

**CITY OF SAN ANTONIO  
PUBLIC WORKS DEPARTMENT  
CITY COUNCIL AGENDA MEMORANDUM**

TO: Sheryl Sculley, City Manager

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

SUBJECT: Animal Care Facility

DATE: March 2, 2006

**SUMMARY AND RECOMMENDATIONS**

This ordinance accepts the best qualified Competitive Sealed Proposal within budget and awards a construction contract in the amount of \$10,900,000.00 payable to F.A. Nunnelly Company (SBE) authorizes \$1,198,970.00 for project contingency, \$586,465.00 for capital administrative cost; approving Field Alteration No. 1, and deducting \$1,666,000.00 for value engineering modifications, for a total ordinance amount of \$11,019,435.00 in connection with the Animal Care Facility project, an authorized 2003-2007 General Obligation Public Health and Safety Improvement Bond funded project located in the Southwest Business and Technology Park near Old Highway 90 and Texas Highway 151 in Council District 6.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

The Animal Care Facility will include kennels, a veterinary clinic, employee locker rooms, administrative space, as well as parking for animal control vehicles, visitors and employees. The new facility will be approximately 43% larger in holding capacity than the current facility, and will provide for a three (3) day holding period for animals being housed at the facility as well as space for future expansion. This project will provide for an approximately 38,000 square-foot facility, which will be located on fifteen (15) acres. The facility will be 58 percent larger in size than the current facility which is approximately 24,000 square feet. Project construction is anticipated to begin in March of 2006 and to be completed by August of 2007.

This project was advertised for bid in the Commercial Recorder, the San Antonio Informer, and La Prensa in November 2005. In addition, the bid announcement was made on TVSA through the Small Business Economic Development Advocacy (SBEDA) Office and Dodge Report. Plans were available for review by potential bidders at the office of Fisher Heck, Inc. Architects, located at 915 S. St. Mary's Street, San Antonio Texas. Competitive Sealed Bid Proposals for this project were opened on December 14, 2005 with four (4) bidders responding. Of these, the Public Works Department selected F.A. Nunnelly Company. F.A. Nunnelly currently has one (1) active contract with the City in the amount of \$2,131,719.38. A matrix reflecting the outcome of the evaluations is included herein as Attachment 2. Project contingency funds are

being requested in the amount of \$1,198,970.00 and capital administrative costs in the amount of \$586,465.00.

The Economic Development Department has reviewed and approved the Good Faith Effort Plan submitted by F.A. Nunnelly Company and the contractor has committed that 19.6% of the work to be performed under this contract shall be completed by a an MBE firm, 2.5% by a WBE firm and 0.6% by a AABE firm. The Memorandum from the Economic Development Department is included herein as Attachment 3.

This ordinance also authorizes Field Alteration No. 1, in the deductive amount of \$1,666,000.00 for value engineering modifications as determined by the Public Works Department, that include the deletion of the proposed administration annex, the canopy at the administration building/annex, changes to the metal roofing, fencing, height of fencing, plumbing fixtures, electrical and masonry work, changes to the roof drain piping and sanitary sewer piping to PVC, and deletion of some paving, curbs, sidewalks, landscaping and irrigation. All bids received for this job were over the estimated project budget and these reductions are necessary modifications needed to bring the project within budget. Field Alteration No. 1 is included herein as Attachment 4.

### **POLICY ANALYSIS**

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 2003-2007 General Obligation Public Health and Safety Improvement Bond funded Capital Improvement projects.

### **FISCAL IMPACT**

This is a one-time capital improvement expenditure within budget and is included in the FY 06-11 Capital Improvement Program Budget. Funds in the amount of \$11,019,435.00 are available from 2003-2007 General Obligation Public Health and Safety Improvement Bond funds and are appropriated and authorized payable as follows:

\$ 9,234,000.00	to F. A. Nunnelly Company for construction expenses
\$ 1,198,970.00	for project contingency
\$ 586,465.00	for capital administrative costs

This item represents a portion of the total estimated project cost of \$12,100,000.00.

### **COORDINATION**

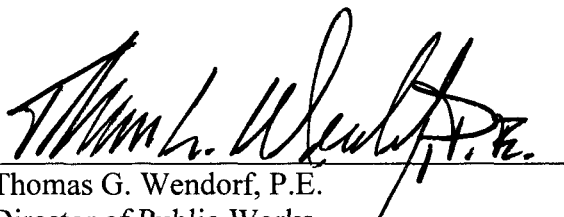
This request for ordinance has been coordinated with the Office of Management and Budget, the Finance Department, and the San Antonio Metropolitan Health District.

### SUPPLEMENTARY COMMENTS

This construction contract was developed utilizing the competitive sealed proposal; therefore, a Discretionary Contracts Disclosure Form is attached.

### ATTACHMENTS

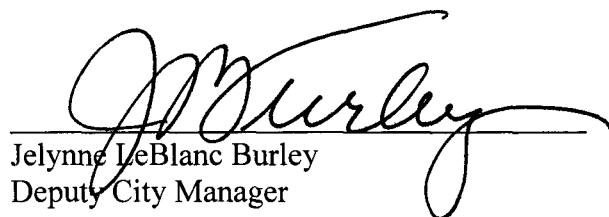
- 1.) Project Map
- 2.) Bid Tab
- 3.) Evaluation of Qualification Statements Review Summary
- 4.) Memo from the Economic Development Department dated February 8, 2006.
- 5.) Discretionary Contracts Disclosure Form
- 6.) Field Alteration No. 1



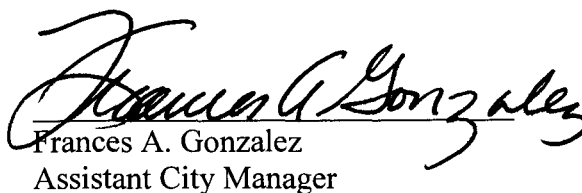
Thomas G. Wendorf, P.E.  
Director of Public Works



Sam Sanchez  
Animal Care Services Administrator

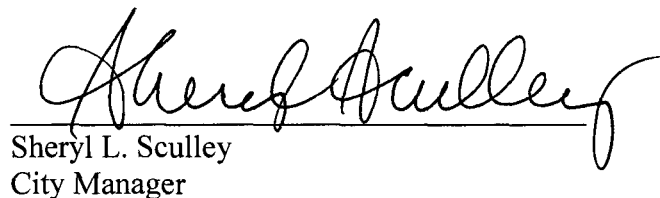


Jelynn LeBlanc Burley  
Deputy City Manager

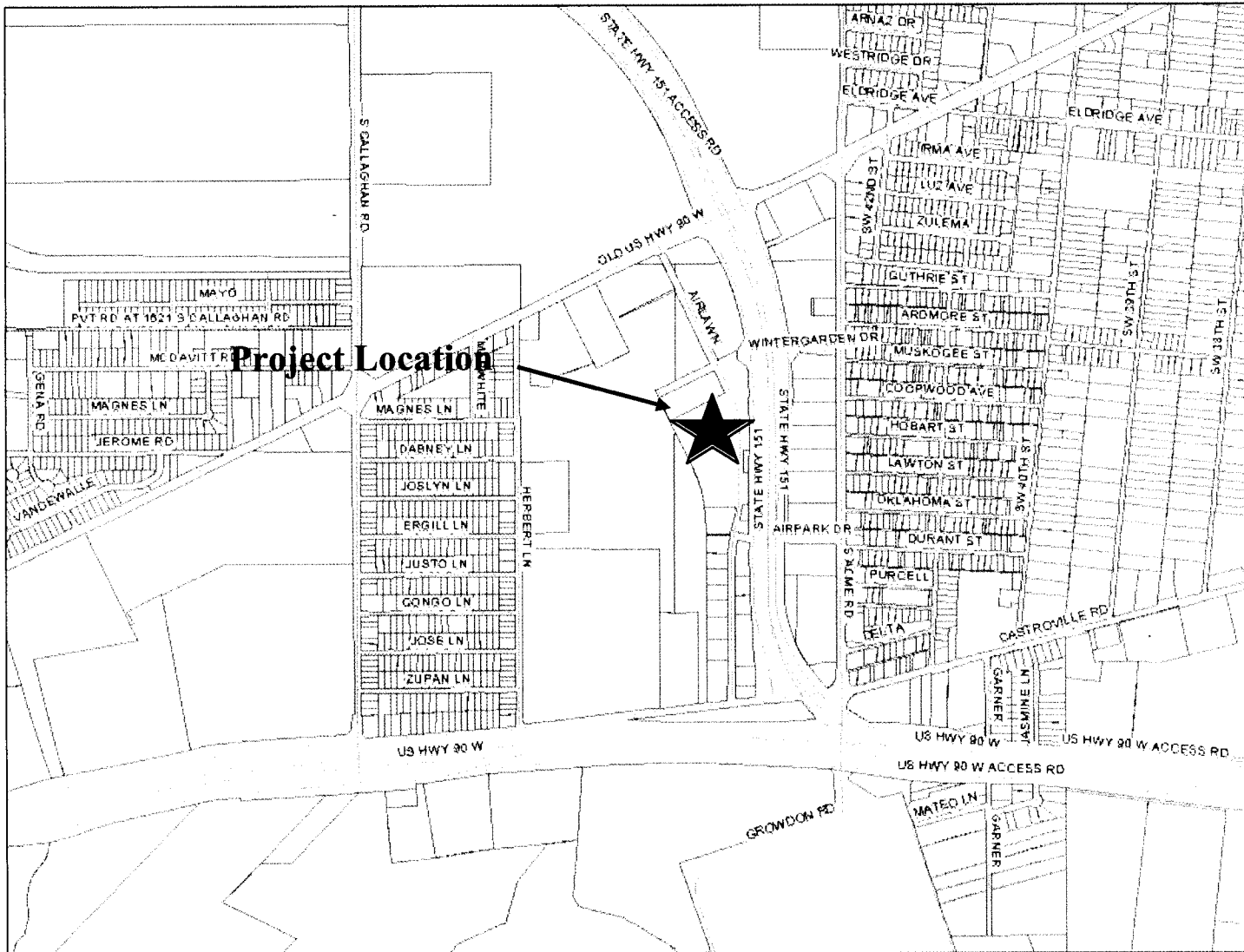


Frances A. Gonzalez  
Assistant City Manager

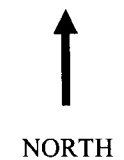
Approved for Council Consideration:



Sheryl L. Sculley  
City Manager



**Animal Care Facility**  
 4710 SH 151  
 Council District No. 6



G.I.S. Location Map

**Bid Date: 12-14-05**

**ADD ALTERNATES:**

- Attachment #2**  
**Bid Tab**

Evaluation of Proposals for  
**Animal Care Facility**  
CITY OF SAN ANTONIO - COMPETITIVE SEALED BID PROPOSALS REVIEW

[illegible]

City of San Antonio  
Economic Development Department  
Interdepartmental Memorandum

TO: Tom Wendorf, Director, Public Works Department

FROM: Ramiro Cavazos, Director, Economic Development Department

COPIES: Manuel Longoria, Jr.; Yvette Ozuniga; Anita Uribe Martin; File

SUBJECT: Good Faith Effort Compliance for the Public Works project: **ANIMAL CARE FACILITY**

DATE: February 8, 2006

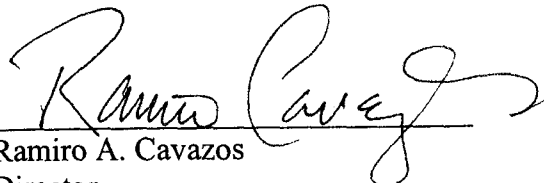
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The Small Business Division met with the prime contractor, F.A. Nunnelly, on Wednesday, February 8<sup>th</sup> and have reviewed the updated Good Faith Effort Plan for the Public Works project: **ANIMAL CARE FACILITY**. Even though F.A. Nunnelly was not able to meet the goals, they showed great determination in attempting to use qualified SBE, MBE, WBE and/or AABE's for this project.

The prime contractor has increased their S/M/W/AABE participation from 9.61% to 21.3%, which is reflected in the percentages below.

<u>Total Project Cost</u>					
\$9,234,000					
FIRM	CERTIFIED	MBE	WBE	AABE	SBE
F.A. NUNNELLY	SBE	19.6%	2.5%	0.6%	100%

If there are any questions, please feel free to contact Anita Uribe Martin at (210) 207-3901.

  
\_\_\_\_\_  
Ramiro A. Cavazos  
Director  
Economic Development Department

Attachment: Updated GFEP

RC/ma

Wm. J. ...  
...  
...  
...

**PROJECT NAME:** Animal Care Facility

(yp 3185)

Section 00441  
**City of San Antonio**  
**Discretionary Contracts Disclosure**

*For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)  
Attach additional sheets if space provided is not sufficient.  
State "Not Applicable" for questions that do not apply.*

**Attachment #4**  
**Discretionary Contracts**  
**Disclosure Form**

**Disclosure of Parties, Owners, and Closely Related Persons**

For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract from the City is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any individual who would be a party to the discretionary contract

Philip A. Nunnelly

Doug Nunnelly

and /or

(2) the identity of any business entity<sup>1</sup> that would be a party to the discretionary contract

F.A. Nunnelly Company

and the name of:

(A) any individual or business entity that would be a **subcontractor** on the discretionary contract;

N/A

and the name of:

(B) any individual or business entity that is known to be a **partner**, or a **parent** or **subsidiary** business entity, of any individual or business entity who would be a party to the discretionary contract;

N/A

<sup>1</sup>A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

# Section 00441

(3) the identity of any *lobbyist* or *public relations firm* employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

N/A

## Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any *current* or *former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an individual or an entity include, but are not limited to, contributions made by the officers, owners, attorneys, or registered lobbyists of the individual or the entity.

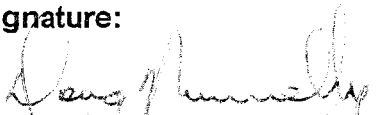
By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
Philip A. Nunnelly	AGC, PAC	\$150.00	3-20-2005
Doug Nunnelly	AGC, PAC	\$150.00	3-20-2005

## Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), by participating in official action relating to the discretionary contract.

N/A

This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed, whichever occurs first.

Signature: 	Title: Sec./Treasurer Company: F.A. Nunnelly	Date: 12/14/2005
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<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.



CITY OF SAN ANTONIO  
PUBLIC WORKS DEPARTMENT  
FIELD ALTERATION REQUEST

Form PW-15A  
Rev. 1/2006  
(Submit 2 Originals)

Date Prepared: February 9, 2006 Field Alteration No. 1 Project No. 36-00102

Project Name: Animal Care Facility  
(Project Name as shown on the Work Project Authorization)

The revision or amendment described below is to the work originally or previously specified is hereby requested, including all changes in costs. (Describe work to be added or deleted, including SAP Material number. Attach a revised plan sheet affected or drawings.)  
**See attachment.**

Justification for Proposed Alteration (Describe in detail why this work is to be added or deleted. Use attachments if necessary.):  
**Deductive Field Alteration is necessary to bring project within budget.**

Field Alteration will result in change to Contract Cost as: ☐ Increase ☒ Decrease \$ 1,666,000.00  
Field Alteration will result in change to Contract Days as: ☒ Increase ☐ Decrease # Days Zero (0)  
(To be negotiated by the Contractor and the City.) ☐ Working Days ☒ Calendar Days

REQUESTED BY:

City, Consulting Engineer/ Architect, Other (Please Specify)

Date

Contractor Doug Nunnally

Date

Title: Secretary/Treasurer

Firm: F. A. Nunnally

RECOMMENDED BY:

Consultant (Project Engineer/Architect Only)  
Firm: Fisher Heck Architects

Date

Others: Sam Sanchez, Animal Care Administrator  
(If required; i.e., City Dept., S.A.W.S., etc.)

Date

Dale V. Lange  
Dale V. Lange, COSA Project Manager

Date

Kent Hickingbottom, Acting COSA Capital Programs Manager

Date

APPROVED BY:

Leopoldo P. Cervantes, P.E.  
City Engineer

Date

Thomas G. Wendorf, P.E. (If over \$25,000)  
Director of Public Works

Date

-----FOR CITY USE ONLY-----

Ordinance Required: ☐ Yes ☐ No ☐ FA Amount \$25,000 (+ or -) ☐ Additional funds required \$

WBS Element: \_\_\_\_\_

WBS Element: \_\_\_\_\_

Original Contract Amount: \$ \_\_\_\_\_

Construction Contingency Fund: \$ \_\_\_\_\_

Previous Approved FAs: \$ \_\_\_\_\_

Previous Approved FA: \$ \_\_\_\_\_

This Field Alteration: \$ \_\_\_\_\_

This Field Alteration: \$ \_\_\_\_\_

Total: \$ \_\_\_\_\_

Total Field Alterations: \$ \_\_\_\_\_

Balance: \$ \_\_\_\_\_

Fund #: \_\_\_\_\_ Ordinance #: \_\_\_\_\_ Ordinance Date: \_\_\_\_\_

Purchase Requisition #: \_\_\_\_\_ Contract #: \_\_\_\_\_ Purchase Order #: \_\_\_\_\_

NOTE: This form is a local government record and shall be retained in accordance with the provisions of the Local Government Code, Section 201. Provide two (2) originals with supporting documents.

**DEDUCTIVE FIELD ALTERATION NO. 1**

FEB. 8, 2006

<b>ITEM NO.</b>	<b>ITEM DESCRIPTION</b>	<b>AMOUNT</b>
1	DELETE THE ADMINISTRATION ANNEX BUILDING	425,000
2	DELETE CANOPY AT THE BETWEEN ADMIN. & ANNEX BLDGS.	65,000
3	DELETE MISC. SITEWORK	61,000
4	MODIFY FENCING	25,000
5	MODIFY ROOFING & USE PRE-ENGINEERED MTL. FRAMES	700,000
6	CHANGE EXTERIOR INSULATION FINISH SYSTEM TO STUCCO	15,000
7	CHANGE EPOXY FLOORING TYPE	60,000
8	CHANGE ELECTRICAL	120,000
9	CHANGE MASONRY	50,000
10	CHANGE PLUMBING	95,000
11	MODIFY HVAC	50,000
<b>TOTAL FIELD ALTERATION NO. 1</b>		<b>\$1,666,000</b>