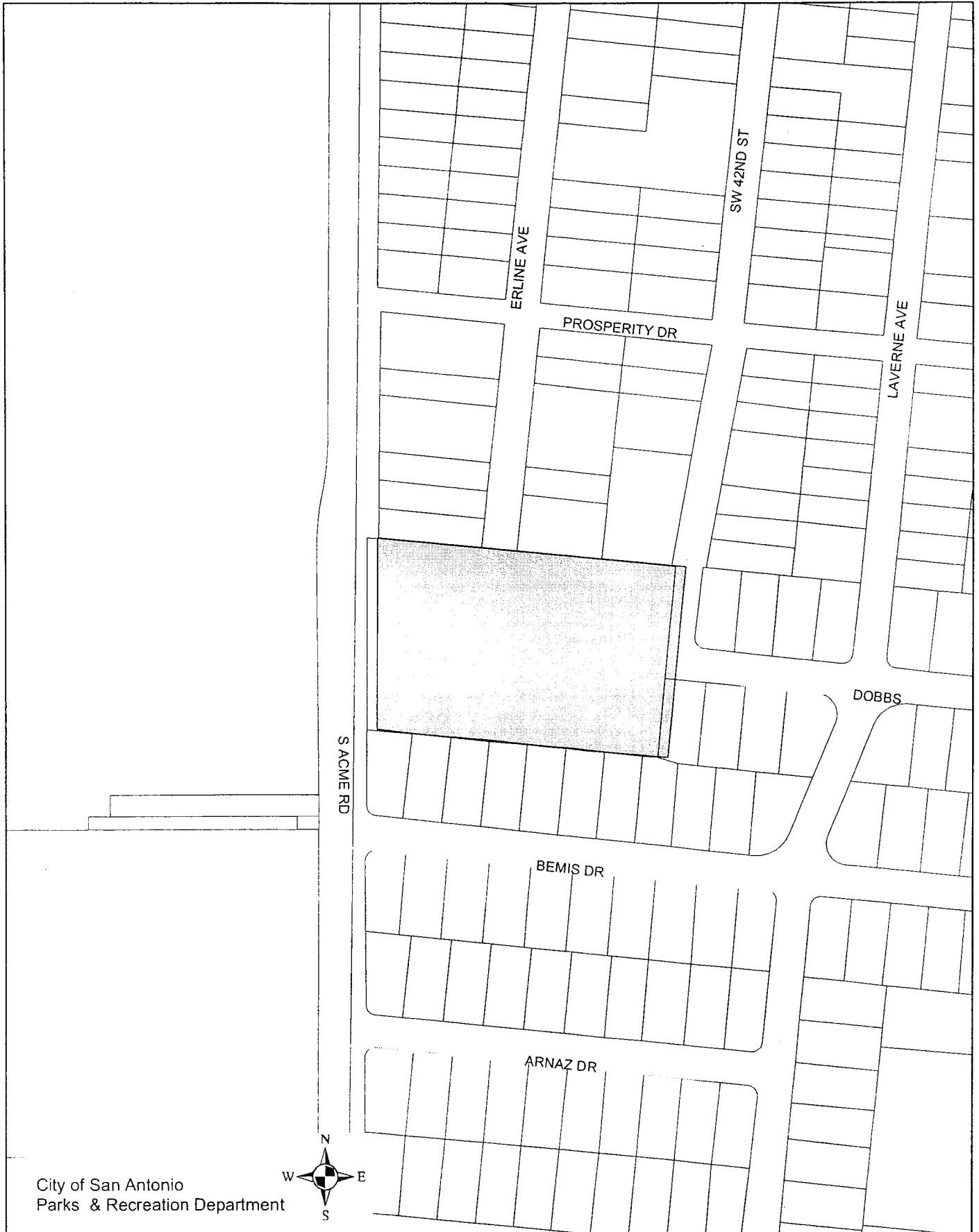
Acme



City of San Antonio
Parks and Recreation Department

Site Map

Acme



Site Map

Cuellar, Patrolman Richard



City of San Antonio
Parks and Recreation Department

Site Map

Cuellar, Patrolman Richard



City of San Antonio
Parks & Recreation Department

[illegible]

Site Map

Heritage Duck Pond



Site Map

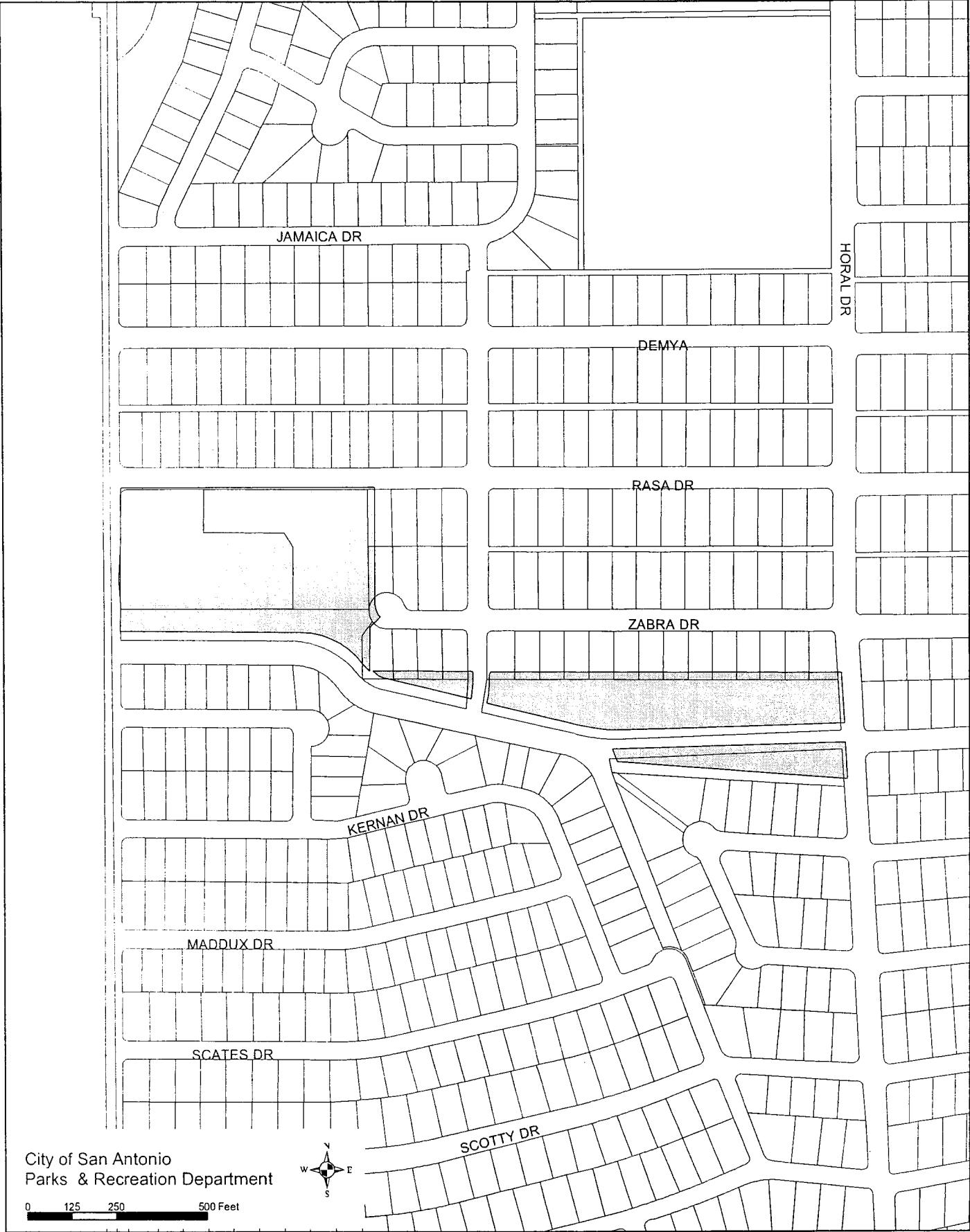
Rainbow Hills



City of San Antonio
Parks and Recreation Department

Site Map

Rainbow Hills



Site Map

Los Angeles Heights



City of San Antonio
Parks and Recreation Department

Site Map

Los Angeles Heights



Section 00300
BID FORM SUBMITTED TO THE
CITY OF SAN ANTONIO, TEXAS
FOR THE CONSTRUCTION OF

Basketball Court Improvements Projects

IN SAN ANTONIO, TEXAS

The undersigned, as Bidder, declares that the only person or parties interested in this bid as principals are those named herein; that this bid is made without collusion with any other person, firm, corporation; that Bidder has carefully examined the Project Manual and plans therein referred to, and has carefully examined the requirements of the proposed work and agrees that the Bidder will provide all the necessary machinery, tools, apparatus, and other means of construction, and will do all the work and furnish all the materials called for in the Project Manual and plans in the manner prescribed therein and according to the requirements of the Director of Public Works as therein set forth.

It is understood and agreed that the work is to be completed in full on or before one hundred seventy-five calendar days. (Acme Park must be completed on or before June 13, 2005.)

Accompanying this Bid is a Bid Guaranty in the amount of five Percent (5%) percent of the greatest total amount of the Bid. Said Bid Guaranty, in the form of a Certified or Cashier's Check on a State of National Bank or Bid Bond, is submitted as a guaranty of the good faith of the Bidder and that the Bidder will execute and enter into a written contract to do the work, if his bid is accepted. The Bidder by submitting this completed form hereby agrees that if he/she fails to execute the written contract and furnish satisfactory bond, within ten (10) calendar days after City Council award, the City of San Antonio shall, in any of such events, be entitled and is hereby given the right to retain said Bid Guaranty as liquidated damages. It is understood that the City of San Antonio reserves the right to reject any and all proposals whenever the City Council deems it in the interest of the City to do so, and also the right to waive any informalities in a bid.

In the event of the award of a contract to the undersigned, the undersigned will execute same on Construction Contract (General Form) and make bond for the full amount of the contract, to secure proper compliance with the terms and provisions of the contract, and to insure and guarantee the work until final completion and acceptance or the end of the guarantee period where so stipulated, and to guarantee payment of all lawful claims for labor performed and materials furnished in the fulfillment of the contract.

The work proposed to be done shall be accepted when fully completed and finished to the entire satisfaction of the Director of Public Works. The undersigned certifies all prices contained in this bid have been carefully checked and are submitted as correct and final.

06/04/04

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Bid Form

ADDENDUM #1 ISSUED FEBRUARY 11, 2005 ATTACHMENT 'D'

The Bidder by submitting this bid acknowledges that they have received
Addenda/Addendum number(s) 1

The Bidder is:

☐ A sole proprietorship;

☐ A partnership composed of _____

and _____

☒ A corporation chartered under the laws of the State of TEXAS, acting by its
officers pursuant to its by-laws or a resolution of its Board of Directors.

(Affix Corporate Seal here)

MANUEL ORTIZ CONST

Official Business name

MANUEL ORTIZ

By: Manuel Ortiz

Type or print name/title of representative

Attest:

[Signature]

By: Manuel Ortiz 2/14/05

Signature

Date

I. BASE BID AND ALTERNATES

1.1 Acme Park

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

ONE HUNDRED FIFTY THOUSAND \$ 150,000.00

Add Alternates

Amount of each Alternates insert in Numbers:

1.1.1 Concrete Seating:	\$ <u>3000.00</u>
1.1.2 High Bay Lighting:	\$ <u>16,400.00</u>
1.1.3 Asphalt Resurfacing:	\$ <u>22,000.00</u>
1.1.4 Completion of Construction by May 9, 2005	\$ _____
1.1.5 Base Bid With Alternates	\$ <u>171,600</u>

1.2 Cuellar Community Center

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

ONE HUNDRED FIFTY THOUSAND \$ 150,000.00

Add Alternates

Amount of each Alternates insert in Numbers:

1.2.1 Concrete Seating:	\$ <u>3000.00</u>
1.2.2 High Bay Lighting:	\$ <u>16,400.00</u>
1.2.3 Base Bid With Alternates	\$ <u>169,400.00</u>

06/04/04

Bid Form

1.3 Heritage (Duck Pond)

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

ONE HUNDRED FIFTY THOUSAND \$ 150,000**Add Alternates**

Amount of each Alternates insert in Numbers:

1.3.1 Concrete Seating: \$ 3,000.001.3.2 High Bay Lighting: \$ 16,400.001.3.3 Base Bid With Alternates \$ 169,400**1.4 Los Angeles Heights**

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

ONE HUNDRED FIFTY THOUSAND \$ 150,000.00**Add Alternates**

Amount of each Alternates insert in Numbers:

1.4.1 Concrete Seating: \$ 3,000.001.4.2 High Bay Lighting: \$ 16,4001.4.3 Base Bid With Alternates \$ 169,400**1.5 Rainbow Hills**

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

ONE HUNDRED FIFTY THOUSAND \$ 150,000.00**Add Alternates**

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

1.5.1 Concrete Seating: \$ 3,000.001.5.2 High Bay Lighting: \$ 16,4001.5.3 Base Bid With Alternates \$ 169,400**1.6 Total All Five Projects**

Amount of Base Bid Without Alternates (Insert Amount in Words and Numbers):

SEVEN HUNDRED FIFTY THOUSAND \$ 750,000.00**1.7 Total All Five Projects**

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

EIGHT HUNDRED FORTY NINE THOUSAND \$ 849,200.00
TWO HUNDRED

II. Unit Prices Amount of each Unit Price (if applicable) insert in Numbers. Identify with "add" or "deduct" in front of each amount.

1 Weather Proof Duplex Outlet	\$ 250.00
2 Court Color Coating	\$ 2600.00
3 Drinking Fountain	\$ 3200.00
4 Retractable Goals in Lieu of Stationary	\$ ADD 2800.00
5 Lighting Rod Protection	\$ 2400.00

MANUEL ORTIZ CONST. LLC

Official Name of Company (legal)

210679 7385

Telephone No.

12211 POINCIANA

Address

210679 7619

Fax No.

SAT. 78245

City, State and Zip Code

E-mail Address

Proposal Form Attachment**Certification of Non-Collusion**

"The undersigned affirms that they are duly authorized to execute the proposed contract, that this company, corporation, firm, partnership or individual has not prepared this Bid in collusion with any other Bidder, and that the contents of this Bid as to prices, terms or conditions of said Bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this Bid.

By: MANUEL ORTIZ

(Print or Type Name)

OWNER

(Print or Type Title/Position with Business)

Manuel Ortiz

(Signature)

2/16/04

(Date)

End of Section 00300

06/04/04

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Bid Form

Section 00440
LITGATION DISCLOUSRE FORM

The attached Litigation Disclosure Form will be completed and submitted with the bid for the construction of this project.

LITIGATION DISCLOSURE

Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your bid from consideration or termination of the contract, once awarded.

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

Circle One

YES

NO

2. Have you or any member of your Firm or Team been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Circle One

YES

NO

3. Have you or any member of your Firm or Team been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Circle One

YES

NO

If you have answered "Yes" to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your bid.

TO THE BEST OF MY KNOWLEDGE, THE ABOVE INFORMATION IS TRUE AND CORRECT.

Company Name: MANUEL ORTIZ CONST.

Manuel Ortiz

Signature of Principal:

MANUEL ORTIZ

Printed Name of Principal:

OWNER

Title of Principal

GOOD FAITH EFFORT PLAN

(FOR CONTRACTS ESTIMATED BY CITY \$200,000 OR GREATER)

NAME OF COMPANY: MANUEL ORTIZ CONST.

PROJECT NAME: BASKET BALL COURT IMPROVEMENT

1. Indicate all MBE-WBE-AABE-SBE subcontractors proposed for this contract. (Use additional sheets as needed.)

[illegible]

Only companies certified as MBE, WBE, AABE or SBE by the City of San Antonio or its certifying organization can be applied towards the contracting goals. All MBE-WBE-AABE-SBE subcontractors must submit a copy of certification certificate through the Prime Contractor. Proof of certification must be attached to this form. If a subcontractor is not certified, please call the Small Business Outreach Division at (210) 207-3900 for information and details and how subcontractors can obtain certification.

It is understood and agreed that, if awarded a contract by the City of San Antonio, the Contractor will not make additions, deletions, or substitutions to this certified list without consent of the Director of Economic Development and Director of the appropriate contracting department (through the submittal of the Request for Approval of Change to Affirmed List of Subcontractors form).

NOTE: If MBE-WBE-AABE-SBE contracting goals were met, skip to #9.

2. If MBE-WBE-AABE-SBE contracting goals were not achieved in a percentage that equals or exceeds the City's goals, please give explanation.

N/A

3. List all MBE-WBE-AABE-SBE Listings or Directories utilized to solicit participation.

N/A

4. List all contractor associations and other associations solicited for MBE-WBE-AABE-SBE referrals.

N/A

5. Discuss all efforts aimed at utilizing MBE-WBE-AABE-SBEs.

N/A

- N/R

- | COMPANY NAME | MBE-WBE-AABE-SBE
CERTIFICATION
NUMBER | HUE
(Y/N) | REASON FOR
REJECTION |
|--------------|---------------------------------------------|--------------|-------------------------|
|--------------|---------------------------------------------|--------------|-------------------------|

[illegible]

- BLAS ORTIZ 443 4209

- ## SBEDA Program

AFFIRMATION

I HEREBY AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER UNDERSTAND AND AGREE THAT, IF AWARDED THE CONTRACT, THIS DOCUMENT SHALL BE ATTACHED THERETO AND BECOME A BINDING PART OF THE CONTRACT.

Don McAt

SIGNATURE OF AUTHORIZED OFFICIAL

DCAS OP-712

TITLE OF OFFICIAL

2/16/05

DATE

6634204

PHONE

FOR CITY USE

Plan Reviewed By: _____

Recommendation:

Approval _____

Denial _____

Action Taken:

Approved _____

Denied _____

DIRECTOR OF ECONOMIC DEVELOPMENT