

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

**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; APPROVES 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 WITH THE REAPPROPRIATION OF \$526,751.00 FROM THE TREE PRESERVATION 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.**

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**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**, voters also approved \$2,500,000.00 as part of the 2022 Bond Program for the completion of the 2017 Bond project and further development of the adopted Park Master Plan in Brackenridge Park; and

**WHEREAS**, supplemental funding from the City of San Antonio, Bexar County, The San Antonio Conservation Society, and the Brackenridge Park Conservancy have totaled approximately \$8,100,000.00, allowing additional scope of work to be added; and

**WHEREAS**, the Brackenridge Park project will be constructed in two phases. Phase 1 consists of the structural stabilization of the historic Pumphouse, rehabilitation and stabilization of historic river walls, retaining walls, and grand staircase in the Lambert Beach area, including landscaping and irrigation improvements. Phase 2 consists of the rehabilitation and construction of a small culture trail, recreational open spaces, rehabilitation and structural stabilization of the historic acequia, interior and exterior improvements to the historic Pumphouse, engineering improvements to the lily pond, removal of asphalt area between acequia and zoo back-of-house, construction of a hike and bike trail, excavation and rehabilitation of the historic Upper Labor Dam, interpretive and wayfinding signage, lighting, landscaping and irrigation improvements including Low Impact

Design (LID) features and plant ecology restoration, installation and interpretation of 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; and

**WHEREAS**, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts to 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 24% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise subcontracting goal. Amstar, Inc. has committed to meeting the subcontractor participation and goals; 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, and 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:

<b>Item</b>	<b>Amount</b>
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; and

**WHEREAS**, this Ordinance reappropriates 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**, this Ordinance accepts a contribution in the amount of \$90,000.00 from the Brackenridge Park Conservancy 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 construction of 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 or a revised Professional Services Agreement value of \$2,200,314.00 with SWA Group for additional architectural design and other related services required for the Brackenridge Park Project.

**SECTION 3.** Funds in the amount of \$90,000.00 are authorized to be received from the Brackenridge Park Conservancy to and are authorized to be appropriated and transferred to Fund 45099000 GO Capital Projects, Project 23-01644 Brackenridge Park 2017.

**SECTION 4.** The budget in Project 23-01644 Brackenridge Park 2017 shall be revised by increasing WBS 23-01644-90-10-03 with GL 6101100 and WBS 23-01644-05-02-08 with GL 5201140 each by \$90,000.00.

**SECTION 5.** Funds in the amount of \$526,751.00 in Fund 29619000 Tree Preservation, Internal Order 39000002790, and General Ledger Account 6102100, Project 26-00705 are authorized to be reappropriated to Internal Order 3900000XXXX, and General Ledger Account 6102100 transfer to Fund 45099000, Project 23-01644.

**SECTION 6.** The budget in Project 26-00705 Tree Planting initiative FY23 shall be revised by decreasing WBS 26-00705-90-14-01 with GL 6101100 and WBS 26-00705-05-02-01 with GL 5201140 each by \$526,751.00.

**SECTION 7.** The budget in Project 23-01644 Brackenridge Park 2017 shall be revised by increasing WBS 23-01644-90-10-02 with GL 6101100 and WBS 23-01644-05-02-02 with GL 5201140 each by \$526,751.00.

**SECTION 8.** 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 of the Brackenridge Park 2017 Project using Fund 45099000, WBS Element 23-01644-05-02-01 and GL Account 5201140. Funding for this project is provided by General Obligation Bonds, the Tree Mitigation Fund, and contributions from the SA Conservation Society and the Brackenridge Park Conservancy and is included in the FY 2023 - FY 2028 Capital Improvement Program.

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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 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.

**PASSED AND APPROVED this 3<sup>rd</sup> day of August, 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