



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 16

**Agenda Date:** December 16, 2021

**In Control:** City Council A Session

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**DEPARTMENT:** Public Works Department

**DEPARTMENT HEAD:** Razi Hosseini

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

Contract Award, Design Services Amendment and Tree Mitigation: Hemisfair Civic Park (2017 Bond Project)

**SUMMARY:**

An ordinance awarding a construction contract to Skanska USA Building, Inc. in the amount of \$27,904,905.00 for construction of Phase 1 of the Civic Park project at Hemisfair and amending the associated professional design services agreement with Gustafson Guthrie Nichol (GGN) LTD. in the increased amount of \$976,741.00 to the previously approved \$6,318,237.00 agreement for additional design and construction administration services related to the Hemisfair Civic Park Project; appropriating and transferring funds in the amount of \$609,822.00 from the FY 2022 Tree Canopy Preservation and Mitigation Fund to purchase and install trees for the Hemisfair Civic Park Project, amending the FY 2022 – FY 2027 Capital Improvement Program; and, re-appropriating \$9,248,083.64 in 2016 Certificates of Obligation from the Hemisfair Park Phase 2 Project to the Hemisfair Park Phase 1 project to properly account for the asset upon completion.

**BACKGROUND INFORMATION:**

Project Background

On May 6, 2017, voters approved the 2017 Bond Program, which included \$21,000,000.00 to develop and construct park improvements for Hemisfair Civic Park. The project is located at 210 South Alamo, adjacent to the Henry B. Gonzalez Convention Center. The Park improvements will include urban plazas, water features, promenades, open green spaces, a courtyard and a public restroom building. Construction is anticipated to begin in December 2021 and is estimated to be complete by September 2022.

On June 30, 2016, City Council authorized an additional amount of \$18,100,000.00 in publicly issued debt for utility infrastructure at Civic Park through Ordinance 2016-06-30-0530. In accordance with this Ordinance, 2016 Certificates of Obligation were previously appropriated in Project 23-03746 Hemisfair Park Phase 2, the scope of which includes Civic Park, landscaping and other improvements.

#### Procurement of Services

Following the City Council “B” Session high profile pre-solicitation briefing on February 10, 2021, the Public Works Department issued a Request for Competitive Sealed Proposals (RFCSP) on March 5, 2021, seeking proposals for the construction of park improvements related to the Hemisfair Civic Park 2017 Bond Program project. This RFCSP was advertised in the San Antonio Hart Beat, on the City’s website, the Texas Electronic State Business Daily, on TVSA, and through the electronic bidding site CivCast. A pre submittal conference was held on March 22, 2021 and responses were due on May 11, 2021. Six responses were received; however, two firms were deemed non-responsive, as the respondents failed to meet the SBEDA subcontracting goal.

The evaluation committee scored and ranked the remaining four responses on June 16, 2021, and interviews with the top two ranked firms were held on August 6, 2021. The evaluation committee included representatives from the City Manager’s Office, Public Works Department, Parks and Recreation Department, Hemisfair Park Area Redevelopment Corporation (HPARC), and a member of the Hemisfair Board of Directors. The evaluation of each proposal was based on a total of 100 points and included the following criteria:

- Experience, Background, Qualifications of Prime Firm, Key Personnel & Key Subcontractors: 30 points
- Understanding of the Project and Proposed Management Plan: 25 points
- Experience in San Antonio Region & Past Performance: 20 points
- Price Proposal: 15 points
- SBEDA Program: 10 points (M/WBE – 5 pts; SBE – 5 pts)

The committee recommends Skanska USA Building, Inc. the top-ranked respondent for this project.

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 21% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal.

Skanska USA Building, Inc. has committed to meeting the M/WBE subcontractor participation goal but received a waiver for the AABE subcontractor participation goal.

This contract was developed utilizing a formal RFCSP process; therefore, as required by the Ethics Ordinance, a Contracts Disclosure Form has been included herein as an attachment.

The Public Works Department presented a high profile post-solicitation briefing to City Council for the Hemisfair Civic Park project on November 4, 2021.

#### Design Services Amendment

On March 20, 2014, City Council approved Ordinance No. 2014-03-20-0170 authorizing the negotiations and execution of a Professional Design Services Contract in an amount not to exceed \$2,918,237.00 with Gustafson Guthrie Nichol LTD., for Design and Construction Administration services for the Hemisfair Civic Park Project. Amendments have increased this contract by \$3,400,000.00 to a total of \$6,318,237.00. This amendment will increase the contract by \$976,741.00 to a total revised contract amount of \$7,294,978.00.

The following table illustrates the previously authorized amendments:

Item	Amount
Original Contract Value	\$2,918,237.00
Previously Authorized Amendments	\$3,400,000.00
Proposed Amendment	\$976,741.00
Revised Contract Value	\$7,294,978.00

During the design process, the project area and construction budget were adjusted to accommodate for new visions by the Hemisfair Park Area Redevelopment Corporation (HPARC) and the unexpected discovery of a historical acequia. Given the changes, it is necessary to amend the original design agreement to provide for additional scope items, including the division of the construction documents into two phases, incorporation of a public restroom, addition of WiFi throughout the park and a new design to accommodate for unforeseen addition of historical acequia remnants.

This amendment will authorize and compensate Gustafson Guthrie Nichol (GGN) LTD. for additional design and construction administration services related to the Hemisfair Civic Park project.

#### ISSUE:

This ordinance awards a construction contract to Skanska USA Building, Inc. in the amount of \$27,904,905.00 for construction of Phase 1 of the Civic Park project at Hemisfair and amends the associated professional design services agreement with Gustafson Guthrie Nichol (GGN) LTD. in an amount not to exceed \$976,741.00 for additional design and construction administration services related to the Hemisfair Civic Park Project; appropriates and transfers funds in the amount of \$609,822.00 from the FY 2022 Tree Canopy Preservation and Mitigation Fund to purchase and install trees for the Hemisfair Civic Park Project, amending the FY 2022 – FY 2027 Capital

Improvement Program; and, re-appropriates \$9,248,083.64 in 2016 Certificates of Obligation from Hemisfair Park Phase 2 Project to the Hemisfair Park Phase 1 Project to properly account for the asset upon completion.

This project will provide public improvements in the northwest quadrant of Hemisfair, such as open park space, plazas, water elements, a new public restroom and a mature tree-shaded promenade connecting these elements. This construction contract will provide for all labor, materials, equipment and incidentals necessary to construct a complete and useable park land.

The associated amendment in the amount not to exceed \$976,741.00 will provide additional design and construction administration services related to the Hemisfair Civic Park project.

Construction is anticipated to begin in December 2021 and is estimated to be complete by September 2022.

#### **ALTERNATIVES:**

As an alternative, City Council could choose not to award this contract or approve the amendment and require staff to re-advertise the project; however, the additional time required for another solicitation process would adversely affect the timely completion of the project.

#### **FISCAL IMPACT:**

This ordinance authorizes a one-time capital improvement expenditure in the amount of \$27,904,905.00 payable to Skanska USA Building, Inc. and amends the professional design services agreement with Gustafson Guthrie Nichol (GGN) LTD. to increase the contract amount in the total amount of \$976,741.00 to revised contract total of \$7,294,978.00. Funds for these expenditures are available from previously authorized debt proceeds and 2017 Bond General Obligation funds included in the FY 2022 – FY 2027 Capital Improvement Program.

This ordinance also approves the appropriation and transfer of funds in the amount of \$609,822.00 from the FY 2022 Tree Canopy Preservation and Mitigation Fund to the Hemisfair Civic Park Project Phase 1 to purchase and install trees, amending the FY 2022 – FY 2027 Capital Improvement Program; and realigns appropriations in the amount of \$9,248,083.64 in 2016 Certificates of Obligation from the Hemisfair Park Phase 2 Project to the Hemisfair Park Phase 1 Project to properly account for the asset upon completion.

#### **RECOMMENDATION:**

Staff recommends approval of this ordinance awarding a construction contract including an alternate to Skanska USA Building, Inc. in the amount of \$27,904,905 for construction of the Phase 1 Civic Park project at Hemisfair located in Council District 1; increasing the professional design services agreement with Gustafson Guthrie Nichol (GGN) LTD. to an amount not to exceed \$7,294,978.00; appropriating and transferring \$609,822.00 from the FY 2022 Tree Canopy and

Mitigation Fund to the Hemisfair Civic Park Phase 1 Project to fund the purchase and installation of trees in Civic Park; and, re-appropriating \$9,248,083.64 from the Hemisfair Park Phase 2 Project to the Hemisfair Park Phase 1 Project to properly account for the asset upon completion.