

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL CORRESPONDENCE
PROJECT MANAGEMENT OFFICE**

TO: Mayor and City Council

FROM: Roland A. Lozano, Assistant to the City Manager

THROUGH: Terry M. Brechtel, City Manager

COPIES: Milo Nitshcke, Director, Finance Department; Mark Kimball, Architect,
Convention Center Expansion Office

RE: Convention Center Expansion Project – Phase 1C Dispute Resolution

DATE: October 24, 2002

SUMMARY & RECOMMENDATIONS

This Ordinance authorizes the services of 3D/International (3D/I) for the formal claims resolution process regarding Todd-Ford, a subcontractor for Clark Construction in association with Phase 1C of the Henry B. Gonzalez Convention Center Expansion Project; ratifies services previously performed; and provides for payment. The budget for services performed during the Claims Process will be an amount not to exceed \$73,000.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

The original contract with 3D/International (3D/I) for project management services included a provision for additional services associated with claims resolution on the Convention Center Expansion Project. These services include the review and analysis of claims regarding several change orders in dispute.

Services performed during the claims resolution process will include data collection, research, meeting attendance and preparation of recommendations and presentations in order to properly evaluate and render opinions.

Staff reviewed the fees associated with the review of these claims and the initiation of the formal resolution process and recommends the approval of said fees in this action.

FISCAL IMPACT

This expenditure of \$73,000 will be funded from proceeds of the 1996 Hotel Occupancy Tax Revenue Bond sale and paid out of Capital Projects Fund 47 – “Convention Center Expansion Project.”

This expenditure, which does not increase the overall project budget, will be funded from savings generated in other line items within the Convention Center Expansion Project budget, and does not impact the General Fund.

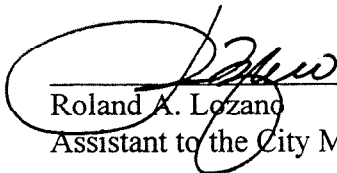
SUPPLEMENTARY COMMENTS

The required Ethics Ordinance Disclosure Statement is attached for review.

COORDINATION


This action was coordinated with the City Attorney's Office, and the Finance Department.

SIGNATURES



Roland A. Lozano
Assistant to the City Manager

APPROVED:



Terry M. Brechtel
City Manager

City of San Antonio
Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Section 1&2

Attach additional sheets if space provided is not sufficient.

State "Not Applicable" for questions that do not apply.

*This form is required to be supplemental in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.

Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the city in the enforcement of provisions contained in the City Charter and the code of ethics, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract;

None.

(2) the identity of any **business entity** that would be a party to the discretionary contract and the name of:

(A) any individual or business entity that would be a *subcontractor* on the discretionary contract;

3D/International, Inc.

(B) any individual or business entity that is known to be a *partner*, or a *parent* or *subsidiary* business entity, of any individual or business entity who would be a party to the discretionary contract;

None.

(3) the identity of any *lobbyist* or *public relations firm* employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

None.

City of San Antonio

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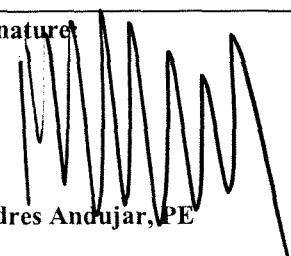
Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any *current* or *former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, or registered lobbyists of the entity.

To Whom Made: See attached sheet.	Amount:	Date of Contribution:

Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question¹ as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Signature:  Andres Andujar, PE	Title: Group President Company: 3D/International	Date: October 21, 2002

¹ For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

DATE	PAID TO	AMOUNT	SUB	ST	REQUESTER
08/23/00	David Garcia	200			
09/26/00	Raul Prado	150			
10/13/00	Debra Guerrero	50			
12/12/00	Bobby Perez	250			
12/12/00	Ed Garza	250			
12/12/00	Enrique "Kike" Martin	100			
12/12/00	Tim Bannwolf	250			
12/12/00	Toni Moorhouse	50			
02/26/01	Enrique "Kike" Martin	50			
02/26/01	Roland Gutierrez	100			
02/26/01	Toni Moorhouse	50			
03/14/01	Bonnie Connor	150			
03/28/01	David Carpenter	250			
03/28/01	Roland Gutierrez	150			
03/28/01	Tim Bannwolf	150			
04/18/01	Bobby Perez	250			
04/18/01	Carroll Schubert	100			
04/18/01	David Carpenter	100			
04/18/01	David Garza	100			
04/18/01	Ed Garza	250			
01/30/02	Art Hall	250			
02/21/02	Bobby Perez	250			
02/25/02	David Carpenter	100			
04/18/02	David Garcia	100			
04/25/02	Ed Garza	250			
05/02/02	Enrique Barrera	100			
06/20/02	David Garcia	100			
07/25/02	Nelson H. Balido	100			
2001/2002 - TOTAL CONTRIBUTIONS:		\$4,250			