



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 9

Agenda Date: October 12, 2023

In Control: City Council A Session

DEPARTMENT: Public Works Department

DEPARTMENT HEAD: Razi Hosseini

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

Job Order Contract (Task Order): ZerNona Black Multi-Generational Cultural/Community Center

SUMMARY:

An ordinance amending the contract spending authorization capacity in the increased amount of \$3,645,368.00 for the Job Order Contract with Amstar, Inc. and approving the execution of a task order to a Job Order Contract with Amstar, Inc. in the amount not to exceed \$3,645,368.00 for the ZerNona Black Cultural/Community Center project located in Council District 2. Funding is available in the amount of \$2,236,461.48 from the 2017 General Obligation Bond Program and \$1,408,906.52 in Certificates of Obligation funds included in the FY 2024 – FY 2029 Capital Improvement Program.

BACKGROUND INFORMATION:

Project Background

The new ZerNona S. Black Center (ZBC), Inc. Multi-Generational Cultural/Community Center facility will host community offerings revolving around social services and providing much-needed assistance and resources to economically disadvantaged individuals and families in the surrounding area. Some programs proposed when the center opens are preschool and after-school activities, adult education courses, and senior citizen daycare. On September 16, 2021, City

Council approved a tri-party funding agreement between the City of San Antonio, Bexar County, and ZerNona S. Black Center Inc. through Ordinance 2021-09-16-0696.

The proposed task order will construct a new 10,000-square-foot facility, including an events center, two classrooms with support spaces, a landscaped courtyard, and associated site work. Upon completion, the facility will be managed by ZerNona S. Black, Inc. Construction is anticipated to begin in October 2023 and is estimated to be completed by July 2024.

Previous Council Action

On August 18, 2021, the 2017 Bond ZerNona Black Multi-Generational Cultural/Community Center ("Project") was advertised for construction bids. Bids were opened on October 19, 2021, and seven bids were received. On January 27, 2022, the City Council approved through Ordinance 2022-01-27-0031 a construction contract award to M-Company General Contractors, Inc. in the amount of \$2,394,694.00.

In July 2022, Public Works Department met with M-Company General Contractors, Inc. regarding concerns with the project construction progress. After several discussions, meetings, and continued challenges with the project, in February 2023, the City issued a Termination for Cause, releasing M-Company General Contractors, Inc. from the construction contract to allow the City to seek another construction contractor to build the project.

To help accelerate the completion of the ZerNona Black Multi-Generational Cultural/Community Center project, the City is proposing the approval of a JOC task order to Amstar, Inc. to complete the project.

Procurement of Services

This task order utilizes the Job Order Contracting (JOC) approved through Ordinance 2022-02-17-0107 by City Council on February 17, 2022. 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 are 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 perform the requested repair or rehabilitation. Of the eight contractors approved as part of the JOC, Amstar, Inc. has been selected.

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.

The Contracts Disclosure Form, as required by the City's Ethics Ordinance for all projects where subjective criteria are used to select the contractor or consultant rather than by low bid, is attached.

ISSUE:

This ordinance amends the contract spending authorization capacity in the increased amount of \$3,645,368.00 for the Job Order Contract with Amstar, Inc. and approving the execution of a task order to a Job Order Contract with Amstar, Inc. in the amount not to exceed \$3,645,368.00 for the ZerNona Black Cultural/Community Center project located in Council District 2. Funding is available in the amount of \$2,236,461.48 from the 2017 General Obligation Bond Program and \$1,408,906.52 in Certificates of Obligation funds included in the FY 2024 – FY 2029 Capital Improvement Program.

This task order will construct a new 10,000-square-foot facility, including an events center, two classrooms with support spaces, a landscaped courtyard, and associated site work. Construction is anticipated to begin in October 2023 and is estimated to be completed by July 2024.

ALTERNATIVES:

As an alternative, the City Council could choose not to award this contract and require staff to re-advertise the project; however, considering the additional time needed for another solicitation process, this would adversely affect the project's timely completion.

FISCAL IMPACT:

This ordinance amends the contract spending authorization capacity in the increased amount of \$3,645,368.00 for the Job Order Contract with Amstar, Inc. and authorizes a one-time capital improvement expenditure in the amount not to exceed \$3,645,368.00, payable to Amstar, Inc., for the construction of the ZerNona Black Cultural/Community Center project. Funding is available in the amount of \$2,236,461.48 from the 2017 General Obligation Bond Program and \$1,408,906.52 in Certificates of Obligation funds included in the FY 2024 – FY 2029 Capital Improvement Program.

RECOMMENDATION:

Staff recommends approval of amending the contract spending authorization capacity in the increased amount of \$3,645,368.00 for the Job Order Contract with Amstar, Inc. and execution of a task order to a Job Order Contract with Amstar, Inc. in the amount not to exceed \$3,645,368.00 for construction of the ZerNona Black Cultural/Community Center project.