

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

ORDINANCE

ORDINANCE APPROVING A TASK ORDER TO A JOB ORDER CONTRACT WITH AMSTAR, INC. IN THE AMOUNT OF \$3,467,639.00 FOR PHASE 1 OF THE BRACKENRIDGE PARK PROJECT; APPROVING AN AMENDMENT IN THE INCREASED AMOUNT OF \$696,659.00 FOR A REVISED PROFESSIONAL SERVICES AGREEMENT VALUE OF \$2,200,314.00 WITH SWA GROUP FOR ADDITIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES ASSOCIATED WITH THE DESIGN, CONSTRUCTION AND OTHER RELATED SERVICES REQUIRED FOR PHASES 1 AND 2 OF THE BRACKENRIDGE PARK PROJECT; AND AMENDING THE FY 2023 – FY 2028 CAPITAL IMPROVEMENT PROGRAM TO INCLUDE \$526,751.00 FROM THE FY 2023 TREE CANOPY PRESERVATION AND MITIGATION FUND AND ACCEPTANCE OF A CONTRIBUTION OF \$90,000.00 FROM THE BRACKENRIDGE PARK CONSERVANCY TO THE BRACKENRIDGE PARK PROJECT, A 2017 GENERAL OBLIGATION BOND PROGRAM FUNDED PROJECT, LOCATED IN COUNCIL DISTRICTS 1 AND 2. FUNDING IS AVAILABLE FROM PREVIOUSLY AUTHORIZED BOND FUNDS AND INCLUDED IN THE FY 2023 – FY 2028 CAPITAL IMPROVEMENT PROGRAM.

* * * * *

WHEREAS, on May 6, 2022, voters approved the 2017 Bond Program, which authorized \$7,750,000.00 for improvements to Brackenridge Park, located in Council Districts 1 and 2; and

WHEREAS, supplemental funding commitments separately from the Parks and Recreation Department, Bexar County, The San Antonio Conservation Society, and the Brackenridge Park Conservancy total approximately \$8,100,000.00 for improvements to Brackenridge Park; and

WHEREAS, the Brackenridge Park project (“Project”), is divided into two phases. The Project will rehabilitate and stabilize the interior and exterior structure of the historic Pumphouse, historic river walls, retaining walls and grand staircase in the Lambert Beach area, and the historic acequia; excavate and rehabilitate the historic Upper Labor Dam; construct a small culture trail, recreational open spaces, and Hike & Bike trail along the zoo fence; provide engineering improvements to the lily pond; remove the asphalt area between acequia and zoo; install interpretive and wayfinding signage, lighting improvements, landscaping and irrigation improvements including Low Impact Design (LID) features and plant ecology restoration; and install and interpret the historic St. Mary's sluice; and underground conversion of existing overhead electrical utilities; and

WHEREAS, Construction of Phase 1 is anticipated to begin in Summer 2023 and is estimated to be completed in Spring 2024. Construction of Phase 2 is anticipated to begin in Fall 2024 and is estimated to be completed in Spring 2026; and

WHEREAS, this task order utilizes the Job Order Contracting (JOC) approved through Ordinance 2022-02-17-0107 by City Council on February 17, 2022. The use of the JOC delivery method provides the City with on-call construction, renovation, and maintenance services for City buildings and facilities. Assignment of JOC contractors to specific jobs is based on the contractor's current workload, overall capacity, familiarity with a specific facility, expertise in completing a specific task, and/or managing a specific trade needed to carry out the requested repair or rehabilitation. Of the eight contractors approved as part of the JOC, Amstar, Inc. is the JOC that has been selected for Phase 1 of the Project; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program. Amstar, Inc. has committed to meeting the 24% Minority/Women Business Enterprise (M/WBE) and a 3% African American Business Enterprise (AABE) subcontracting goals set by the Committee; and

WHEREAS, on October 5, 2017 through Ordinance 2017-10-05-0742 City Council approved a design services agreement with SWA Group in the amount of \$1,097,700.00. Previous amendments to modify and enhance the project have increased this contract by \$405,955.00 to a total contract amount of \$1,503,655.00. This proposed amendment will increase the contract in the amount of \$696,659.00 for a revised agreement value of \$2,200,314.00.

The following table illustrates the previously authorized amendments since the execution of this agreement and the proposed amendment:

Item	Amount
Original Contract Value	\$1,097,700.00
Previous Authorized Amendments	\$ 405,955.00
Proposed Amendment	\$ 696,659.00
Revised Contract Value	\$2,200,314.00

This amendment will provide for additional design work by SWA Group to complete the additional proposed scope of work for general park rehabilitation and public infrastructure improvements in relation to Phases 1 and 2 of the Brackenridge Park project.

WHEREAS, this Ordinance appropriates and transfers funds in the amount of \$526,751.00 from the FY 2023 Tree Canopy Preservation and Mitigation Fund to the Brackenridge Park project to relocate and maintain trees, amending the FY 2023 – FY 2028 Capital Improvement Program;

WHEREAS, the acceptance of the contribution in the amount of \$90,000.00 from the Brackenridge Park Conservancy is necessary to ensure total funding is available to complete Phase 1 of the Brackenridge Park project; **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 task order to a Job Order Contract with Amstar, Inc. in the amount of \$3,467,639.00 for the Brackenridge Park project.

SECTION 2. The City Manager or designee, or the Director of the Public Works Department or designee, is authorized to execute an amendment in the increased amount of \$696,659.00 to the \$1,097,700.00 for the Professional Services Agreement between the City of San Antonio and the SWA Group for additional architectural design services associated with the design, bid, construction phase and other related services required in relation to the Brackenridge Park project.

SECTION 3. Payment is authorized to be encumbered and made payable to Amstar, Inc. in an amount not to exceed \$3,467,639.00. Payment is in support for Phase 1 of the Brackenridge Park project and is in Fund 45099000, WBS Elements 23-01644-01-02-01 and 23-01644-05-02-01 and GL Account 5201140. Funding for this project is available from General Obligation bonds and included in the FY 2023 - FY 2028 Capital Improvement Program.

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

SECTION 4. Funds in the amount of \$526,751.00 are authorized to be appropriated in Fund 29619000, Internal Order 39000000xxxx and GL account 6102100 and amends the FY 2023 – FY 2028 Capital Improvement Program.

SECTION 5. Funds in the amount of \$526,751.00 are authorized to be transferred and shall be appropriated in Fund 45099000, WBS Element 23-01644-90-10-02 and GL account 6101100.

SECTION 6. Funds in the amount of \$90,000.00 are authorized to be received from Brackenridge Park Conservancy and shall be appropriated in Fund 45099000, WBS Element 23-01644-90-10-03 and GL account 4502280.

SECTION 7. Funds in the amount of \$526,751.00 shall be appropriated in Fund 45099000, WBS Element 23-01644-05-02-02 and GL account 5201140.

SECTION 8. Funds in the amount of \$90,000.00 shall be appropriated in Fund 45099000, WBS Element 23-01644-05-02-08 and GL account 5201140.

SECTION 9. 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.

TG
06/22/23
Item No.

SECTION 10. 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