

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
PARKS AND RECREATION DEPARTMENT**

TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

THROUGH: Terry M. Brechtel, City Manager

COPIES: Melissa B. Vossmer; Finance; Management and Budget; Legal; File

SUBJECT: Ordinance Authorizing a Contract with Durand-Hollis Rupe Architects, Inc. for Professional Services Associated with the Sunken Garden Theater ADA Modifications Project

DATE: March 27, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance selects Durand-Hollis Rupe Architects, Inc. for professional services associated with the Sunken Garden Theater ADA Modifications Project in City Council District 9; authorizes a professional services contract in an amount not to exceed \$31,607.00; establishes a project budget; allocates \$39,428.00 from Certificates of Obligation funds and provides funds for architect contingency and bid advertising/printing.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The Sunken Garden Theater is located within Brackenridge Park in Council District 9. The facility requires modifications in order to comply with current Americans with Disability Act (ADA) standards. The necessity to upgrade this facility has been identified by the Department of Justice. This ordinance will hire a consultant-architect firm that will design improvements that focus on an accessible route from the accessible parking spaces to the entrance of the theater (ticket booth area), the path into the seating area and into the existing men/women restrooms. Also, the design will include modifications for seating, counter heights and restrooms. If the budget allows, additional regular seating may be included. The consultant will prepare a schematic design, design drawings, cost estimates and construction documents and will perform construction administration services.

The firm of Durand-Hollis Rupe Architects, Inc., a SDMBE firm, has been selected to provide the Sunken Garden Theater ADA modifications design work. The project is scheduled to begin in May 2003 and to be completed in September 2003. Construction is scheduled to occur from December 2003 until March 2004.

POLICY ANALYSIS

These actions are consistent with the approved Certificate of Obligation Funds designated for this project. The consultant was selected in accordance with established selection procedures.

FISCAL IMPACT

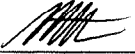
Funding of \$300,000.00 from Certificates of Obligation has been identified for the Sunken Garden Theater ADA Modifications Project. The amount of \$39,428.00 will be allocated for this consultant project. Architect fees are \$31,607.00, architect contingency is \$6,321.00 and bid advertising/printing is \$1,500.00. Contingency of 20% is being utilized due to the unknown conditions associated with the renovation work. The use of Unissued Certificates of Obligation for this project was anticipated in preparing the FY02/03 Capital Budget.

COORDINATION

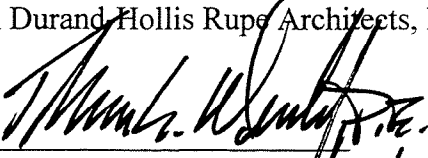
The Consultant Selection Committee, Public Works Department, Finance Department and Office of Management and Budget have assisted with this action.

SUPPLEMENTARY COMMENTS

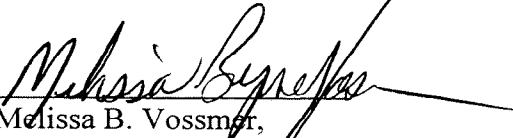
A Discretionary Contracts Disclosure Form is attached from Durand Hollis Rupe Architects, Inc.



Malcolm Matthews,
Director of Parks and Recreation



Thomas G. Wendorf, P.E.
Director of Public Works
3/13/03



Melissa B. Vossmer,
Assistant 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, 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;

Mr. Gabriel Durand-Hollis, FAIA

Ms. Alicia C. Trevino, AIA

Mr. Gregory T. Shue, AIA

(2) the identity of any business entity that would be a party to the discretionary contract:
Durand-Hollis Rupe Architects, Inc. an

and the name of:

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

Bain Medina Bain

Kinetics Consulting Engineers

(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;

N/A

(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.

N/A

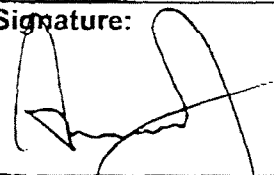
Political Contributions

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:	Amount:	Date of Contribution:
N/A		

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.

Mr. Gabriel Durand-Hollis, FAIA		
Signature: 	Title: President Company: Durand-Hollis Rupe Architects	Date: Feb 21, 2003

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.