

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

TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

SUBJECT: Botanical Garden ADA Improvements Phase II Project

DATE: October 6, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance accepts the low, qualified bid by LVA Construction Company to perform construction work in connection with the Botanical Garden ADA Improvements Phase II Project in City Council District 9 for the base bid amount of \$282,500.00, and with bid alternates 1 through 3 for a total amount of \$303,000.00; authorizes the execution of a standard construction contract; allocates \$45,000.00 for construction contingency, \$25,000.00 for park materials, \$16,300.00 for architect fees, \$1,630.00 for architect contingency fees, and \$500.00 for bid advertising and printing; authorizes appropriation of \$391,430.00 from 2003-2007 Park Bond funds; and provides for payment.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The San Antonio Botanical Garden, located at 555 Funston in City Council District 9, has extensive American with Disabilities Act compliance issues that are being addressed. Phase I, funded from 1994 Park Bond funds, was completed in 2002. Additional funding was approved in the 2003 Park Bond Issue for accessibility improvements to the Botanical Garden. These improvements will modify features such as walkways, stairways, and various public buildings. The scope of work needed is too large to complete in one year during the slower months at the Garden (December-February). In order to reduce a negative impact on attendance, the next phase of ADA improvements has been separated into two packages, one in FY06 and the other in FY07.

The base bid scope of work for this year's construction will include installation of accessibility improvements, paving and walkway repairs from the Carriage House, through the Formal Gardens and back to the Native Area. Bid alternates will be accepted that include enhancement of signs, path extension and concrete pads with benches. A previous ordinance approved a contract with Beaty & Partners Architects, Inc. for professional services to include design, plan preparation and bid documents, and construction services. Funds will be authorized for additional design work by Beaty & Partners Architects, Inc. because the design and construction schedules have been divided to minimize the impact to the Botanical Garden's scheduled events.

The Phase III design and bid, which will occur next year (during slow season), will consist of similar ADA improvements in the remaining areas of the Formal Gardens, the Garden for the Blind and the Overlook.

The construction was advertised in July 2005 in the Commercial Recorder, San Antonio Informer, and La Prensa De San Antonio. Two bids were received and LVA Construction Company, a SBE firm, was selected with a low base bid of \$282,500.00 and with bid alternates 1 through 3 for a total amount of \$303,000.00. A standard construction contract will be executed. A summary of the bids is shown on Exhibit 1. The firm has one current project with the Parks and Recreation Department for a total contract amount of \$118,400.00.

The construction contract is a time-certain contract. The work will be completed between December 7, 2005 and February 28, 2006.

POLICY ANALYSIS

This ordinance is consistent with the approved 2003 Park Bond Issue. The construction contract was advertised and selected in accordance with established bid procedures.

FISCAL IMPACT

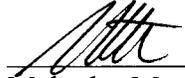
Funds of \$800,000.00 in 2003-2007 Park Bond funds were approved for the Botanical Garden Improvements Phase II Project. A total of \$64,118.37 was previously encumbered for design, plan preparation and bid documents, construction services and required inspections and surveys. The proposed ordinance will appropriate additional funds of \$391,430.00. The project will utilize \$303,000.00 for construction fees, \$45,000.00 for construction contingency fees, \$25,000.00 for park materials, \$16,300.00 for additional architect fees, \$1,630.00 for architect contingency fees, and \$500.00 for bid advertising and printing. The General Fund budget is not impacted.

COORDINATION

The project has been coordinated with the San Antonio Botanical Society, Texas Department of Licensing & Regulation, Texas Historical Commission, Historic Design and Review Commission, Public Works Disability Access Office, Development Services Department, Finance Department and the Office of Management and Budget.

SUPPLEMENTARY COMMENTS

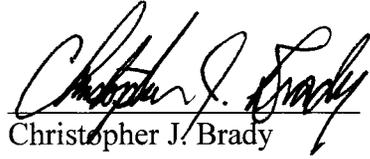
A Discretionary Contract Disclosure statement is not required.



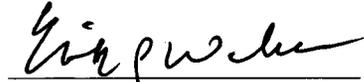
Malcolm Matthews
Director of Parks and Recreation



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



Christopher J. Brady
Assistant City Manager

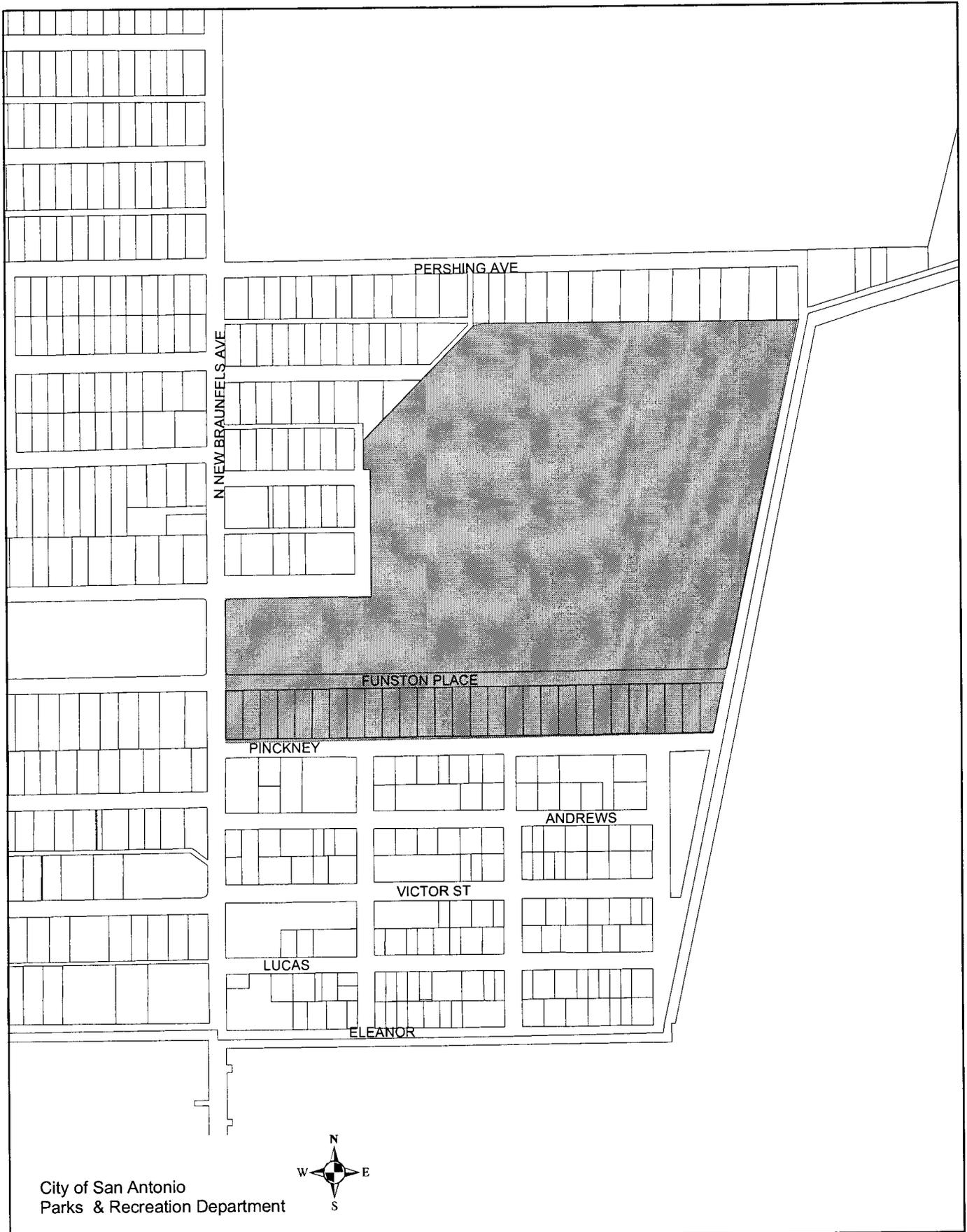


J. Rolando Bono
City Manager

Exhibit I
Construction Bids
Botanical Garden ADA Improvements Phase II

<u>Bidder</u>	<u>Base Bid</u>	<u>Alt 1</u>	<u>Alt 2</u>	<u>Alt 3</u>	<u>Total Bid</u>
LVA Construction Co.	\$282,500.00	\$12,500.00	\$3,500.00	\$4,500.00	\$303,000.00
Margo's Enterprises, Inc.	\$410,000.00	\$18,600.00	\$5,000.00	\$7,000.00	\$440,600.00

Site Map Botanical Center



City of San Antonio
Parks & Recreation Department

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

Botanical Garden ADA Improvements Phase 2A

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 between the dates of December 7, 2005 and February 28, 2006.

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 or 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.

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

The Bidder is:

A sole proprietorship;
 A partnership composed of _____
and _____

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

(Affix Corporate Seal here)

Official Business name

By: _____
Type or print name/title of representative

Attest:

By: _____
Signature Date

I a. BASE BID

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

TWO HUNDRED EIGHTY TWO THOUSAND FIVE HUNDRED DOLLARS \$ 282,500⁰⁰

I b. Alternates

Amount of each Alternate insert in Numbers:

- 1 Ornamental copper vine and leaves ADD \$ 12,500⁰⁰
- 2 Pathway extension near Amphitheater ADD \$ 3,500⁰⁰
- 3 Three teak wood benches and concrete pads ADD \$ 4500⁰⁰

LVA CONSTRUCTION Co

Official Name of Company (legal)

301 W. SKYVIEW DR.

Address

SAN ANTONIO, TX 78228

City, State and Zip Code

(210) 433-9872

Telephone No.

(210) 433-7942

Fax No.

LVA@SATX-RR.COM

E-mail Address

Proposal Form Attachment

Certification of Non-Collusion

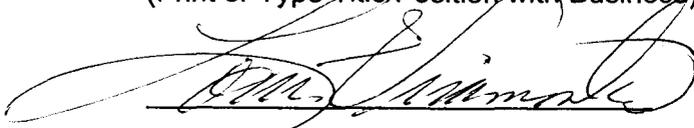
"The undersigned affirms that they are duly authorized to execute the proposed contract, that this company, corporation, firm, partnership or individual has not prepared this Bid in collusion with any other Bidder, and that the contents of this Bid as to prices, terms or conditions of said Bid have not 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: Luis V RAMONTE

(Print or Type Name)

PROJECT MANAGER

(Print or Type Title/Position with Business)



(Signature)

17 AUGUST 05

(Date)

End of Section 00300

Botanical Garden ADA Improvements Phase II
26-00230

<u>Index Code:</u>	<u>Description:</u>	<u>Current Budget:</u>	<u>Revisions:</u>	<u>Revised Budget:</u>
REVENUES:				
2003 Park Bond Funds (\$800,000)		64,118.37	391,430.00	455,548.37
1994 Park Bonds (\$90,000)		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	Total:	64,118.37	391,430.00	455,548.37
 EXPENDITURES:				
26-00230-01-19-01	Architect Fees	52,000.00	16,300.00	68,300.00
26-00230-01-19-02	Architect Contingency	6,118.37	1,630.00	7,748.37
26-00230-01-10	Bid Advertising/Printing	2,000.00	500.00	2,500.00
26-00230-01-19-03	Mandatory Project Fees	4,000.00	0.00	4,000.00
26-00230-05-08-01	Construction Contract	0.00	303,000.00	303,000.00
26-00230-05-08-02	Construction Contingency	0.00	45,000.00	45,000.00
26-00230-05-08-03	Park Materials	<u>0.00</u>	<u>25,000.00</u>	<u>25,000.00</u>
	Total:	64,118.37	391,430.00	455,548.37