

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

**ORDINANCE**

**APPROVING THE SELECTION OF NINETEEN (19) QUALIFIED CONSTRUCTION CONTRACTOR FIRMS TO BE PLACED ON A LIST FOR UP TO FIVE (5) YEARS FOR THE CITY'S HOME REHABILITATION PROGRAMS, FUNDED IN PART BY THE 2022-2027 HOUSING BOND PROGRAM, TO FUND HOME REHABILITATIONS IN AN AMOUNT NOT TO EXCEED \$45 MILLION.**

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**WHEREAS**, on December 16, 2021, the City adopted the Strategic Housing Implementation Plan (SHIP), a comprehensive policy created to implement the City's Housing Policy Framework goals developed through the work of the Mayor's Housing Policy Task Force; and

**WHEREAS**, as recommended by the SHIP, on May 7, 2022, voters approved the City's 2022 Capital Improvements Bond, which included funds in the amount of \$150 million to create and preserve affordable housing in the City of San Antonio (Housing Bond); and

**WHEREAS**, the Neighborhood and Housing Services Department (NHSD) of the City of San Antonio (City) administers several housing rehabilitation and repair programs that assist low-to-moderate income families to address health, safety and code concerns with their homes; and

**WHEREAS**, the City funds its housing rehabilitation and repair programs with General funds and Housing Bond funds; and

**WHEREAS**, the housing rehabilitation and repair programs meet the established affordable housing goals set forth in the 2022-2027 Housing Bond parameters/evaluation framework, the City's FY 2023 Affordable Housing Budget and are in line with the City's Strategic Housing Implementing Plan (SHIP) to increase affordable housing production and preservation; and

**WHEREAS**, NHSD maintains a list of non-exclusive pre-qualified contractors that are available to assist homeowners who participate in the City's housing rehabilitation and repair programs; and

**WHEREAS**, to be placed on NHSD's list, a pre-qualified contractor must agree to certain minimum conditions for the benefit of the homeowners and to protect the public funds, including, but not limited to, performing the services in a good and workman like manner, providing a minimum of a one (1) year warranty of its work, transferring all manufacturer warranties to the homeowner, maintaining appropriate insurance coverage, compliance with federal regulations and applicable laws, and allowing the City's inspectors and consultants to inspect work done before payment; and

**WHEREAS**, to expand its list of pre-qualified contractors, NHSD issued a Request for Qualifications (RFQ) on November 23, 2022, soliciting contractors with demonstrated capability and proven experience who are able to perform general construction and housing rehabilitation services; and

**WHEREAS**, a review panel of City staff evaluated the twenty (20) submissions received in response to the RFQ using scoring criteria identified in the RFQ; and

**WHEREAS**, the review panel recommended that the nineteen (19) highest scoring respondents be selected for placement on NHSD's list of pre-qualified contractors; and

**WHEREAS**, this ordinance approves the selection of nineteen (19) contractor firms to NHSD's list of pre-qualified contractors;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS:**

**SECTION 1.** The contractors listed on the **Attachment I** are selected for placement on the Neighborhood and Housing Services Department's non-exclusive list of pre-qualified contractors available to assist homeowners participating in the City's housing rehabilitation and repair programs. The selection of a contractor for NHSD's list of pre-qualified contractors is not a guarantee by the City of the contractor's workmanship or materials. A contractor placed on the NHSD's list is not an agent or representative of the City. This ordinance does not create a contract between the City and any contractor. The Director of Neighborhood and Housing Services Department (NHSD), or their designee, and the Deputy Director of Neighborhood and Housing Services Department are each individually, without the joinder of any other person, authorized to negotiate and execute an agreement, subject to approval of the City Attorney's Office, setting forth the term for a contractor to participate in the City's housing rehabilitation and repair programs by being placed on NHSD's list of pre-qualified contractors. A contractor that does not execute an agreement pursuant requested by NHSD may be removed from the list by the Director of NHSD. The Director of NHSD may add new contractors to the list of pre-qualified contractors, and take other actions as necessary, to remain in compliance with applicable regulations. The Director of NHSD, or their designee, without further action by City Council, may remove a contractor from the list of pre-qualified contractors when it is determined by the Director or their designee to be in the interests of the City or the homeowners participating in the City's housing rehabilitation and repair programs.

**SECTION 3.** Execution of the Contracts for the Projects approved in this Ordinance shall be contingent upon final negotiations between the City and the developer(s), the successful completion of underwriting for each respective project, staff's approval of all construction plans, and the developer's receipt of all required permits, along with all other requirements of each individual contract which, in staff's discretion, are necessary to ensure successful completion of each Project.

**SECTION 4.** Funding for this ordinance will be identified when work orders are issued. If funding for any work orders is not previously appropriated, funding will be identified and appropriated through subsequent City Council action. Payment is limited to the amounts budgeted in the Operating, Grants, and/or Capital Budget funding sources identified. All expenditures will comply with Operating, Grants, and/or Capital Budgets for current and future fiscal years.

**SECTION 5.** Payment in the amount not to exceed \$45,000,000.00 in SAP Fund 45099000 Project 23-04047 Neighborhood Improvement is authorized and should be encumbered with a purchase order. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with Operating and/or Capital Budgets for current and future fiscal years.

**SECTION 6.** Additional City Council authorization is required for any contracts exceeding \$50,000.00.

**SECTION 7.** 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 9.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED** on this 20<sup>th</sup> day of April, 2023.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney

**ATTACHMENT I**

- AJ Brinegar, LLC dba Brinegar Roof and Paint
- American Best Home Improvements, Inc.
- BG Constructor Solutions, LLC
- Camilo Garcia Construction, Inc.
- CTT Enterprises
- DHMSA Construction, LLC
- DSW Homes, LLC
- Geofill Material Technologies, LLC
- Guillen Roofing
- Habitat for Humanity of San Antonio, Inc.
- Ivy Enterprise
- J.G.G. Integrated Construction, LLC
- Johnson Construction Management, LLC
- ProMasters Remodeling, LLC
- Rojo Consulting and Construction Management
- Seal Construction, LLC
- Tijerina Construction, LLC
- Two Brothers Roofing and Exteriors
- VGC Real Estate Services, LLC