

AN ORDINANCE 2015-01-15-0012

ACCEPTING THE LOWEST RESPONSIVE QUALIFIED BID FOR THE PICKWELL PARK AND PYTEL PARK IMPROVEMENT PROJECTS AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$478,739.62 TO MGB GROUP, INC., BOTH 2012-2017 BOND-FUNDED PROJECTS, LOCATED IN COUNCIL DISTRICT 3.

* * * * *

WHEREAS, under the voter approved 2012-2017 Bond Program, \$87.15 million was allocated for Parks, Recreation and Open Space Improvements; and

WHEREAS, as part of that program, funds in the total amount of \$700,000.00 in Parks, Recreation and Open Space Improvements Bond funds were approved for park improvements at Pickwell Park and Pytel Park; and

WHEREAS, both parks are located in Council District 3; and

WHEREAS, these projects were advertised as a package for construction bids in September 2014 in the San Antonio Hart Beat, on the City's website, on the Texas Electronic State Business Daily, on TVSA and through the TCI Small Business Office; and

WHEREAS, plans also were available for review by potential bidders at the office of Mask Landscape Architecture located at 118 Broadway, Suite 201 San Antonio, Texas 78205; and

WHEREAS, bids were opened on October 7, 2014 and six (6) bidders responded; and

WHEREAS, of these, MGB Group, Inc., submitted the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority, and women-owned business participation on the contract; and

WHEREAS, the Goal Setting Committee set a 12% Minority/Women Business Enterprise (M/WBE) subcontracting goal; and

WHEREAS, the Economic Development Department approved a partial waiver submitted by MGB Group, Inc. because the contractor demonstrated a good faith effort to provide subcontracting opportunities for small, minority, and women-owned businesses; and

WHEREAS, this construction contract was developed utilizing the low bid process; therefore, a Discretionary Contracts Disclosure Form is not required; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The lowest responsive qualified bid in the amount of \$478,739.62, from MGB Group, Inc., for the Pickwell Park and Pytel Park Improvement Projects, both 2012-2017 Bond-funded projects, located in Council District 3, is hereby accepted. The contract described herein shall become effective upon the deposit of all required bonds and insurance certificates so long as such deposits are accomplished within sixty (60) days from the effective date of this ordinance. A copy of the contractor's executed Formal Invitation for Bids and Contract is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Payment in the amount not to exceed \$154,242.02 in SAP Fund 45099000, General Obligation Capital Project, SAP Project Definition 40-00386, Pickwell Park, is authorized to be encumbered and made payable to MGB Group, Inc., for construction services.

SECTION 3. Payment in the amount not to exceed \$324,497.60 in SAP Fund 45099000, General Obligation Capital Project, SAP Project Definition 40-00388, Pytel Park, is authorized to be encumbered and made payable to MGB Group, Inc., for construction services.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 15 day of January, 2015.



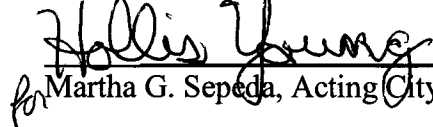
M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Martha G. Sepeda, Acting City Attorney

Agenda Item:	7 (in consent vote: 4, 5, 7, 8, 9, 10, 11, 14, 15, 16)						
Date:	01/15/2015						
Time:	09:14:49 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance for the Pickwell Park and Pytel Park Improvement Projects accepting the lowest responsive bid and awarding a construction contract in the amount of \$478,739.62 to MGB Group, Inc. both 2012-2017 Bond-funded projects, located in Council District 3. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x			x	
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

CITY OF SAN ANTONIO

Issued By: Transportation & Capital Improvements
ID NO.: 40-00386 & 40-00388

Date Issued: September 8, 2014

(010) FORMAL INVITATION FOR BIDS (IFB) to CONTRACT
Pickwell Park Imp (40-00386) & Pytel Park Imp (40-00388)

Sealed bids, subject to the Terms and Conditions of this Invitation for Bids and other contract provisions, will be received at the Office of the City Clerk, City Hall, 100 Military Plaza, 2nd floor San Antonio, Tx 78205 until 2:00 P.M. CST on Tuesday, October 7, 2014 and publicly read aloud in City Council Chambers at 114 W. Commerce, Municipal Plaza Building. This is the solicitation deadline. Bids must be submitted in a sealed envelope and clearly marked with the due date of bid, bidder name, Project Name and ID NO. The City is not responsible for submissions not clearly and appropriately marked. Late submissions will be rejected and returned to bidder. A Non-Mandatory Pre-bid meeting will be held at 114 W. Commerce, San Antonio, TX 78205 in the 9th fl. conference room on Thursday, September 18, 2014 at 1:30 P.M. Deadline for questions: 4:00 P.M., September 24, 2014.

This invitation includes the following Contract Documents:

- 010 Invitation for Bids and Contract Signature Page
020 Bid Form
024 Unit Pricing Form
040 Standard Instructions to Respondent
050.01 SBEDA Guidelines
Subcontractor/Supplier Utilization Plan
060 Supplemental Conditions
075 Performance Bond
076 Payment Bond
081 General Conditions for Construction Contracts

Plans, Specifications and Special Conditions may be purchased at a cost of \$40.00 per set (tax included) from the office of MLA Landscape Architecture, 118 Broadway, Suite 201, San Antonio, TX 78205; Phone: (210) 267-5246. No refund will be made for plan sets that are returned. Changes to Plans, Specifications and Special Conditions will be included in an addendum and will be posted on the web at www.sanantonio.gov/rfp listings along with this solicitation. Bidder understands and agrees that bidder is responsible for obtaining addenda and adhering to all requirements in addenda. City is not responsible for incorrect information obtained through other sources.

The following documents (fully completed and with original signatures) constitute the required information to be submitted as a part of the bid proposal:

- 1.) 010 Invitation for Bids and Contract Signature Page
2.) 020 Bid Form
3.) 025 Unit Pricing Form
4.) Bid Bond
5.) Subcontractor/Supplier Utilization Plan
6.) Signed Addenda Acknowledgement Forms

It is understood and agreed that the work is to be substantially completed on or before 150 calendar days. This project does not include hazardous environmental work. This project requires 2 project sign(s).

Small Business Economic Development Advocacy (SBEDA) Program Compliance – Respondents shall meet the subcontracting requirements as stated on Form 050.01 and on the Subcontractor/Supplier Utilization Plan posted with this solicitation on the City’s website.

Wage Decision – Respondent shall meet the prevailing wage rate requirements established for this contract and shall reference the wage decision posted with this solicitation on the City’s website.

The undersigned, by his/her signature, represents that he/she is authorized to bind the bidder to fully comply with Contract Documents for the amount(s) shown on the accompanying bid sheet(s). The work proposed to be done shall be accepted when fully completed and finished to the entire satisfaction of the City. The undersigned certifies all prices contained in this bid have been carefully checked and are submitted as correct and final. The bidder by submitting this bid and signing below, acknowledges that he/she has received & read the entire Bid and Contract document and agrees to be bound by the terms therein, has received all Addenda, and agrees to the terms, conditions, and requirements of the bidder’s bid proposal and all documents listed in the tables above and the enabling Ordinance and associated documentation that form the entire Contract upon approval by the City Council.

Official Name of Company (legal): MGB Group, Inc.

Original Signature of Person Authorized to Sign Bid/Contract / 10/06/2014 Date Signer’s Name: Gerardo A. Licon, PE (Please Print or Type)

CITY OF SAN ANTONIO

Project Name: Pickwell Park Imp and Pytel Park Imp
ID NO.: 40-00386 and 40-00388

Date Issued: September 8, 2014

The estimated construction budget for this contract is (Pickwell) \$200,000.00 and (Pytel) \$285,000.00

Page 1 of 2

020

BID FORM

I. BASE BID

Amount of Street/Roadway Construction Base Bid (Insert Amount in Words and Numbers): If Applicable, or write N/A, if not applicable

NA \$ NA

Amount of SAWS Water Base Bid (Insert Amount in Words and Numbers): If Applicable, or write N/A, if not applicable

NA \$ NA

Amount of SAWS Sewer Base Bid (Insert Amount in Words and Numbers): If Applicable, or write N/A, if not applicable

NA \$ NA

Amount of CPS Base Bid (Insert Amount in Words and Numbers): If Applicable, or write N/A, if not applicable

NA \$ NA

Total Amount of Base Bid – Pickwell Park (Insert Amount in Words and Numbers):

One hundred fifty four thousand two hundred and forty two dollars 02/100 \$ 154,242.02

Total Amount of Base Bid – Pytel Park (Insert Amount in Words and Numbers):

Three hundred twenty four thousand four hundred and ninety seven dollars 60/100 \$ 324,497.60

II. ALTERNATES

Amount of each Alternates (if applicable) insert in Numbers: If Applicable, or write N/A, if not applicable

Additive Alternate #1 – Pickwell Park – Sports Court Resurfacing and New Basketball Goals

Total Amount of Bid for Additive Alternate #1 (Insert Amount in Words and Numbers):

Thirty seven thousand eight hundred and three dollars 09/100 \$ 37,803.09

Additive Alternate #2 – Pytel Park – Playground Shade Structure

Total Amount of Bid for Additive Alternate #2-Pytel Park (Insert Amount in Words and Numbers):

Twenty Three thousand thirty five hundred 22/100 \$ 23,035.22

III. UNIT PRICES

Bidders shall submit unit pricing on the 025 Unit Pricing form, and it shall be attached immediately following this sheet.

IV. ALLOWANCES (if applicable)

NAME OF PROJECT – Pickwell Park Imp and Pytel Park Imp
ID NO. 40-00386 and 40-00388

MCB Group
Official Name of Company (legal)

Telephone No.

300 Convent St. Suite 1330
Address

Fax No.

San Antonio, TX 78205
City, State and Zip Code

E-mail Address

Name of the proposed **Project Manager**: _____

Name of the proposed **Site Superintendent**: _____

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

2011 OCT -7 PM 2:00

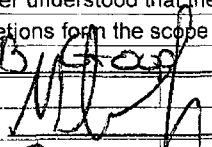
CITY OF SAN ANTONIO
024 BUILDING PROJECT UNIT PRICING FORM

PROJECT NAME:
PROJECT NO.

ALT. NO.	DESC. CODE	BID ITEM DESCRIPTION	UNIT OF MEASURE	APPROX. QUANTITIES	UNIT BID PRICE
		The City only will accept bid pricing to the hundredths. Any pricing extended out to three decimal points will be truncated to two decimal points in the City's favor.			
		Concrete Paving	SF	15,295.00	\$ 5.53
		Concrete Paving for Pavilion Slab	SF	327.00	\$ 6.92
		Trash Cans (installed)	EA	2.00	\$ 1,967.43
		Picnic Tables (installed)	EA	3.00	\$ 1,550.27
		Pavilion 16'x24' (installed)	EA	1.00	\$ 19,568.42
		Restroom Building Painting	LS	1.00	\$ 5,347.55
		Restroom Building Metal Gates	LS	1.00	\$ 12,198.00
		Restroom building light fixture replacement	LS	1.00	\$ 2,361.11
Pickwell 1		Sports Court Resurfacing	SF	13,200.00	\$ 2.42
Pickwell 1		Basketball Goals (installed)	EA	2.00	\$ 2,938.15
		Tree Removal 6"-10"	EA	13.00	\$ 385.84
		Tree Removal 11"-14"	EA	4.00	\$ 460.71
		Tree Removal 18"-22"	EA	7.00	\$ 575.89
		Tree Preservation Fencing (including, trimming and mulch)	LF	3,223.93	\$ 1.79
		Existing Trail Removal	SF	9,935.00	\$ 2.31
		Concrete Removal	SF	199.00	\$ 23.04
		Baseball Field Lighting	LS	1.00	\$ 231,503.88
		Sidewalk Box	EA	2.00	\$ 472.23
		Concrete Curbs	LF	770.00	\$ 17.28
		Asphalt Paving	SF	12,200.00	\$ 3.29
Pytel 1		Playground Shade Shelter (installed)	LS	1.00	\$ 23,035.22
		Pavement Markings	LF	630.00	\$ 5.76
		Remove Concrete Curb	LF	70.00	\$ 23.04
		Temporary Irrigation	LS	1.00	\$ 2,361.11
		Hydroseeding	SF	3,150.00	\$ 1.96
_____ hereby certifies that the unit prices shown on this form in this bid proposal					
are the unit prices intended for this project. These unit prices are 'complete and in place', and include but are not limited to: necessary					

CITY OF SAN ANTONIO
024 BUILDING PROJECT UNIT PRICING FORM

PROJECT NAME:
PROJECT NO.

superintendence, labor, machinery, equipment, tools, materials, mobilization, insurance, overhead and other miscellaneous items and cost to complete the proposed work.		
It is further understood that these unit prices will be used by the City of San Antonio to adjust the final bid or contract amount through additions		
to or deletions from the scope and amount of work for the project, at the sole discretion of the City of San Antonio.		
MGS Group agrees to the terms, conditions, and requirements of the bidder's bid proposal.		
Signed:		Date: 10/7/2014
Title:	Director of Client Relations	

THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310 Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE MGB Group, Inc.
2101 E. Missouri Ave El Paso TX 79903-3505

as Principal, hereinafter called the Principal, and Westchester Fire Insurance Company
436 Walnut Street, P. O. Box 1000 Philadelphia PA 19106

a corporation duly organized under the laws of the State of PA

as Surety, hereinafter called the Surety, are held and firmly bound unto City of San Antonio
114 W. Commerce St. 9th Floor San Antonio TX 78205

as Obligee, hereinafter called the Obligee, in the sum of Five Percent of the Greatest Amount Bid
Dollars (\$ 5% G.A.B.),

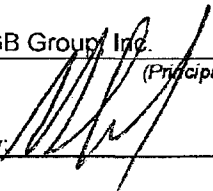
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Pickwell Park Improvements and Pyte Park Improvements

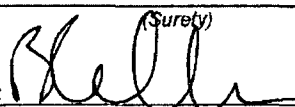
NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 7th day of October, 2014

(Witness)

MGB Group, Inc.
(Principal) (Seal)
By:  Director of Client Relations
(Title)


Leslie Garcia (Witness)

Westchester Fire Insurance Company
(Surety) (Seal)
By:  Attorney-in-Fact Blaine Allen
(Title)

IMPORTANT NOTICE

TO OBTAIN INFORMATION OR MAKE A COMPLAINT:

You may contact Westchester Fire Insurance Company for information or to make a complaint at:

ACE USA
Claims
225 E. John Carpenter Freeway, Suite 1300
Irving, TX 75062

(972) 465-7900
(972) 465-7645 FAX

You may contact the Texas Department of Insurance to obtain information on companies, coverage, right or complaints at:

Texas Department of Insurance
PO Box 149104
Austin, TX 78714-9104

(800) 252-3439

ATTACH THIS NOTICE TO YOUR BOND. This notice is for information only and does not become a part or a condition of the attached document and is given to comply with Section 2253-048, Government Code, and Section 53.202, Property Code, effective September 1, 2001.

Power of Attorney

WESTCHESTER FIRE INSURANCE COMPANY

Know all men by these presents: That WESTCHESTER FIRE INSURANCE COMPANY, a corporation of the Commonwealth of Pennsylvania pursuant to the following Resolution, adopted by the Board of Directors of the said Company on December 11, 2006, to wit:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such persons written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested.

Does hereby nominate, constitute and appoint Blaine Allen, Brady K. Cox, Brent Baldwin, Brock Baldwin, Michael B Hill, William D Baldwin, all of the City of DALLAS, Texas, each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding Five million dollars & zero cents (\$5,000,000.00) and the execution of such writings in pursuance of these presents shall be as binding upon said Company, as fully and amply as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, the said Stephen M. Haney, Vice-President, has hereunto subscribed his name and affixed the Corporate seal of the said WESTCHESTER FIRE INSURANCE COMPANY this 24 day of September 2014.

WESTCHESTER FIRE INSURANCE COMPANY



Stephen M. Haney
Stephen M. Haney, Vice President

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF PHILADELPHIA ss.

On this 24 day of September, AD: 2014 before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came Stephen M. Haney, Vice-President of the WESTCHESTER FIRE INSURANCE COMPANY to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company, that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia the day and year first above written.



Karen E. Grandt
Notary Public

I, the undersigned Assistant Secretary of the WESTCHESTER FIRE INSURANCE COMPANY, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a substantially true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of the Corporation, this 7th day of October, 2014



William L. Kelly
William L. Kelly, Assistant Secretary

THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER September 24, 2016.



CITY OF SAN ANTONIO SUBCONTRACTOR/SUPPLIER UTILIZATION PLAN

SOLICITATION NAME: *Pickwell Park & Pytel Park Improvements*

RESPONDENT NAME: MGB Group, Inc.

SOLICITATION API: **Minority / Women-Owned Business Enterprise (M/WBE) AND African American Business Enterprise (AABE) Subcontracting Programs**

API REQUIREMENTS: Respondents must demonstrate commitment to satisfy a **twenty-three percent (23%) M/WBE subcontracting goal**. Moreover, **three percent (3%)** out of the M/WBE subcontracting goal is to be subcontracted to **AABE firms**. Segmented AABE goals target the participation of AABEs within select Industries (Construction, Professional Services & Other Services) as identified by the availability in the Central Vendor Registry. Participation by AABE subcontractors automatically counts toward the M/WBE subcontracting goal.

Pursuant to the SBEDA Ordinance, M/WBEs and AABEs must also be certified as SBEs with the South Central Texas Regional Certification Agency (SCTRCA) and be headquartered or have a Significant Business Presence in the San Antonio Metropolitan Statistical Area to satisfy the above-stated goals. Self-performance by M/WBE and/or AABE prime respondents does not count towards these subcontracting goals. Commitment to meet subcontracting requirements must be demonstrated by writing the **company name, SAePS vendor number of each subcontractor/supplier, dollar value or percentage of participation on the contract, and type of work to be performed****.

In the absence of a waiver granted by the Small Business Office, failure of a Respondent to commit to satisfying the M/WBE and AABE subcontracting goals shall render its response NON-RESPONSIVE. For further clarification, please contact David Rodriguez at (210) 207-0071.

Enter Respondent's (Prime) proposed contract participation level.

	PARTICIPATION DOLLAR AMOUNT	% LEVEL OF PARTICIPATION	CERTIFICATION TYPE AND NUMBER	TYPE OF WORK TO BE PERFORMED (BY NIGP CODE)
Prime: MGB Group	115,790 403,787	21.46 78.54 %		
SAePS Vendor #:			SCTRCA #:	

List ALL subcontractors/suppliers that will be utilized for the entire contract period, excluding possible extensions, renewals and/or alternates. Use additional pages if necessary.

Sub: <i>SG Williams</i>	\$154,967. ⁰⁰	27.72 %	N/A	909-76; 914-30
SAePS Vendor #:			SCTRCA #:	Site Work/Concrete
Sub: <i>J+P Paving</i>	39,750. ⁰⁰ 42,830 ml	7.37 %	WBE	630-12
SAePS Vendor #:			SCTRCA #: 213109589	Asphalt Paving

** Prime respondent and all subcontractors/suppliers must be registered in the City of San Antonio Electronic Procurement System (SAePS). To learn more about how to register, please call (210) 207-0118 or visit <http://www.sanantonio.gov/purchasing/saeps.aspx>.

Sub: B+W Electrical	\$208,000.00	38.55	%	N/A	914-38 Electrical
SAePS Vendor #:				SCTRCA #:	
Sub: Adam Constructors	\$6,000.00	1.11	%	N/A	420-34 Site Furniture Installation
SAePS Vendor #:				SCTRCA #:	
Sub: B'S Park Improvements	\$13,070.00	2.42	%	N/A	155-20 Shaded Structures
SAePS Vendor #:				SCTRCA #:	
Sub: C3 Environmental	\$2,000.00	.37	%	SBE	988-15 Fence Installation
SAePS Vendor #:				SCTRCA #: 213015465	
Sub:	\$		%		
SAePS Vendor #:				SCTRCA #:	
A.Total Prime Participation:	\$ 423,787 115,790	78.54 21.46	%	A. Total base bid amount to be kept by prime.	
B.Total Sub Participation:	\$ 423,787	78.54	%	B. Total amount prime will pay to certified and non-certified subcontractors/suppliers	
C.Total Certified Sub Participation:	\$ 41,750.00	7.74	%	C. Total amount prime will pay to certified subcontractors/suppliers per the eligibility requirements stated above	
D.Total Prime & Sub Participation*:	\$ 539,577	100	%	D. Total prime and subcontractor(s)/supplier(s) participation must equal your base bid amount (A+B)	

If a business is not certified, please call the Small Business Program Office at (210) 207-3900 for information and details on how subcontractors and suppliers may obtain certification.

I HEREBY AFFIRM THAT I POSSESS DOCUMENTATION FROM ALL PROPOSED SUBCONTRACTORS/SUPPLIERS CONFIRMING THEIR INTENT TO PERFORM THE SCOPE OF WORK FOR THE PRICE INDICATED ABOVE. I FURTHER AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND AND AGREE THAT, IF AWARDED THE CONTRACT, THIS DOCUMENT SHALL BE ATTACHED THERETO AND BECOME A BINDING PART OF THE CONTRACT.

Print Name: Marcela Licon Sign: [Signature] Title: Director of Client Relations
Date: 10/7/2014

FOR CITY USE

Action Taken: Approved Denied _____

ASSISTANT DIRECTOR
ECONOMIC DEVELOPMENT DEPARTMENT



Respondent/Vendor Subcontracting Waiver Request Form

COMPANY MUST SUBMIT THIS FORM WITH ITS SOLICITATION RESPONSE.

COMPANY NAME:	MGB Group, Inc.	DATE:	10/07/2014
CONTACT PERSON:	Marcela Licon	CONTACT PHONE #:	210-464-3290
CONTACT EMAIL ADDRESS:	marlicon@constructionmgb.com		
SOLICITATION NAME:	Pickwell Park Imp (40-00386) & Pytel Park Imp (40-0038)		

1. Describe the rationale for your request for a waiver to the subcontracting goals applied to this solicitation.

Despite our Good Effort to utilize SBE certified firms, we were unable to fulfill the minority goals set forth by the City of San Antonio. We understand the importance of utilizing minority and woman-owned small businesses for this construction project. Many of the subcontractors we contacted are minority businesses, but are not registered as a SBE entity.

2. List all SBE/AABE/ABE/HABE/NABE/WBE listings or directories utilized to solicit participation for this solicitation.

SBDC PTAC, South Central Texas Regional Certification Database, Sablackcontractors@sbcglobal.net.

3. List all contractor associations and other associations solicited for SBE/AABE/ABE/HABE/NABE/WBE referrals.

SBDC PTAC, South Central Texas Regional Certification Database, sablackcontractors@sbcglobal.net

4. Indicate advertisement mediums used for soliciting bids from all SBE/AABE/ABE/HABE/NABE/WBEs.

SBDC PTAC

5. List all other efforts aimed at utilizing SBE/AABE/ABE/HABE/NABE/WBE firms.

We looked at the South Central Texas Regional Certification Database and called firms that were SBE certified to see if they would submit a price for this proposal. We also went to the city of San Antonio office to get more advertising mediums. Unfortunately, none of them responded. We also sent e-mails and follow up calls with subcontractors who we have worked with in the past. Some of them were able to submit a price.

6. List all companies from which you requested bids.

CONTACT PERSON & COMPANY NAME	PHONE # AND E-MAIL	CERTIFICATIONS*	BID RECEIVED (YES/NO)	BID REJECTED (YES/NO) REASON FOR REJECTION
Isabela Christina	210-648-4708	-	Yes	No
J&P Paving	j_paving@sbcglobal.net			
Kevin Hanes	281-356-2110	SBE	Yes	No
BJ's Park & Recreation	kevin@bjspark.com			
Micky Navarro	903-520-2759	SBE	No	
Plexipave System	mnavarro@plexipave.com			
Kevin Hanes	281-356-2110	SBE	Yes	
BJ's Park & Recreation	kevin@bjspark.com			
Zack Croft	210-930-1770	SBE	No	
Eagle Enterprise	zcroft@eagleenterprise.com			
George	830-372-3879	SBE	No	
Maldonado Nursery, Landscape & Irrigation	george@maldonadolandscaping.com			
William	210-884-6717	MBE	Yes	No
JGWilliam Construction Inc.	jgwilliamsconstruction@gmail.com			
Frank	210-559-1219	SBE	No	
Maldonado Nursery & Landscaping, Inc.	franks@mnlisa.com			
Nathan Urias	210-653-7801	SBE	Yes	No
C-3 Environmental Specialties	nathan@c3environmental.com			

SBE, M/WBE, AABE, NABE, ABE, ESBE, EMWBE, HABE and HUBZone*

7. Please attach a copy of your company's small, minority and women-owned business policy.

Please see attached

8. Name and phone number of person appointed to coordinate and administer the good faith efforts of your company on this project.

Marcela Licon 210-464-3290
Mario Matamoros 915-255-9283

9. Indicate percentage of SBE/AABE/ABE/HABE/NABE/WBE participation you can alternatively recommend.

5% of SBE/AABE/ABE/HABE/NABE/WBE participation

10. List and attach documents (i.e. advertisements, emails, phone call logs) of your good faith efforts indicated in questions 2-6.

1. E-mails
2.
3.
4.
5.

11. Attach change of subcontract/supplier utilization plan request form, if requesting a waiver to an approved utilization plan for a current project.

AFFIRMATION

I CERTIFY THAT ALL INFORMATION CONTAINED IN THIS FORM IS ACCURATE AND COMPLETE, AND UNDERSTAND THAT IF THIS REQUEST FOR WAIVER IS DENIED AND I FAIL TO MEET THE REQUIREMENTS OF THIS SOLICITATION, MY RESPONSE TO THIS SOLICITATION WILL BE DEEMED NON-RESPONSIVE.

SIGNATURE

DATE

PRINT NAME/TITLE

FOR CITY USE ONLY

DATE RECEIVED: _____

RECOMMENDATION: [] APPROVED [] DENIED

DATE OF ORIGINATING DEPARTMENT/CMS/PGS/GSC NOTIFICATION: _____

EDD DIRECTOR: _____

JUSTIFICATION:

[Empty box for justification]



POLICY STATEMENT

It is the policy of MGB Group, Inc. to form business alliances with Small Minority Women-Owned Business Enterprises (Small M/WBE) that result in successful opportunities for certain categories of products and services. This policy is designed to involve the largest possible audience to participate in MGB Group's Small M/WBE Program. It will also provide equal opportunities to compete for contracts on services requested by MGB Group.

This policy is designed for MGB Group to include Small M/WBEs in Requests for Quote (RFQ) and Requests for Proposal (RFP) when appropriate, depending on the category and scope of the initiative. MGB Group will develop a continuing source library of Small M/WBEs. The Small M/WBEs must demonstrate that they can be competitive in all applicable areas for consideration of award. Small M/WBEs will have equal opportunities to compete for contracts for products and services requested by MGB Group.

MGB Group goal is 20% for the construction related portion of our services. MGB Group will exercise a good faith effort regarding M/WBE inclusion within the scope of consumables, materials and services. In order to reach the goals set by MGB Group for the utilization of Small M/WBE firms, MGB Group will strive to achieve the following objectives:

- Establish a philosophy and method to develop, maintain, and enhance Small M/WBE involvement in the contracting process (we should incorporate sensitivity to Small M/WBE inclusion in the RFQ and RFP processes; ensure that we have tried to identify Small M/WBEs for specific participation).
- Ensure that certified and qualified Small M/WBE firms are offered fair-share advantages to compete for opportunities district-wide (we should be able to document that use and participation of M/WBEs are integral to our purchasing processes . . . whether contract is awarded or otherwise); we will ensure they have the opportunity to compete; the Director of Purchasing will be responsible for ensuring a Small M/WBE focus is built into the procurement process and handled with appropriate discipline and audited frequently to ensure we are executing as we say we will.
- Provide Small M/WBE firms' Contractors and Subcontractors with prerequisites for bidding on all contracts procured by MGB Group, and offer instructions on the steps necessary to prepare and complete.
- Provide information for each contract on job performance requirements, procurement opportunities, bid awards, and Small M/WBE opportunities.
- Encourage all companies that bid for MGB Group contracts to form alliances with Small M/WBE firms and major organizations to create greater opportunities for successful and profitable business relationships.
- Keep Small M/WBE firms informed of current and upcoming bid opportunities through various media outlets such as MGB Group's newsletter, chambers of commerce postings, minority newspapers, and other sources that have direct contact with minority and small-business communities.



MGB Group is committed to offering equal opportunities for Small M/WBE firms to provide commercially useful goods and services that are not contractually bound by MGB Group and/or its national purchasing organization. However, M/WBEs have a responsibility to access MGB Group methods of communicating business opportunities.

Marcela Licon

From: Mario Matamoros <mmatamoros@constructionmgb.com>
Sent: Thursday, October 02, 2014 11:44 AM
To: j_ppaving@sbcglobal.net
Cc: 'Marcela Licon'
Subject: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)

Isabel Christina
J&P Paving Co., Inc
Office (210)648-4708

MGB Group is actively requesting bids for the Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388) project at San Antonio, TX, and is inviting your company to submit a proposal. Please confirm we count with you for this important project and submit your bid no later than Tuesday October 7, 2014 @ 10:00 AM.

Proposals may be delivered, mailed, emailed or faxed to MGB Group, Attn.: Mario Matamoros, to the information provided at the end of this email. Feel free to contact us at (915)255-9283 or at MMatamoros@constructionmgb.com for any questions or requests for information. We appreciate your confirmation to bid this project and we look forward to hearing from you soon.

Follow the link below to download all bid related documentation:
<https://www.dropbox.com/sh/ki8qf3yg8kdl/sfo/AABtRA5yLZsOHpwp6PbqURbEa?dl=0>

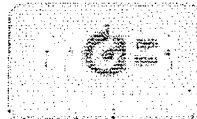
Notice to subcontractors and suppliers only: MGB has made its takeoff quantities (Bid items with quantities - MGB takeoff.xls) available for the purpose of obtaining bids on the proposed work, however, bidding contractors shall check accuracy against complete set of bidding documents; MGB Construction assumes no responsibility for errors, omissions, or misinterpretations of documents.

** Along with your price proposal please include your SBE certification, if applicable.*

Respectfully

Mario Matamoros
MGB Construction
300 Convent Street Ste. 1330
San Antonio, Texas 78205
Tel. (210) 229-1995
Cel. (915) 255-9283
Fax (210) 901-5001

This email may contain confidential and/or privileged information. If you are not the intended recipient (or have received this email in error) please notify the sender immediately and destroy this email. Any unauthorized copying, disclosure or distribution of the material in this email is strictly forbidden.



Marcela Licon

From: Mario Matamoros <mmatamoros@constructionmgb.com>
Sent: Thursday, October 02, 2014 11:17 AM
To: sablackcontractors@sbcglobal.net
Cc: 'Marcela Licon'
Subject: Bid Invitations - City of San Antonio
Attachments: Pickwell and Pytel - Bid Invitation MGB.pdf; Northampton - Bid Invitation MGB.pdf

To whom it may concern,

We were advised that we could send our bid invitations to this email so you could send out our information for bid requests. Attached please find two bid invitations for the Pickwell & Pytel Park and the Northampton Park for the City of San Antonio. Please let us know about any comments or questions you may have.

Thank You

Mario Matamoros
MGB Construction
300 Convent Street Ste. 1330
San Antonio, Texas 78205
Tel. (210) 229-1995
Cel. (915) 255-9283
Fax (210) 901-5001

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Marcela Licon

From: Mario Matamoros <mmatamoros@constructionmgb.com>
Sent: Thursday, October 02, 2014 9:17 AM
To: 'Marcela Licon'
Subject: FW: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)
Attachments: SCTRCA Certification.pdf

FYI...

From: Kevin Hanes [mailto:kevin@bjspark.com]
Sent: Wednesday, October 01, 2014 7:53 PM
To: 'Mario Matamoros'
Cc: 'Marcela Licon'
Subject: RE: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)

Mario,

My apologies, our SCTRCA certification is attached.

*Thank you,
Kevin*

From: Mario Matamoros [mailto:mmatamoros@constructionmgb.com]
Sent: Wednesday, October 01, 2014 4:28 PM
To: kevin@bjspark.com
Cc: 'Marcela Licon'
Subject: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)

Kevin Hanes
BJ's Park & Recreation
Phone (281)356-2110

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Follow the link below to download all bid related documentation:
<https://www.dropbox.com/sh/ki8qf3yg8kdlisfo/AABtRA5yLZsOHpwp6PbqURbEa?dl=0>

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** Along with your price proposal please include your SBE certification, if applicable.*

Respectfully

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MGB Construction
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San Antonio, Texas 78205
Tel. (210) 229-1995
Cel. (915) 255-9283
Fax (210) 901-5001

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Marcela Licon

From: Mario Matamoros <mmatamoros@constructionmgb.com>
Sent: Wednesday, October 01, 2014 4:37 PM
To: m.navarro@plexipave.com
Cc: 'Marcela Licon'
Subject: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)

Micky Navarro
Plexipave System
Phone (903)520-2759

MGB Group is actively requesting bids for the Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388) project at San Antonio, TX, and is inviting your company to submit a proposal. Please confirm we count with you for this important project and submit your bid no later than Tuesday October 7, 2014 @ 10:00 AM.

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<https://www.dropbox.com/sh/ki8qf3yg8kdlso/AABtRA5yLZsOHpwp6PbqURbEa?dl=0>

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Respectfully

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San Antonio, Texas 78205
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Marcela Licon

From: Mario Matamoros <mmatamoros@constructionmgb.com>
Sent: Wednesday, October 01, 2014 4:28 PM
To: kevin@bjspark.com
Cc: 'Marcela Licon'
Subject: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)

Kevin Hanes
BJ's Park & Recreation
Phone (281)356-2110

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<https://www.dropbox.com/sh/ki8qf3yg8kdlsfo/AABtRA5yLZsOHpwp6PbqURbEa?dl=0>

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Respectfully

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Marcela Licon

From: Mario Matamoros <mmatamoros@constructionmgb.com>
Sent: Wednesday, October 01, 2014 1:06 PM
To: 'Zack Croft'
Cc: 'Marcela Licon'
Subject: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)

Zack Croft
Vice President
Eagle Enterprise
Electrical Contractor
Phone:210-930-1770
Fax:210-930-1777
Cell:210-844-6112

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Respectfully

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MGB Construction
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San Antonio, Texas 78205
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Fax (210) 901-5001

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Marcela Licon

From: Mario Matamoros <mmatamoros@constructionmgb.com>
Sent: Wednesday, October 01, 2014 12:22 PM
To: george@maldonadolandscaping.com
Cc: 'Marcela Licon'
Subject: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)

George
Maldonado Nursery, Landscape & Irrigation
3011 Hwy 90 West Seguin, TX 78155
Phone: (830)372-3879

MGB Group is actively requesting bids for the Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388) project at San Antonio, TX, and is inviting your company to submit a proposal. Please confirm we count with you for this important project and submit your bid no later than Tuesday October 7, 2014 @ 10:00 AM.

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Respectfully

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MGB Construction
300 Convent Street Ste. 1330
San Antonio, Texas 78205
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Cel. (915) 255-9283
Fax (210) 901-5001

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Marcela Licon

From: Mario Matamoros <mmatamoros@constructionmgb.com>
Sent: Wednesday, October 01, 2014 12:12 PM
To: jgwilliamsconstructioninc@gmail.com
Cc: 'Marcela Licon'
Subject: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)

William
JGWilliam Construction Inc
Phone: (210)884-6717

MGB Group is actively requesting bids for the Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388) project at San Antonio, TX, and is inviting your company to submit a proposal. Please confirm we count with you for this important project and submit your bid no later than Tuesday October 7, 2014 @ 10:00 AM.

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Follow the link below to download all bid related documentation:
<https://www.dropbox.com/sh/ki8qf3yg8kdl/sfo/AABtRA5yLZsOHpwp6PbgURbEa?dl=0>

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Respectfully

Mario Matamoros
MGB Construction
300 Convent Street Ste. 1330
San Antonio, Texas 78205
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Marcela Licon

From: Mario Matamoros <mmatamoros@constructionmgb.com>
Sent: Wednesday, October 01, 2014 12:06 PM
To: franks@mnisa.com
Cc: 'Marcela Licon'
Subject: Bid Invitation - Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388)

Frank
Maldonado Nursery & Landscaping, Inc.
Phone:210-599-1219

MGB Group is actively requesting bids for the Pickwell Park Imp (40-00386) and Pytel Park Imp (40-00388) project at San Antonio, TX, and is inviting your company to submit a proposal. Please confirm we count with you for this important project and submit your bid no later than Tuesday October 7, 2014 @ 10:00 AM.

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Respectfully

Mario Matamoros
MGB Construction
300 Convent Street Ste. 1330
San Antonio, Texas 78205
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RECEIPT OF ADDENDUM NUMBER(S) 1 IS HEREBY ACKNOWLEDGED FOR PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF PICKWELL PARK (40-00388) AND PYTEL PARK (40-00388)

FOR WHICH BIDS WILL BE OPENED ON **TUESDAY, OCTOBER 7, 2014 AT 2:00 P.M.**

THIS ACKNOWLEDGEMENT MUST BE SIGNED AND RETURNED WITH THE BID PACKAGE.

Company Name: MGB Group, Inc.

Address: 300 Convent St., Suite 1330

City/State/Zip Code: San Antonio, TX 78205

Date: 10/06/2014

A handwritten signature in black ink, appearing to read 'G. Licon', written over a horizontal line.

Signature

Gerardo A. Licon, PE; Vice-President

Print Name/Title