



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 19

**Agenda Date:** December 15, 2022

**In Control:** City Council A Session

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**DEPARTMENT:** Public Works Department

**DEPARTMENT HEAD:** Razi Hosseini

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

Contract Amendment and Contract Award: Bynum Avenue Phase 2 (West Mayfield Boulevard to West Gerald Avenue) (2022 Bond Project)

**SUMMARY:**

An ordinance approving an amendment to the Professional Services Agreement for Civil Engineering Design Services in the increased amount not to exceed \$99,698.50 for a total contract value of \$1,159,595.54 with IDCUS, Inc. of which \$46,378.50 will be reimbursed by San Antonio Water System for construction phase services; and, awarding a construction contract to D. Plata Construction Company, LLC in the amount of \$4,549,055.22, of which \$1,054,812.11 will be reimbursed by San Antonio Water System (SAWS) and \$448,327.00 will be reimbursed by CPS Energy for the Bynum Avenue Phase 2 (West Mayfield Boulevard to West Gerald Avenue) project located in Council District 4. Funds are available from the 2022 - 2027 General Obligation Bond Program included in the FY 2023 - FY 2028 Capital Improvements Program.

**BACKGROUND INFORMATION:**

***Project Background***

On May 7, 2022, voters approved the 2022 Bond Program authorizing \$5,000,000.00 to

reconstruct Bynum Avenue Phase 2 from West Mayfield Boulevard to West Gerald Avenue with curbs, sidewalks, driveway approaches, drainage, and other improvements as appropriate and within available funding. SAWS and CPS joint-bid utility work will also be included as part of the project. Project construction is anticipated to begin in December 2022 and is estimated to be completed by March 2024.

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

This project was advertised on July 29, 2022, for construction bids in the San Antonio Hart Beat, on the City's Texas Electronic State Business Daily, on TVSA, and through the electronic bidding site CivCast website. Bids were opened on September 9, 2022, and four (4) bids were received. D. Plata Construction Company, LLC submitted the lowest responsive bid. The bid summary is attached.

This contract will be awarded in compliance with the new 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 22% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 2% African American Business Enterprise (AABE) subcontracting goal. D. Plata Construction Company, LLC 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.

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

On October 5, 2017, a previously executed Professional Services Agreement for Civil Engineering Design Services with IDCUS, Inc. in the amount of \$962,696.04 for the Bynum Avenue project was approved by City Council through Ordinance 2017-10-05-0742. Previously approved amendments in the total of \$97,201.00 have increased this agreement to amount to \$1,059,987.04. This amendment will increase the agreement in an amount not to exceed \$ 99,698.50 to a revised total amount of \$1,159,595.54.

The following table illustrates the previously authorized amendments since the execution of this contract:

Item	Amount
Original Contract Value	\$962,696.04
Previous Amendments	\$97,201.00
Proposed Amendment	\$99,698.50
Revised Contract Value	\$1,159,595.54

This amendment will compensate IDCUS, Inc. for construction phase, project close-out and other associated services to expedite the completion of the Bynum Avenue Phase 2 project, a continuation of the substantially completed Bynum Avenue 2017 bond funded project.

## **ISSUE:**

This ordinance approves an amendment to the Professional Services Agreement for Civil Engineering Design Services in the increased amount not to exceed \$99,698.50 for a total contract value of \$1,159,595.54 with IDCUS, Inc. of which \$46,378.50 will be reimbursed by San Antonio Water System for construction phase services; and, awarding a construction contract to D. Plata Construction Company, LLC in the amount of \$4,549,055.22, of which \$1,054,812.11 will be reimbursed by San Antonio Water System (SAWS) and \$448,327.00 will be reimbursed by CPS Energy for the Bynum Avenue Phase 2 (West Mayfield Boulevard to West Gerald Avenue) project located in Council District 4. Funds are available from the 2022 - 2027 General Obligation Bond Program included in the FY 2023 - FY 2028 Capital Improvements Program.

### ***Professional Services Agreement Amendment***

The Professional Services Agreement amendment in the amount not to exceed \$99,698.50 will provide for construction phase, project close-out and other associated services to expedite the completion of the Bynum Avenue Phase 2 (West Mayfield Boulevard to West Gerald Avenue) project. Of this amount, \$46,378.50 will be reimbursed by SAWS for utility water and sewer adjustment services related to this project.

### ***Construction Contract Award***

The project will reconstruct Bynum Avenue from West Mayfield Boulevard to West Gerald Avenue with curbs, sidewalks, driveways approaches, drainage, and other improvements as appropriate and within available funding. The joint-bid utility work will include water main adjustments, sewer main replacement and gas line adjustments within the project limits. Project construction is anticipated to begin in December 2022 and estimated to be completed by March 2024.

## **ALTERNATIVES:**

As an alternative, City Council could choose not to approve the amendment or approve the construction contract and require staff to advertise for a new consultant and/or contractor for this project. However, considering the additional time required to complete a solicitation process to select a new consultant and/or new contractor would adversely affect the timely completion of the project.

## **FISCAL IMPACT:**

This ordinance approves an amendment in the increased amount not to exceed \$99,698.50 to the Professional Services Agreement with IDCUS, Inc. for a total of \$1,159,595.54, of which \$46,378.50 will be reimbursed by SAWS. This ordinance also approves a one-time capital improvement expenditure in an amount of \$4,549,055.22 payable to D. Plata Construction Company, LLC. Of this amount, \$1,054,812.11 will be reimbursed by San Antonio Water System and \$448,327.00 will be reimbursed by CPS Energy. Funds are available from the 2022 – 2027 General Obligation Bond Program included in the FY 2023 - FY 2028 Capital Improvements Program.

**RECOMMENDATION:**

Staff recommends approval of an amendment in the increased amount not to exceed \$99,698.50 Professional Services Agreement with IDCUS, Inc. for a total of \$1,159,595.54, of which \$46,378.50 will be reimbursed by San Antonio Water System (SAWS); and approves the lowest responsive bid and awarding a construction contract to D. Plata Construction Company, LLC in the amount of \$4,549,055.22, of which \$1,054,812.11 will be reimbursed by SAWS and \$448,327.00 will be reimbursed by CPS Energy for the Bynum Avenue Phase 2 (West Mayfield Boulevard to West Gerald Avenue) project, a 2022 Bond funded project.