TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

THROUGH: Terry M. Brechtel, City Manager

COPIES: Christopher J. Brady; Finance; Management and Budget; Legal; File

SUBJECT: Ordinance Accepting Low, Qualified Bid by DonSan Construction, LLC to Perform Construction Work in Connection with the Stone Oak Park Improvements Project

DATE: September 23, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance accepts the low, qualified bid by DonSan Construction, LLC, SBE/MBE, to perform construction work in connection with the Stone Oak Park Improvements Project in City Council District 9 for the base bid amount of $243,897.00 and with one bid alternate for a total contract amount of $283,470.00; authorizes the execution of a standard construction contract; allocates $30,005.00 for construction contingency and $5,693.49 for park materials for a total amount of $319,168.49; and provides for payment. The ordinance appropriates $208,361.00 in 1999-2004 Park Bond Funds, accepts a $100,000.00 grant from the Texas Parks and Wildlife Department and transfers savings of $10,807.49 from within the project budget.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The 1999 Bond Issue approved funding to acquire and develop parkland in City Council District 9. The City acquired property in 2000 and is now in the process of developing the new 245-acre Stone Oak Park, located at 20395 Stone Oak Parkway.

In August 2000, the firm of Gould Evans LLC (formerly Terra Design Inc.) was approved by City Council to develop an overall master plan for the park and to provide for the design and construction administration for the park improvements envisioned in the master plan. Subsequently, funding was approved to perform environmental assessments that were necessary to guide development and to gain compliance with Federal Endangered Species Act and Texas Historic Commission requirements. A Texas Parks and Wildlife Department Recreational Trails Grant has been awarded to the Parks and Recreation Department in the amount of $100,000.00 for this park that will be used to construct a multi-purpose trail system in the park.
Gould Evans LLC prepared the construction bid documents. The base bid improvements include development of a park drive and parking area, trail head and associated amenities, a multi-use trail system, design enhancement, interpretive signage, landscaping and irrigation. Bid alternate 1 will be accepted and consists of one additional trail loop of stabilized base, six feet wide and approximately 1 ¼ miles in length in the park.

The Phase 1 construction bid was advertised on June 8, 2004 and June 15, 2004 in the Commercial Recorder, San Antonio Informer and La Prensa De San Antonio. Five qualified bids were received. DonSan Construction, LLC, SBE/MBE, had the lowest base bid of $243,897.00 and the lowest bid overall with bid alternate 1 of $283,470.00. A standard construction contract will be executed. A summary of the bids is shown on Exhibit 1. It is anticipated that the construction work will begin in October 2004 and will be completed in March 2005.

The future Stone Oak Park Phase 2 development was approved in the 2003 Bond Issue. Gould Evans is currently designing additional improvements that will include trail amenities, outdoor classrooms, trail heads and interpretive features that compliment the Phase 1 development on the northern parcel of the park. It will also develop linkages to two nearby NEISD educational facilities. Phase 2 construction is anticipated to begin in May 2005 and to be completed in December 2005.

**POLICY ANALYSIS**

The construction contract was advertised and selected through the City’s normal bidding process. The project is in accordance with the approval of the 1999 Bond Issue for this purpose and with requirements from the Texas Parks and Wildlife Department. The Historic and Design Review Commission, San Antonio River Authority and San Antonio Water System have reviewed and approved the project.

**FISCAL IMPACT**

The construction contract is $283,470.00, the construction contingency is $30,005.00 and park materials are $5,693.49, for a total construction cost of $319,168.49. The amount of $118,331.51 was previously approved for landscape architect, surveys and habitat assessment fees and for bid advertising, bringing the total project budget to $437,500.00.

Funding of $337,500.00 from 1999-2004 Park Bond Funds have been designated for improvements to Stone Oak Park. In addition, a TPWD grant in the amount of $100,000.00 has been awarded for the Stone Oak Project.

Operation and maintenance expenses after the construction is completed will be approximately $20,500.00 per year. This amount has been anticipated in requested mandate funding for FY04/05 in the Parks and Recreation Department budget.
COORDINATION

This action has been coordinated with the Office of Management and Budget, Finance Department, Public Works Department, Texas Parks and Wildlife Department, Historic and Design Review Commission, San Antonio River Authority and San Antonio Water System.

SUPPLEMENTARY COMMENTS

A Discretionary Contracts Disclosure Form is not required.

Malcolm Matthews,  
Director of Parks and Recreation

Christopher J. Brady,  
Assistant City Manager

Approved:

Terry M. Brechtel  
City Manager
<table>
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<tr>
<th>Bidder</th>
<th>Base Bid</th>
<th>Alt 1</th>
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<tr>
<td>1. DonSan Construction</td>
<td>$243,897.00</td>
<td>$39,573.00</td>
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<td>2. Ortiz Construction</td>
<td>$284,135.00</td>
<td>$56,137.00</td>
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<td>3. A/P Resources, Inc.</td>
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<td>4. VW Brooks, Inc.</td>
<td>$261,900.00</td>
<td>None</td>
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<tr>
<td>5. 3TI Inc.</td>
<td>Non-responsive</td>
<td>$</td>
<td>-</td>
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August 6, 2004

Mr. Scott Stover
City of San Antonio
P.O. Box 339966
San Antonio, Texas 78283-3966

Dear Mr. Stover:

We have received the clearances that indicates that the trail construction activities proposed at Stone Oak Park should not impact natural, historical, or cultural resources. In light of this information, you are hereby given the notice to proceed with the construction of the project. You may incur expenses that are eligible for reimbursement as per the conditions set force in the previously signed agreement. Remember that this a reimbursement type grant, you have to spend money, and submit billings for reimbursement.

Good luck with the project and if you have any questions about the billing and reimbursement procedures, feel free to call me at (512) 912-7128.

Sincerely,

Andrew Goldbloom
Recreational Trails Program

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.
Section 00300

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

STONE OAK PARK IMPROVEMENTS

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 AND FORTY (140) calendar days.

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.

04/26/04

Bid Form
The Bidder by submitting this bid acknowledges that they have received Addenda/Addendum number(s) 1, 2, 3, 4.

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)

DONSAN CONSTRUCTION, LLC

Official Business name

By: ALFONSO SANIN - PRESIDENT

Type or print name and title of representative

Date: 7-28-04

I. BASE BID

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

TWO HUNDRED FORTY THREE THOUSAND EIGHT $ 243,897.00

II. Alternates

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

Alternate #1 – 6'-0" stabilized base trail from sta.116+50-148+75 $ 39,573.00

III. Unit Prices

Amount of each Unit Price (if applicable) insert in Numbers.

1. Demolition of Concrete curbs $ 12.00 / LF
2. 10' Wide stabilized base trail, complete in place $ 1,201.50
3. 6' Wide stabilized base trail, complete in place $ 1,204.50
4. Spanish Dagger Yucca $ 48.00 / CS
5. Prickly Pear $ 61.50 / CT
6. Muhly Grass $ 25.50 / CS
7. Large Limestone Boulders $ 150.00 / EA
8. Asphalt Drive & Parking $ 1,765.00
9. Concrete Drive Approach, complete in place $ 2,500.00
10. Lime stone Wall, complete in place $ 60.00

DONSAN CONSTRUCTION, LLC

Official Name of Company (legal)

11120 WURZBACH RD., SUITE 204

San Antonio, Texas 78230

Address

City, State and Zip Code

04/26/04

Telephone No. (210) 694-5883

Fax No. (210) 694-5857

E-mail Address donsan@donsan.org

Bid Form

00300 - 2
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: ALFONSO SANIN
(Print or Type Name)

PRESIDENT
(Print or Type Title/Position with Business)

(Signature)

7-21-04
(Date)
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: DONSAN CONSTRUCTION, LLC

Signature of Principal: ALFONSO SANTIN

Printed Name of Principal: PRESIDENT

Title of Principal

04/26/04 Litigation Disclosure Form
### Attachment I

**1999 General Obligation Bonds - Parks**  
**Stone Oak Park Improvements Project**  
**45-989018**

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