

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
PUBLIC WORKS DEPARTMENT**

CONSENT AGENDA
ITEM NO. 12

TO: Mayor and City Council

FROM: Thomas G. Wendorf, P.E., Director of Public Works

THROUGH: Terry M. Brechtel, City Manager

COPIES: Melissa Byrne Vossmer; Andrew Martin; Louis A. Lendman; Milo D. Nitschke;
File

SUBJECT: New Braunfels from IH35 to Grayson

DATE: January 16, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes funds in the amount of \$155,953.56, payable to the Texas Department of Transportation (TxDOT), related to a funding shortfall for construction costs in connection with the New Braunfels from IH35 to Grayson project, an authorized Metropolitan Planning Organization (MPO) project, located in Council District 2. This is a multi-funded project funded from General Obligations of the City.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

As part of the implementation of Urban Street Program (USP) projects, it is the City's responsibility to fund engineering and twenty percent (20%) of pavement construction, and 100% of curbs, sidewalks, driveways, and retaining wall costs. This ordinance will provide for the reconciliation of final quantities used to complete this project and serve as final payment to TxDOT. The New Braunfels from IH35 to Grayson project provided for reconstruction of the existing 2-lane roadway and repair of the existing 6-foot sidewalks against the curb to include handrails in the elevated sections. Construction on this project was completed May 2002.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to participate in the development and construction of City selected and approved MPO projects which are approved annually by Council.

FISCAL IMPACT

This is a one-time capital improvement expenditure. Funds in the amount of \$155,953.56 are available from General Obligations of the City and authorized payable to the Texas Department of Transportation.

COORDINATION

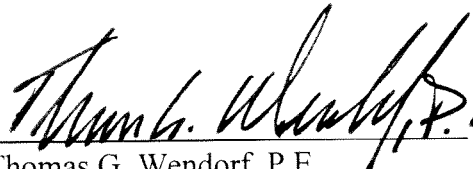
This request for ordinance has been coordinated with the Office of Management and Budget, the Finance Department, and the Texas Department of Transportation.

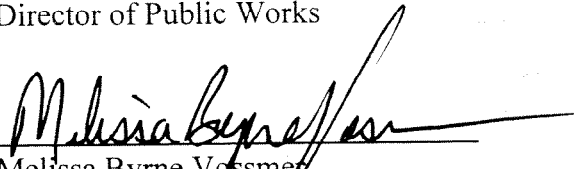
SUPPLEMENTARY COMMENTS

The Discretionary Contracts Disclosure Form is not required for this agreement.

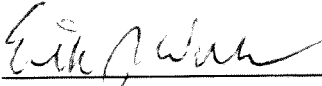
ATTACHMENTS

1. Project Map
2. Letter, Texas Department of Transportation dated July 17, 2002

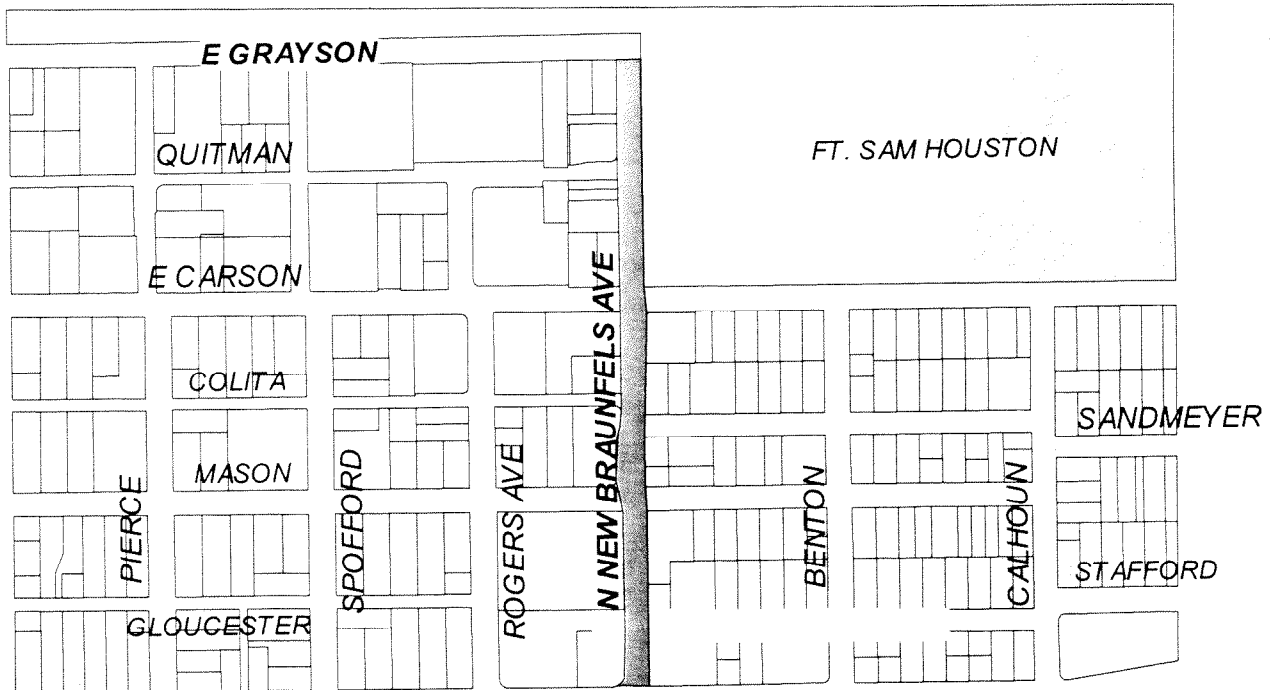

Thomas G. Wendorf, P.E.
Director of Public Works


Melissa Byrne Vossmer
Assistant City Manager

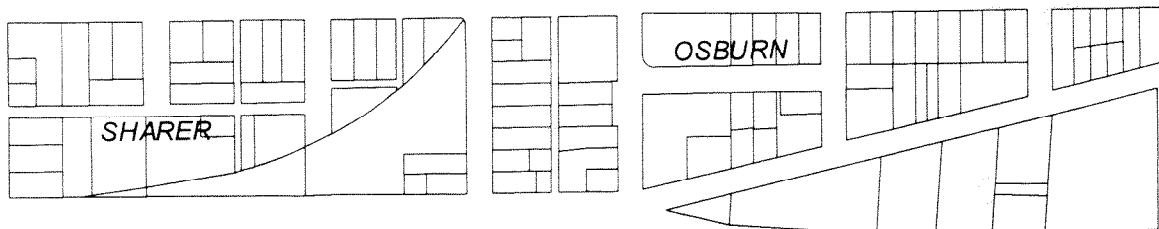
Approved:


Terry M. Brechtel
City Manager

NEW BRAUNFELS: I.H. 35 TO E. GRAYSON

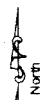


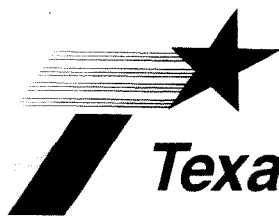
I.H. 35



CITY OF SAN ANTONIO
Department of Public Works
Capital Programs Division

Not to Scale





Texas Department of Transportation

P.O. BOX 29928 • SAN ANTONIO, TEXAS 78229-0928 • (210) 615-1110

Bexar 410 Area Office

July 17, 2002

Project: CUS 915-12-242
Control: 0915-12-242
Highway: CS - N. New Braunfels
County: Bexar

Mr. Anibal Gutierrez, P. E.
City of San Antonio
Capital Programs
P. O. Box 839966
San Antonio, TX 78283-3966

RECEIVED
JUL 22 2002
CITY OF SAN ANTONIO
PUBLIC WORKS, CAPITAL PROGRAMS

Dear Mr. Gutierrez:

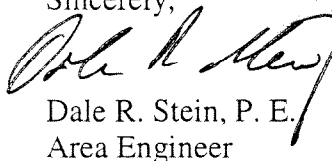
Attached for your review find the *revised* final third party accounting for the above project. Included is the funding worksheet, the Department's FIMS report documenting actual preliminary and construction engineering costs, the final Contractor's estimate and copies of the checks received to date. The result of this accounting indicates that there is a funding shortfall of \$155,953.56.

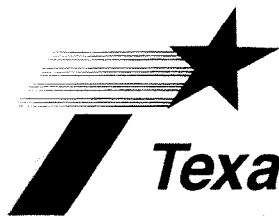
Please review this documentation and, if you are in agreement, please foreword the funds to cover this shortfall at your earliest convenience so that this project can be finaled.

Your assistance with this matter is greatly appreciated and should you have any questions concerning this matter, please call Larry Coyle at 615-6004.

OK - Anibal Gutierrez P.E.
11-25-02

Sincerely,


Dale R. Stein, P. E.
Area Engineer



Texas Department of Transportation

P.O. BOX 29928 • SAN ANTONIO, TEXAS 78229-0928 • (210) 615-1110

REPORT ON OUTSIDE AGENCY PARTICIPATION City of San Antonio

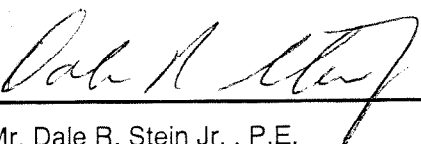
Project: CUS 915-12-242
Control: 0915-12-242
Highway: CS - N. New Braunfels
County: Bexar

See attached pages to justify total cost of items, and see funding use below.

Items Total:	\$1,040,011.64	* See attached worksheet
0.00 % Engineering	\$0.00	* See attached FIMS Report
TOTAL:	\$1,040,011.64	

On Deposit:	\$884,058.08
Funds Used:	\$1,040,011.64
Need More Funds:	(\$155,953.56)

Certified Correct By:



Mr. Dale R. Stein Jr., P.E.
Area Engineer

attach

0915-12-242

PROGRAMMED AMOUNT \rightarrow P	\$ 294,365.00
CONSTRUCTION COST \rightarrow C	\$ 1,173,033.43
CONSTRUCTION ENGINEERING (PER FIRMS) \rightarrow CE	\$ 83,389.82
STATE'S FINANCIAL OBLIGATION 80% (P) OR 80% $(C-NP)^{+CE}$ \rightarrow S	\$ 235,492.00
LOCAL'S FINANCIAL OBLIGATION $M+OV+NP+PE+PSE \rightarrow$ L2	\$ 1,040,011.64
$M = 20\% (P) \text{ OR } 20\% (C-NP)^{+CE}$	\$ 58,873.00
$NP =$	\$ 908,285.02
$OVERAGE = (C-NP)^{+CE} - P \rightarrow OV$	\$ 53,773.23
PRELIMINARY ENGINEERING \rightarrow PE	\$ 19,080.39
PLAN PREPARATION \rightarrow PSE	0.00
TOTAL RECIEVED FROM CITY OF SAN ANTONIO	\$ 884,058.08
ADDITIONAL FUNDS NEEDED	<u>\$ 155,953.56</u>

$$80\% (P) = \$ 235,492.00 \leftarrow$$

$$80\% (C-NP) = \$ 278,510.58$$

$$20\% (P) = \$ 58,873.00 \leftarrow$$

$$20\% (C-NP) = \$ 69,627.65$$

PAGE 5 OF 12
MS27D20

06-24-2002
FIMS INQUIRY SEGMENT 27

10:46:56.0
P304336A

SEGMENT ID 27
DISTRICT DIV 15
ORIG SEG DETAIL 76091512242
TRANS ID 20
CITY CNTY AGENCY 37450
DESCRIPTION JW
BUDG LINE ITEM
VOUCH NO CSJ
VENDOR ID
POSTING-AMOUNT 270,068.92

POSTING DATE 2000-07-07
FISCAL YEAR 2000
ENTITY TYPE 4
COST CENTER 06380
TREAS VOUCH NO D6010465
OBJECT REV 3790
VOUCH KIND
OBJECT EXP

OPTIONS: <ENTER>-NEXT PF1-MAIN MENU PF12-SUBMENU PA1-EXIT PA2-PRINT

PAGE 12 OF 12
MS27D20

06-24-2002
FIMS INQUIRY SEGMENT 27

10:47:05.4
P304336A

SEGMENT ID	27	POSTING DATE	2002-04-08
DISTRICT DIV	15	FISCAL YEAR	2002
ORIG SEG DETAIL	76091512242	ENTITY TYPE	4
TRANS ID	20		
CITY CNTY AGENCY	37450	COST CENTER	06380
DESCRIPTION		TREAS VOUCH NO	J6011384
BUDG LINE ITEM		OBJECT REV	3790
VOUCH NO CSJ		VOUCH KIND	
VENDOR ID		OBJECT EXP	
POSTING-AMOUNT	45,205.19		

OPTIONS: <ENTER>-NEXT PF1-MAIN MENU PF-12-SUBMENU PA1-EXIT PA2-PRINT

City of San Antonio, Texas

CITY OF SAN ANTONIO NO.

006942



VOID AFTER 90 DAYS

DATE 03/26/2002

PAY EXACTLY*****45,205**DOLLARS AND 19 CENTS

\$*****45,205.19*

TO
THE
ORDER
OF

TEXAS DEPARTMENT OF
TRANSPORTATION

[Signature]
AUTHORIZED SIGNATURE
[Signature]

Mio Nitschke
Director of Finance

⑈006942⑈ ⑆114923222⑆ 29 4038991⑈

06942		Voucher Number	Purchase Order	Description	Discount	Net Amount
CHECK NUMBER		47251	91551A	EST. NO. #4 CONTINGENCY		4520519
Vendor Date Paid 760879 03/26/2002		47251	91551A	NEW BRAUNFELS N. - IH 35 TO GRAYSON		
Check Paid To: TEXAS DEPARTMENT OF TRANSPORTATION		<p>CSJ 0915-12-242</p> <p>Copy to Beck 410</p> <p>attn: Larry Coyle PE</p> <p>COPY</p>				
Amount of Check 45,205 19						
City Of San Antonio PO Box 839966 San Antonio, Tx 78283-3966 Ph. (210) 207-8634						

04-01-02
JS

PAGE 11 OF 12
MS27D20

06-24-2002
FIMS INQUIRY SEGMENT 27

10:47:04.1
P304336A

SEGMENT ID	27	POSTING DATE	2002-03-26
DISTRICT DIV	15	FISCAL YEAR	2002
ORIG SEG DETAIL	76091512242	ENTITY TYPE	4
TRANS ID	20		
CITY CNTY AGENCY	37450	COST CENTER	06380
DESCRIPTION		TREAS VOUCH NO	J6011319
BUDG LINE ITEM		OBJECT REV	3790
VOUCH NO CSJ		VOUCH KIND	
VENDOR ID		OBJECT EXP	
POSTING-AMOUNT	2,120.10		

OPTIONS: <ENTER>-NEXT PF1-MAIN MENU PF12-SUBMENU PA1-EXIT PA2-PRINT

Frost National Bank
of San Antonio, Texas

CITY OF SAN ANTONIO NO.

000975

30-9
1140

VOID AFTER 90 DAYS

DATE 02/28/2002

\$*****2,120.10*

Troy Elliott - Controller
Milo Mitschke - Director of Finance

TO THE TEXAS DEPARTMENT OF TRANSPORTATION

PAY EXACTLY*****2,120**DOLLARS AND 10 CENTS



⑈000975⑈ ⑆114923222⑆ 29 4038991⑈

00975		CHECK NUMBER		Vendor	Date Paid	Check Paid To:	TEXAS DEPARTMENT OF TRANSPORTATION	Amount of Check	2,120 10	City Of San Antonio PO Box 839966 San Antonio, Tx 78283-3966 Ph (210) 207-8634
Voucher Number	36824	Purchase Order	91551A	EST. NO. 3 CONTINGENCY						
Description				NEW BRAUNFELS N. - IH 35 TO GRAYSON						
Discount				Net Amount						
212010										

0915-12-242

3-15-02

320 ARRY
FWDING

PAGE 10 OF 12
MS27D20

06-24-2002
FIMS INQUIRY SEGMENT 27

10:47:02.6
P304336A

SEGMENT ID	27	POSTING DATE	2002-03-12
DISTRICT DIV	15	FISCAL YEAR	2002
ORIG SEG DETAIL	76091512242	ENTITY TYPE	4
TRANS ID	20		
CITY CNTY AGENCY	37450	COST CENTER	06380
DESCRIPTION		TREAS VOUCH NO	J6011229
BUDG LINE ITEM		OBJECT REV	3790
VOUCH NO CSJ		VOUCH KIND	
VENDOR ID		OBJECT EXP	
POSTING-AMOUNT	15,501.15		

OPTIONS: <ENTER>-NEXT PF1-MAIN MENU PF-12-SUBMENU PA1-EXIT PA2-PRINT

$$\frac{0.711}{6-0.3}$$

VOID AFTER 90 DAYS

DATE 02/15/2002

\$*****15,501.15*

TEXAS DEPARTMENT OF
TRANSPORTATION

PAY EXACTLY *****15,501**DOLLARS AND 15 CENTS

Yves Jodda

AUTHORIZED SIGNATURE

Milo Miltschke
Director of Finance

11668E07 62 1222E26777: 11886260.

88676

CHECK NUMBER

Vendor	Date Paid
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760879 02/15/2002

TEXAS DEPARTMENT OF
TRANSPORTATION

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City Of San Antonio
PO Box 839966
San Antonio, TX 78283-3966
Ph. (210) 207-8634

el-gil-el-ne

EST. NO. 2 CONTINGENCY
NEW BRAUNFELS N. - IH 35 TO GRAYSON

Voucher
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Purchase
Order

83490
83490

91551A
91551A

Description

Discount

Net Amount

0915-12-242
 3RD PARTY
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 P207

PAGE 7 OF 12
MS27D20

06-24-2002
FIMS INQUIRY SEGMENT 27

10:46:58.3
P304336A

SEGMENT ID	27	POSTING DATE	2000-12-22
DISTRICT DIV	15	FISCAL YEAR	2001
ORIG SEG DETAIL	76091512242	ENTITY TYPE	4
TRANS ID	20		
CITY CNTY AGENCY	37450	COST CENTER	06380
DESCRIPTION		TREAS VOUCH NO	J6015625
BUDG LINE ITEM		OBJECT REV	3790
VOUCH NO CSJ		VOUCH KIND	
VENDOR ID		OBJECT EXP	
POSTING-AMOUNT	2,220.00		

OPTIONS: <ENTER>-NEXT PF1-MAIN MENU PF-12-SUBMENU PA1-EXIT PA2-PRINT

First National Bank
of San Antonio, Texas

CITY OF SAN ANTONIO



NO.

023660

VOID AFTER 90 DAYS

DATE 12/01/2000

PAY EXACTLY*****2,220**DOLLARS AND 00 CENTS

\$*****2,220.00*

TO
THE
ORDER
OF

TEXAS DEPARTMENT OF
TRANSPORTATION

Troy Elliott - Controller

Octavio Peña - Director of Finance

⑈023660⑈

⑈114923222⑈

29 403899⑈

23660	Voucher Number	Purchase Order	Description	Discount	Net Amount
CHECK NUMBER	10907	91551A	EST 1 CONTINGENCY		2220
Vendor	10907	91551A	NEW BRAUNFELS N. - IH 35 TO GRAYSON		
Date Paid					
760879 12/01/2000					
Check Paid To:					
TEXAS DEPARTMENT OF TRANSPORTATION					
Amount of Check					
2,220 00					

City Of San Antonio
PO Box 839966
San Antonio, Tx 78283-3966
Ph. (210) 207-8634



Texas Department of Transportation

P.O. BOX 29928 • SAN ANTONIO, TEXAS 78229-0928 • (210) 615-1110

March 21, 2000

The City of San Antonio
Attn: Mr. Keith Strimple, P.E.
Capital Programs
P.O. Box 839966
San Antonio, Texas 78284-5126

Re: Control: 0915-12-242
Project: CUS 915-12-242
County: Bexar
Highway: N New Braunfels

Dear Mr. Strimple:

As you are probably aware, bids for the referenced project are scheduled for receipt in May. As detailed in our agreement, Article 8, Parts F & G, Project Funding, The City of San Antonio is obligated to remit the balance of its financial contribution for the construction of this Project within 30 days from receipt of written notification from the State. Therefore, a check made payable to the Texas Department of Transportation in the amount of \$535,422.72 must be forwarded as soon as possible. Otherwise, this project risks being pulled from the letting.

Naturally, your prompt attention to this matter would be greatly appreciated by all the parties involved. If you have any questions, or require additional information, please contact Melissa Jordan at 615-5817. Thank you, in advance, for your assistance.

3-22-00 Sincerely, -

Antonio H. Arredondo III, PE
for Deputy District Engineer

/jqe
Attach. A/S
cc: Bexar 410 Area Office

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EXHIBIT 5 URBAN STREET PROGRAM ESCROW WORKSHEET

8/2000	Prior to Letting
P = \$290,000	294,305.00
C = \$337,995	772,288.99
S = \$232,000	235,492.00
L2 = \$119,515	548,942.72
M = \$58,000	58,873.00
NP = \$14,500	328,857.81
OV = \$33,495	149,066.68
PE = \$13,520	12,145.73
PS&E = N/A	

PROGRAMMED AMOUNT =
CONSTRUCTION COST =
STATE'S FINANCIAL OBLIGATION =
80% [P] or 80% [C - NP], whichever is less =

P = \$290,000
C = \$337,995
S = \$232,000

LOCAL'S FINANCIAL OBLIGATION =
M + OV + NP + PE + PS&E =

L2 = \$119,515

where:

Local Match = 20%[P] or 20%[C - NP], whichever is less = M =
Non-Pavement Items = NP =
Overage = [C - NP] - P = OV =
Preliminary Engineering = PE =
Plan Preparation = PS&E =

\$58,000
\$14,500
\$33,495
\$13,520
N/A

LOCAL ESCROW AMOUNT

(PE + PS&E) = E1 = \$13,520 (due prior to full execution of agreement)

L2 - E1 = E2 = \$105,995 (due 60 days prior to Letting Date)

535,422.72

NOTES

1. Programmed amount (P) is the maximum amount of funding eligible at the 80/20 - State/Local participation ratio.
2. The construction cost [C] is understood to mean the ESTIMATED cost to construct the project. This amount includes construction engineering and contingencies (E&C) which covers such activities as supervising and inspecting all work performed on the project during construction, as well as providing engineering, inspection, and testing services necessary to ensure the construction of the Project is accomplished in accordance with the approved construction documents.
3. Preliminary Engineering (PE) only represents the State's responsibilities pertaining to this element of project development and includes activities such as preparing the environmental assessment, assisting in the coordination of public involvement activities (if required), and reviewing/processing efforts required for letting. The percentage used to estimate the State's costs to perform PE activities varies with respect to the estimated construction cost. In the case of this agreement, the PE cost is estimated at 4 % of [C].
4. Plan Preparation (PS&E) is the cost associated with preparing the construction documents. If the local entity elects to perform this function internally, or by internal consultant contract, this amount will be zero. If the local entity requests the State prepare the PS&E, whether by State staff or State consultant contract, the local entity must escrow the estimated cost of this activity to the State, which, in the case of this agreement, is N/A % of [C].
5. The Overage [OV] computation applies only when the construction cost less the non-pavement items, [C - NP], is greater than the Programmed amount [P].
6. The computation of E2 will be adjusted according to the estimated construction cost at the time the Project is processed for Letting.