

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

ORDINANCE

APPROVING A CONTRACT WITH TCL CONSTRUCTION ENTERPRISES, LLC FOR LABOR AND MATERIALS FOR ASPHALT IN PARK OPERATIONS FOR A TOTAL CONTRACT AMOUNT OF \$4,075,470 FOR A TERM OF UP TO THREE YEARS. PURCHASES WILL BE MADE AS NEEDED AND IN ACCORDANCE WITH THE ADOPTED PARKS AND RECREATION GENERAL FUND BUDGET APPROVED BY CITY COUNCIL.

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WHEREAS, this proposed contract supplies labor and asphalt material used by the Parks and Recreation Department for projects and maintenance repairs in City parks; and

WHEREAS, the City of San Antonio (City) utilizes annual contracts for procuring high volume repetitive purchases; and

WHEREAS, annual contracts are an efficient method of securing the best prices through volume purchasing and reducing large amounts of work related to the bid process; and

WHEREAS, utilization of annual contracts allows the City to procure numerous different commodities in support of the normal daily operations; and

WHEREAS, this project was advertised on March 3, 2023 for construction bids in the San Antonio Hart Beat, City's website, Texas Electronic State Business Daily, TVSA and through electronic bidding website CivCast; and

WHEREAS, bids were opened on April 11, 2023 and two (2) bids were received. Of these, the lowest bidder withdrew their bid submittal thereby making TCL Construction Enterprises, LLC the lowest responsive bidder as indicated in the attached bid summary; 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; and

WHEREAS, the Goal Setting Committee set a 15% Minority/Women Business Enterprise (M/WBE) and a 1% African American Owned Business Enterprise (AABE) subcontracting goal; and

WHEREAS, TCL Construction Enterprises, LLC has committed to meeting the subcontracting participation goals.

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 Parks and Recreation Department or designee is authorized to approve approving a contract with TCL Construction Enterprises, LLC for Labor and Materials for Asphalt in Park Operations for a total contract amount of \$4,075,470 for a term of up to three years. Purchases will be made as needed and in accordance with the Adopted Parks and Recreation General Fund budget approved by City Council.

SECTION 2. Funds will be encumbered upon issuance of purchase orders, and payment is authorized to TCL Construction Enterprises, LLC for a total contract cost of \$4,075,470.00 All expenditures will be in accordance with the Fiscal Year 2023 budget and subsequent budgets for the duration of this contract approved by City Council.

SECTION 3. 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 SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 22nd day of June, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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