

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

CONSENT AGENDA
ITEM NO. 11

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, and file

SUBJECT: Guilbeau Drainage at French Creek Phase I

DATE: March 6, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance appropriates funds and providing for payment in the amount of \$17,168.31 payable to Southwestern Bell Telephone Co. from 1999 General Obligation (G.O.) Drainage Improvement Bond funds for the relocation of their underground facilities in connection with the Guilbeau Drainage at French Creek Phase I project located in Council District 7.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The Guilbeau Drainage at French Creek Phase I project involves the installation of a storm sewer system along the parkway of Guilbeau Road between Mystic Park and the French Creek. During the review process, a conflict in alignment was identified between the underground SBC facilities and the City's proposed storm sewer. Because this project does not involve street widening or straightening, SBC will not pay for the relocation of their facilities. SBC interprets state statute (Texas Utilities Code Sec. 54.203) to require relocation of utility lines at their expense only in the event of municipal street widening or straightening. The City agrees in this instance to pay for these services while reserving its rights to later seek reimbursement from SBC. This project is currently near design completion.

The Guilbeau Drainage at French Creek Phase I project provides for the design of a storm water sewer system on Guilbeau Road from the French Creek to a point approximately 800 feet east of Mystic Park. Construction of design improvements on Guilbeau Road from the French Creek to Mystic Park are also included. This project is scheduled to advertise for bids March 2003, begin construction June 2003, and be completed by February 2004.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 1999 G.O. Drainage Bond funded Capital Improvements Projects.

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget and included in the Capital Improvement Program budget. Funds in the amount of \$17,168.31 are available from 1999 G.O. Drainage Bond funds and authorized payable to SBC. The estimated construction cost for this project is \$440,071.00, design is \$88,128.00, and miscellaneous costs are \$17,168.31, which represents a portion of a total estimated City project cost of \$545,367.31.

COORDINATION

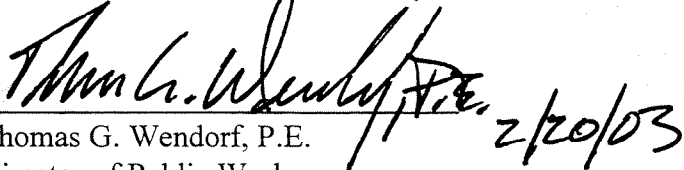
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

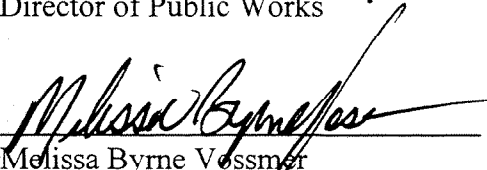
SUPPLEMENTARY COMMENTS

The Discretionary Contracts Disclosure statement required by the Ethics Ordinance is not required.

ATTACHMENT

- I. Project Map
- II. SWBT letter, dated January 16, 2003


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


Melissa Byrne Vossmer
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager



Guilbeau Drainage at French Creek-Phase 1

Scale: Not to Scale





Southwestern Bell Telephone

Custom Work Order Tracking
4119 Broadway, RM 760C
San Antonio, TX 78209

January 16, 2003

City of San Antonio
Attn: David Matney
515 (B) S. Frio
San Antonio, TX 78207

Dear Mr. Matney,

This letter is in regards to your request for custom work to be done by our company. Enclosed please find an Application for Custom Work. This application describes the work you have requested along with the associated charges for us to do the work.

The **signed application and the full amount of the payment** would need to be received by our office before we can proceed with the work. For security reasons the advanced payment and signed application need to be returned via US mail, Courier, or Express Mail. Our mailing address for these documents is listed below:

Southwestern Bell Telephone
Attn: Custom Work Order Tracking
4119 Broadway, RM 760C
San Antonio, TX 78209

Please refer to the record number at the top of your application to assist us in locating your file.

Sincerely,

Brian Bednarz

Brian Bednarz
Custom Work Order Tracking
Southwestern Bell Telephone

Office: (210) 804-2714



Southwestern Bell Telephone

Custom Work Order Tracking
4119 Broadway, RM 760R
San Antonio, TX 78209
(210) 804-2714
1-866-335-7177

APPLICATION FOR CUSTOMER WORK**CWOTS Number:** 5701T02 **Service Order:** N/A**Customer Billing Telephone Number:** (210) 207-2000

BILL TO: **City of San Antonio**
 Attn: David Matney
 PO BOX 839966
 San Antonio, TX 78283-3966

DESCRIPTION OF WORK: Excess construction - LOCATION @ 7951 Guilbeau.

Per your request SWBT will relocate facilities to move out of way for COSA proposed drainage project. Adjustments to be made between Sta. Mkr. 15+00 west to French Creek. Another CWOTS will be submitted for the other portion.

CHARGE FOR CUSTOM WORK: **ESTIMATED COST:** **\$17,168.31** (tax exempt)

Applicant requests Southwestern Bell Telephone Company to do the above described work and agrees to pay the charge(s) indicated. If the work is to be done on an "Actual Cost" basis, the charge(s) will be computed in accordance with Southwestern Bell's ordinary accounting practices under the Uniform System of Accounts for Class A telephone companies and will include allocated costs for labor, engineering, materials, transportation, motor vehicles, tool and supply expenses and sundry billings from sub-contractors and suppliers for work and materials related to the job. When the work is requested to be done on an "Actual Cost" basis, Applicant affirms that the cost estimate furnished by the Telephone Company has been considered only as an estimate of approximate costs and that the actual costs incurred by the Telephone Company in doing the work at the particular time and location might be higher.

Applicant agrees to make an advance payment of \$17,168.31.

When the Applicant agrees to Interval Billing *, the payment of the Actual Cost (as applicable) will be made in number of payments. When the Actual Cost made varies from the Estimated Cost, then a correcting adjustment will be made in the last payment.

If the applicant cancels the work prior to completion, Applicant agrees to pay the Telephone Company for the costs it has incurred in starting performance under the contract and before being notified to cease only.

The price is guaranteed for 60 days from January 16, 2003. **If the charges are not accepted with in 60 days the order will be cancelled and a new order will need to be placed.** The second estimate may be higher than the price that was originally quoted.

ACCEPTED FOR CUSTOMER:**ACCEPTED FOR SOUTHWESTERN BELL TELEPHONE**

Authorized Signature, Title or
Relationship to Company or Individual

Title: Custom Work Order Tracking Coordinator/Manager

Company: City of San Antonio

Date: 1-17-03

Date: January 16, 2003

* Applicable to orders over \$25,000 only