

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

CONSENT AGENDA

ITEM NO. 14

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: Lockhill Selma from West Avenue to NW Military

DATE: March 13, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance amends a 1999 General Obligation (G.O.) Street Bond funded Metropolitan Planning Organization (MPO) professional service contract with Chiang, Patel & Yerby, Inc., a non-MBE firm, and authorizes additional compensation in the amount of \$21,437.48 for engineering expenses and \$2,100.00 for engineering contingency for an overall total of \$23,537.48 in connection with the Lockhill Selma from West Avenue to NW Military project located in Council District 9.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This ordinance requests additional compensation to Chiang, Patel & Yerby, Inc. for professional engineering service to provide the final design phase and construction administration for the design enhancements and landscape architecture. The Lockhill Selma from West Avenue to NW Military project includes the reconstruction of existing 2-lane roadway to 3 lanes with curbs, 6-foot sidewalks, drainage, and design enhancements. This project is currently under the design phase. Advertisement for bids is scheduled for September 2004, with construction to begin in December 2004, and completed by August 2005.

This professional services contract was originally approved by City Ordinance No. 92135 on July 27, 2000 and initially authorized \$267,955.66 for services related to this project. Subsequent City Council action authorized additional funds in the total amount of \$9,441.00 and brought the total contract value to \$277,396.66. This City Council action will increase the total, to date, authorized for this professional service contract to \$298,834.14.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 1999 G.O. Street Bond funded MPO 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 \$23,537.48 are available from 1999 G.O. Street Bond funds and authorized payable as follows:

\$21,437.48	payable to Chiang, Patel & Yerby, Inc. for engineering services
\$ 2,100.00	payable for engineering contingency

The contingency account originally authorized \$26,796.00 for this project. This Council action will increase the total amount to \$28,896.00. The estimated construction cost for this project is \$1,984,738.00, design is \$330,068.00, right-of-way acquisition is \$125,000.00, and environmental is \$28,914.00, for a total of \$2,468,720.00. As part of the implementation of Metropolitan Planning Organization (MPO) Surface Transportation Program projects, it is the City's responsibility to fund engineering, right of way acquisition, and twenty percent (20%) of construction cost. Of the \$2,468,720.00, the City estimated project cost is \$956,970.00.

COORDINATION


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

SUPPLEMENTARY COMMENTS

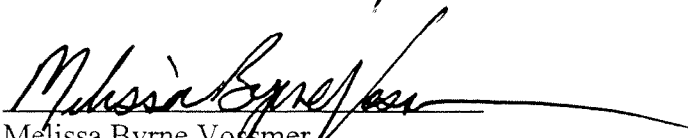
The Discretionary Contracts Disclosure statement required by the Ethics Ordinance is attached.

ATTACHMENT


- I. Project Map
- II. Chiang, Patel & Yerby, Inc. Letter, dated December 27, 2002
- III. Discretionary Contracts Disclosure

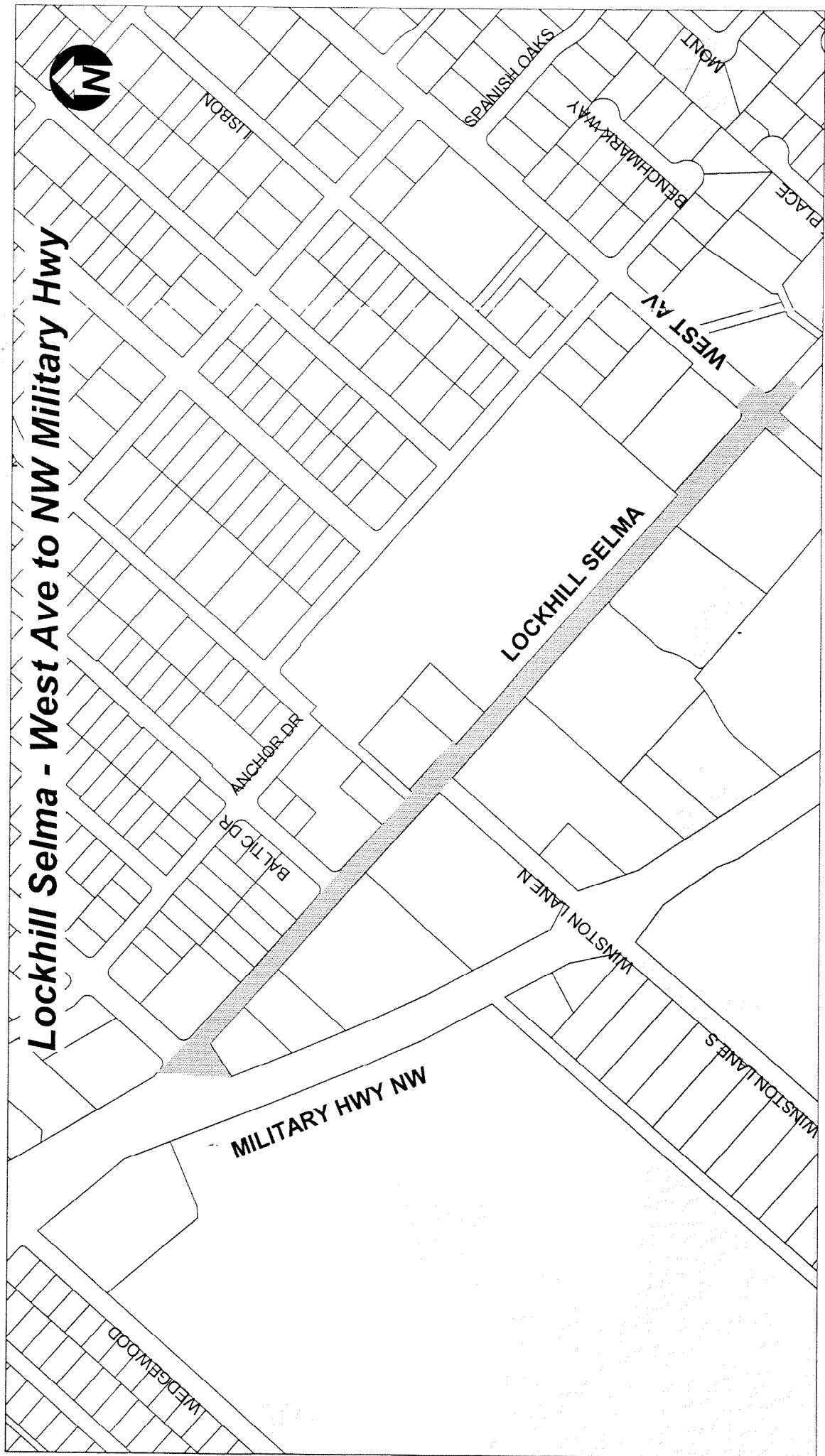

Thomas G. Wendorf, P.E.
Director of Public Works

2/28/03


Melissa Byrne Voisner
Assistant City Manager

Approved:


for Terry M. Brechtel
City Manager



Lockhill Selma - West Ave to NW Military Hwy



Partners for a Better Quality of Life

December 27, 2002

Mr. Jim Clements, P.E.
City of San Antonio
Public Works Department
P.O. Box 839966
San Antonio, Texas 78283-3966

RE: Lockhill-Selma Reconstruction
From West Ave. to N.W. Military
Revised Fee Proposal for Work Authorization
Landscape/Design Enhancements

Dear Mr. Clements:

Attached, as requested, is the Revised Fee Proposal for Work Authorization for the following item:

1. Landscape/Design Enhancements

We will not proceed with the development of the Landscape/Design Enhancements until we receive notice to proceed.

If you should have any questions, please call me at (210) 494-8004.

Sincerely,
Chiang, Patel & Yerby, Inc.

Charles Aldrete, P.E.
Project Manager

Attachments

cc: CSA 0035 Contracts



Attachment 1

**REVISED FEE PROPOSAL FOR WORK AUTHORIZATION
ADDITIONAL PROFESSIONAL SERVICES
Lockhill-Selma Reconstruction**

Preparation of Landscape/Design Enhancement Plans

For professional service of preparing Landscape/Design Enhancement Plans, we request compensation on a lump sum basis. The estimated maximum dollars to accomplish this work are shown below.

Estimate of Maximum Compensation:

Landscape Architect/Arborist	=	\$ 10,756.50
Reproduction, Printing, etc.	=	\$ 500.00
Total (FFWA)	=	\$ 11,256.50
Artist (Jack Robbins)	=	\$ 7,450.00
CP&Y Administration Cost (15%)	=	\$ 2,730.98
Maximum Amount Payable (lump sum)	=	<u>\$ 21,437.48</u>

FERNANDEZ FRAZER WHITE & ASSOCIATES, INC.

11824 RADIUM • SAN ANTONIO, TX 78216 • (210) 377-0774 • Fax: (210) 366-0376

E-mail address ffw@ffwinc.com

December 27, 2002

Mr. Charles Aldrete P. E.
Chang, Patel & Yerby, Inc.
300 E. Sonterra Blvd., Suite 430
San Antonio, Texas 78258

Re: Lockhill Selma

Dear Mr. Aldrete,

Please accept this letter as our fee proposal for Landscape Architecture and Arborist to complete work. The scope and fee are as follows:

PHASE B

- Make modification to phase A plans and incorporate community input as required and begin Phase B (design development plans) to include planting details legends and tree protection details.
- Meet with artist and incorporate art elements and begin to develop installation details and specifications
- Begin to develop specifications for landscape, streetscape and tree protection phase B (design development) plans and specifications.
- Revise cost estimate.
- Meet with Engineers to present Phase B plans and specifications.
- Meet with Engineers Clients for Second Review.
- Meet with TX Dot for second review.
- Prepare presentation plans for community input meeting.

Design

This process will be followed at 60%, 80% and 90% reviews.

- Make modification to plans and incorporate community input as required and finalize Construction documents plans and specifications from review comments.
- Finalize art elements installation details and specifications.
- Revise cost estimate.
- Meet with Engineers to present final construction design plans and specifications.
- Meet with Engineers clients for review.
- Meet with TX Dot for review.

Construction

- Participate in pre-construction meeting.
- Make periodic site visits to check tree protection.
- Make site visits for landscape installation.

Fee Schedule

PHASE B

Principle in Charge/Project Manager	26 @ \$65/hr	\$1,690.00
Landscape Designer	46 @ \$47/hr	\$2,162.00
Technician	25 @ \$45/hr	\$1,125.00
Clerical	10 @ \$35/hr	\$ 350.00
Sub-Total		\$5,327.00

Arborist LS Sub-Total \$ 367.50

DESIGN

Principle in Charge/Project Manager	6 @ \$65/hr	\$ 390.00
Landscape Designer	22 @ \$47/hr	\$1,034.00
Technician	12 @ \$45/hr	\$ 540.00
Clerical	16 @ \$35/hr	\$ 560.00
Sub-Total		\$2,524.00

Arborist LS Sub-Total \$ 210.00

CONSTRUCTION

Principle in Charge/Project Manager	25 @ \$65/hr	\$1,625.00
Landscape Designer	9 @ \$47/hr	\$ 423.00
Clerical	5 @ \$35/hr	\$ 175.00
Sub-Total		\$2,223.00

Landscape Architect TOTAL \$10,074.00

Arborist LS Sub-Total \$ 105.00

Arborist TOTAL \$682.50

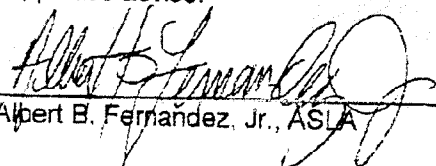
The scope is based on the Proposal outlined above and is subject to adjustment or discussion if additions are made to the program previously discussed; if any additional work is introduced or if there are significant changes, which are beyond the control of the consultant after approval has been given by the client.

The fee for the above referenced plans will be invoiced on a per diem basis monthly for the hourly rate as indicated in the contract, not to exceed \$10,074.00 for Landscape Architecture and \$682.50 for Arborist.

Out of pocket expenses for plot, prints, photocopying, film and development, will be invoiced separately not to exceed \$500.00.

The fee is subject to adjustments if any additional work or changes are introduced into project.

Should you need additional information, please advise.


Albert B. Fernandez, Jr., ASLA

Approved by

Date



Box 90822 San Antonio Texas 78209
Email: jackr@stic.net
Phone 210-828-9112 Fax 210-828-9112
studio 710-1136

Date: November 21, 2002

To: Charles Aldrete, Chiang, Patel & Yerby, Inc. Telephone 494-8004

Re: Schedule for Final Design services for Design Enhancements for Lockhill-Selma Project

Site evaluation

- site evaluation/ (5.)
- material selection (3.25)

Design meetings with city enhancement staff

- project meetings (4.5)

Design meetings with CP&Y (3.)

Research and consultation w/city architect's office (2.)

Meetings w/Landscape architect (7.5)

Site visits

- Project sight visit (s)/sketch (6.5)

Identify MPO elements to be considered

- evaluation/specify use (2.)
- research/interview fabricators for materials/specification/fabrication in Dallas/Austin/San Antonio (6.0)

Preparation of design documents (30.5)

- art direction
- photography /lab development/field work
- reference / research / Internet
- digital scanning * (estimate 6 scans-)
- digital design studio ** (estimate 10.0 hrs)
- communications /emails/teleconference/fax/letter/recording
- expendibles/color copies/photocopies/ media /outputs/postage/lab

Contingency /unknowns/ additional inserts (10.0)

Preparation design proposal to HDRC (4.0)

Presentation/HDRC (2.50)

Total: 86.75 hours prosed hourly rate @\$72.

*digital studio charges applicable (6 scans= 150.)

**digital studio charges applicable @1500 (-700 = 800.)

Projected travel expenditures 154.

Film/digital proofing 100.

Total:

\$7450.

Note: this proposal does not include any charges related to models/prototypes/templates/hardware.

City of San Antonio Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 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 supplemented 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:

Chiang, Patel & Yerby, Inc.
Walter Chiang – 50% Philip Armstrong – 5%
Pete Patel – 30%
Philip Yerby – 10%
Edward Motley – 5%

(2) the identity of any **business entity**¹ that would be a party to the discretionary contract:

NONE

and the name of:

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

Drash Consulting Engineers, Inc.
Bain Medina Bain, Inc.
Fernandez, Frazer, white & Assoc., Inc.
Jack Robbins

and the name of:

(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

¹ A business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

City of San Antonio Discretionary Contracts Disclosure*

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

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- (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

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, attorneys, or registered lobbyists of the entity.

To Whom Made: NONE	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 question² 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.

² 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.

Sent by: CHIANG PATEL & YERBY

214 638 3723;

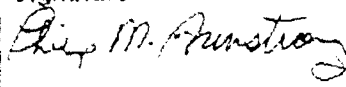
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**City of San Antonio
Discretionary Contracts Disclosure***

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Signature:  Philip Armstrong	Title: Vice President Company: Chiang, Patel & Yerby Inc.	Date: 1-7-03