



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 16

**Agenda Date:** December 12, 2024

**In Control:** City Council A Session

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**DEPARTMENT:** Public Works Department

**DEPARTMENT HEAD:** Razi Hosseini

**COUNCIL DISTRICTS IMPACTED:** District 9

**SUBJECT:**

Contract Award: Bitters Road & Silverhorn Drive Retaining Wall Replacement

**SUMMARY:**

An ordinance accepting the lowest responsive bid and awarding a construction contract to D&S Concrete Contractors LLC in the amount not to exceed \$597,113 for the construction of the Bitters Road & Silverhorn Drive Retaining Wall Replacement project located in Council District 9. Funds are available from the 2017 General Obligation Bond and Great American Insurance funds included in the FY 2025 Capital Budget.

**BACKGROUND INFORMATION:**

***Project Background***

As part of voter approved 2017 Bond Program, \$5,080,000 was authorized for street intersection improvements for the Bitters Road Intersection and Sidewalk improvements from the Savannah Pass to Blanco Road project in Council District 9. On July 22, 2021, the City of San Antonio terminated the construction contract with the original contractor, All In Construction, LLC, because requirements were not met in accordance with the General Conditions of the contract. As a result of the termination and as part of the Performance Bond, payment was made to the City of San Antonio from the Great American Insurance Company (GAIC) for damages incurred due to

the original contractor not fulfilling the contract requirements. Additionally, the City was required to obtain a new contractor to complete the remaining work. The City used an on-call construction contractor to complete the project.

During the construction phase of the aforementioned project, a 350-foot-long crib-lock retaining wall was identified at the southwest corner of Bitters Road and Silverhorn Drive. Structural Engineering Associates, Inc. completed a retaining wall erosion evaluation in the Summer of 2021. As a result of the erosion evaluation, it was identified that the existing wall needed replacement. Until the wall could be replaced, the Public Works Department installed a temporary water barrier to protect and prevent further eroding of the wall.

The Bitters Road & Silverhorn Drive Retaining Wall Replacement project will replace the 350-foot-long crib lock wall at the southwest corner of Bitters Road and Silverhorn Drive with a concrete block retaining wall system widely used in Texas Department of Transportation (TxDOT) projects. Along the new concrete block retaining wall, a sidewalk, curb, and metal beam guard fence will also be replaced.

Construction is anticipated to begin in Winter 2025 and is estimated to be completed by Spring 2025.

#### ***Previous City Council Action***

On June 20, 2024, through Ordinance 2024-06-20-0468, the City Council approved a task order to a Job Order Contract with HJD Capital for the Bitters Road Wall Replacement in the amount of \$700,000.00. During discussions and a walkthrough with the contractor to finalize the work scope and associated traffic control restrictions and accommodations, the contractor raised significant concerns about completing the work within the requested timeframe. The contractor rescinded their proposal, resulting in staff advertising for the Bitters Road Wall Replacement Project.

#### ***Procurement of Services***

This project was advertised on October 4, 2024, for construction bids in the San Antonio Hart Beat, the City's website, the Texas Electronic State Business Daily, on TVSA, and through the electronic bidding website CivCast. Bids were opened on November 5, 2024, and three (3) bids were received. Of these, D&S Concrete Contractors submitted the lowest responsive bid as indicated in the attached bid summary.

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 12% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African American Business Enterprise (AABE) subcontracting goal. D&S Concrete Contractors has committed to meeting the subcontractor participation goal.

This construction contract was developed utilizing the low bid process; therefore, a Contracts Disclosure Form is not required.

**ISSUE:**

This ordinance accepts the lowest responsive bid and awards a construction contract to D&S Concrete Contractors LLC in the amount not to exceed \$597,113 for the construction of the Bitters Road & Silverhorn Drive Retaining Wall Replacement project.

Structural Engineering Associates, Inc. completed a retaining wall erosion evaluation in the Summer of 2021; as a result of the erosion evaluation, it was identified that the existing wall needed replacement. This project will replace the 350-foot-long crib lock wall at the southwest corner of Bitters Road and Silverhorn Drive with a concrete block retaining wall system and will also include a sidewalk, curb, and metal beam guard fence replacement. Construction will begin in Winter 2024 with a completion date in Spring 2025.

**ALTERNATIVES:**

As an alternative, City Council could require staff to re-solicit this project; however, considering the additional time required for another solicitation process, this would adversely affect the timely completion of the project.

**FISCAL IMPACT:**

This is a one-time capital improvement expenditure in the amount not to exceed \$597,113 to D&S Concrete Contractors LLC for the construction of the Bitters Road & Silverhorn Drive Retaining Wall Replacement project. An incentive totaling in an amount up to \$30,000 has been budgeted and will be granted at a rate of \$1,000 for each calendar day the project is complete before the scheduled 90-day completion date. Funds are available from the 2017 General Obligation Bond and Great American Insurance funds included in the FY 2025 Capital Budget.

**RECOMMENDATION:**

Staff recommends approval of this ordinance to award construction contract to D&S Concrete Contractors LLC in an amount not to exceed \$597,113 for construction of the Bitters Road & Silverhorn Drive Retaining Wall Replacement project.