

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

**AWARDING A CONSTRUCTION CONTRACT TO ABELAR
INCORPORATED IN THE AMOUNT NOT TO EXCEED \$638,000
FOR THE CONSTRUCTION OF THE HIGHLAND PARK AND
BELLAIRE PARK INCLUDED IN THE DISTRICT 3 PARKS
PROJECT. FUNDS ARE AVAILABLE FROM THE 2022 GENERAL
OBLIGATION BOND PROGRAM FUNDS INCLUDED IN THE FY
2024 – FY 2029 CAPITAL IMPROVEMENT PROGRAM**

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WHEREAS, on May 7, 2022, voters approved the 2022 Bond Program, which included \$900,000.00 for improvements to Highland Park and Bellaire Park including installation of inclusive play elements, installing a new playground, poured-in-place rubberized surfacing, sidewalks, benches, and other park amenities; and

WHEREAS, this project was advertised for construction bids on March 8, 2024, and three (3) bids were received and opened on April 9, 2024, of which Abelar Incorporated, submitted the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts to be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract to maximize the amount of small, minority, and women-owned business participation on the contract. The Goal Setting Committee set a 14% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise subcontracting goal. Abelar Incorporated has committed to meeting the subcontractor participation and goals; and

WHEREAS, this vendor has acknowledged and will comply with the Heat Illness Prevention Ordinance, approved on August 31, 2023 through Ordinance #2023-08-31-0585; and

WHEREAS, this ordinance accepts the lowest responsive bid and awards Abelar Incorporated a construction contract in an amount not to exceed \$638,000 for the construction of Highland Park and Bellaire Park projects located in Council District 3; and

WHEREAS, funds are available from the 2022 General Obligation Bond Program funds included in the FY 2024 – FY 2029 Capital Improvement Program; and

WHEREAS, construction is anticipated to begin in the Summer of 2024, with Bellaire Park followed by Highland Park, and is estimated to be completed by the Spring of 2025; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee, or the Director of the Public Works Department or designee, is authorized to execute a construction contract with Abelar Incorporated in an amount not to exceed \$638,000 for the construction of Highland Park and Bellaire Park projects located in Council District 3.

SECTION 2. Funds in the amount of \$638,000.00 is available in Fund 45099000, Project 23-03972, WBS Element 23-03972-05-02-01 and GL Account 5201140. Funding is provided by General Obligation bond funds and is in the FY 2024 - FY 2029 CIP Budget.

SECTION 3. Payment not to exceed \$638,000.00 is authorized to be encumbered with a purchase order and made payable to Abelar Incorporated for the construction of District 3 Parks.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 16th day of May, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney