

**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 TCL
CONSTRUCTION ENTERPRISES, LLC IN THE AMOUNT NOT TO
EXCEED \$406,065 FOR CONSTRUCTION OF THE JUPE MANOR
NEIGHBORHOOD PARK LOCATED IN COUNCIL DISTRICT 3.
FUNDS ARE AVAILABLE FROM 2022 GENERAL OBLIGATION
BOND PROGRAM FUNDS INCLUDED IN THE FY 2024 - FY 2029
CAPITAL IMPROVEMENT PROGRAM AND PREVIOUSLY
AUTHORIZED 2017 GENERAL OBLIGATION BOND PROGRAM
FUNDS**

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; and

WHEREAS, On May 7, 2022, voters approved the 2022 Bond Program, which included \$500,000 for improvements to Jupe Manor Neighborhood Park, located at 3218 Kaiser Dr., which has served the community with recreational activities since its inception in 2021; and

WHEREAS, this project will improve the park by adding a new basketball court, exercise equipment, picnic tables, fire pits, limestone block seating, additional safety lighting, and a trail connection to Spokane Drive; and

WHEREAS, this project was advertised for construction bids on March 13, 2024, and eight (8) bids were received and opened on April 12, 2024, of which the two lowest bidders were deemed nonresponsive for not meeting the SBEDA subcontracting requirements of the project, thereby making TCL Construction Enterprises, LLC the lowest responsive bidder; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts 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 19% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal. TCL Construction Enterprises, LLC has committed to meeting the subcontractor participation goals; and

WHEREAS, his 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, his ordinance accepts the lowest responsive bid and awards a construction contract to TCL Construction Enterprises, LLC in an amount not to exceed \$406,065 for the construction

DAH
6/13/2024
Item No.

of the Jupe Manor Neighborhood Park project located in Council District 3, for which funds are available from 2022 General Obligation Bond Program funds included in the FY 2024 - FY 2029 Capital Improvement Program and previously authorized 2017 General Obligation Bond Program funds; and

WHEREAS, construction is anticipated to begin in the Summer of 2024 and be completed by Winter 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 TCL Construction Enterprises, LLC in an amount not to exceed \$406,065 for the construction of the Jupe Manor Neighborhood Park project located in Council District 3.

SECTION 2. Funds in the amount of \$53,265.48 are available in Fund 45099000, Project 23-01672, WBS Element 23-01672-05-02-01 and GL Account 5201140.

SECTION 3. Funds in the amount of \$352,799.52 are available in Fund 45099000, Project 23-03989, WBS Element 23-03989-05-02-01 and GL Account 5201140.

SECTION 4. Payment not to exceed \$406,065.00 is authorized to be encumbered with a purchase order and made payable to TCL Construction Enterprises, LLC. for construction of the Jupe Manor Neighborhood Park. Funding is provided by General Obligation bond funds and is included in the FY 2024 – FY 2029 Capital Improvement Program.

SECTION 5. 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 6. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 13th day of June, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

DAH
6/13/2024
Item No.

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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