

**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, and file

SUBJECT: Avondale from New Braunfels to IH 37

DATE: April 3, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance amends a professional service contract and authorizes additional funds in the amount of \$37,180.00 payable to Lockwood, Andrews, & Newnam, Inc. (LAN), a non-MBE firm, for engineering services in connection with the Avondale from New Braunfels to IH 37 project, an authorized Community Development Block Grant (CDBG) funded project, located in Council District 3.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This ordinance requests additional compensation to Lockwood, Andrews, & Newnam, Inc. (LAN), for additional services to include the preparation of the right-of-way acquisition documentation for 40 parcels that will require platting, which was not anticipated in the original contract. This project provides for the reconstruction of Avondale Street from New Braunfels to IH 37 to include a 29-foot 2-lane street section, 4-foot wide sidewalks, curbs, and driveway approaches. This project is currently under the design phase and is scheduled to advertise for construction in February 2004, begin construction in May 2004, and be completed by January 2005.

This professional service contract was originally approved by City Ordinance No. 95948 on June 20, 2002 and initially authorized \$71,000.00 for design of the project. This Council action will increase the contract by \$37,180.00 and bring the overall total amount of the contract to \$108,180.00.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved CDBG Capital Improvements Projects.

FISCAL IMPACT

This is one-time capital improvement expenditure within budget and included in the current Capital Improvement Program Budget. Funds in the amount of \$37,180.00 are available from CDBG funds and authorized payable to Lockwood, Andrews, & Newnam, Inc. (LAN) for engineering services.

This item represents a portion of a total estimated City project cost of \$1,111,278.00.

COORDINATION


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

SUPPLEMENTARY COMMENTS

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

ATTACHMENT

- I. Project Map
- II. Lockwood, Andrews, & Newnam, Inc. (LAN), Inc. Letter, dated March 6, 2003
- III. Discretionary Contracts Disclosure

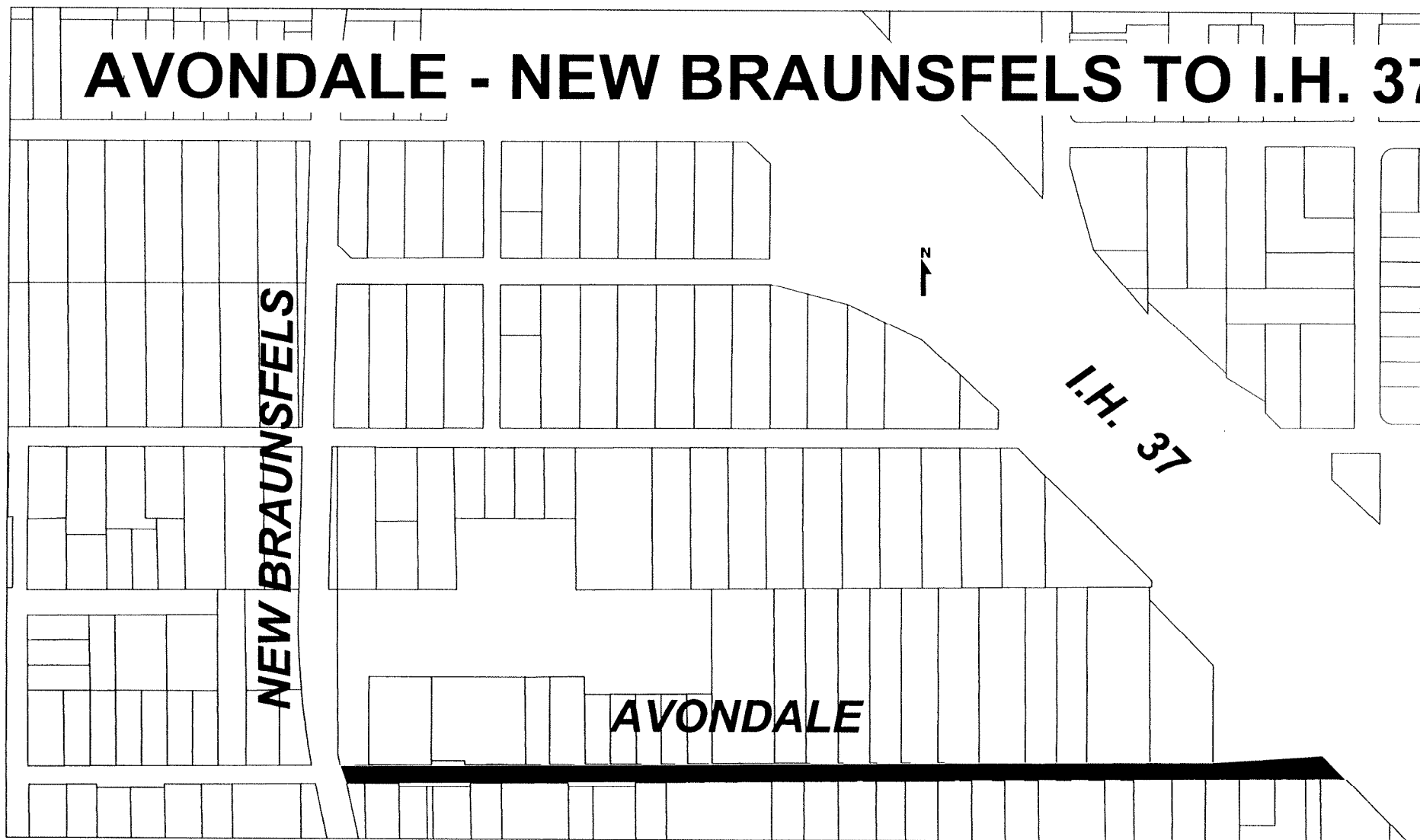

Thomas G. Wendorf, P.E.
Director of Public Works

for 
Melissa Byrne Vossmer
Assistant City Manager

Approved:


Perry M. Brechtel
City Manager

AVONDALE - NEW BRAUNSFELS TO I.H. 37





**Lockwood, Andrews
& Newnam, Inc.**

A SUBSIDIARY OF LEO A DALY

RECEIVED

MAR 10 2003

CITY OF SAN ANTONIO
PUBLIC WORKS, CAPITAL PROGRAMS

March 6, 2003

Mr. Samuel Hutchins IV, P.E.
City of San Antonio Public Works Department
114 W. Commerce, 5th Floor
San Antonio, Texas 78205

**RE: Fee Proposal for Preparation of ROW Acquisition Documentation
Avondale Avenue: New Braunfels to IH 37**

Dear Mr. Hutchins:

Lockwood, Andrews & Newnam, Inc (LAN) is pleased to provide this fee proposal for professional services for the preparation of the Right-of-Way (ROW) Acquisition Documentation for the above referenced project. Per your request and the attached Scope of Work, we have identified 40 parcels that will require platting. We propose a lump sum fee of \$929.50 per parcel, totaling \$37,180 for the entire length of the Avondale project. A cost breakdown has been included for your information.

We propose that the completed documentation be submitted with the Final Design Plans as shown in the current project schedule.

If this office can be of further assistance, please call.

Sincerely,

Daniel I. Avila, P.E.
Project Engineer

Cc: Hector Canales

City of San Antonio Department of Public Works
Lockwood Andrews and Newnam, Inc
ESTIMATE OF COSTS FOR SURVEY SERVICES FOR AVONDALE ST. WIDENING
BAIN MEDINA BAIN, INC.
27-Feb-02

Task Description	LAN	RPLS	SURVEY TECH	CADD TECH	ABSTRAC.	THREE MAN CREW	Clerical
	\$ 100.00	\$ 100.00	\$ 70.00	\$ 65.00	\$ 59.00	\$ 125.00	\$50.00
Research Deeds for Ownership		8.0	20.0		10.0		2.0
Field Survey for Improvements and encroachments.		8.0	20.0			10.0	
Computations		8.0	20.0	70.0			
Prepare Parcel Drawings		8.0	16.0	140.0			
Prepare metes and bounds		8.0	24.0				10.0
Set corners		8.0	20.0			10.0	
Submit copies		8.0		8.0			8.0
LAN QC/QA	20.0						
SUBTOTAL	\$ 2,000.00	\$ 5,600.00	\$ 8,400.00	\$14,170.00	\$ 590.00	\$ 2,500.00	\$ 1,000.00
TOTAL PARCELS							\$34,260.00
COST PER PARCEL \$855.50							
Prepare Strip Map		8.0	8.0	24.0			
SUBTOTAL		\$ 800.00	\$ 560.00	\$ 1,560.00	\$ -	\$ -	\$ -
TOTAL STRIP MAP							\$ 2,920.00
					TOTAL		\$37,180.00

January 8, 2003

Subject: Right-of-Way (ROW) Acquisition Document Submission

I. Include the following in you ROW acquisition document submission

- 1) Prepare and furnish **two strip maps** (if more than two parcels are required) in plan sheet or similar style indicating the proposed right-of-way acquisitions including fee simple parcels, permanent easement parcels and temporary easement parcels.
- 2) Prepare a plat as well as a metes and bounds description for every proposed parcel: fee simple, permanent easement and temporary easement. If there is more than one acquisition within the same tract of land, indicate and label all proposed acquisitions and easements on the same plat. A metes and bounds description for each acquisition is required. **Submit seven copies with at least two original copies.**

II. You need to include the following items on your plats as well as metes and bounds descriptions.

A. Metes and Bounds Descriptions:

1. Heading shall identify every description: fee simple, permanent easement or temporary easement.
2. Must include the parcel number from the range of numbers given to the Project Manager/Consultant by the City Real Estate Section.
3. All survey marks shall be described on the written description. Provide a reference to and a description of the survey markers as shown on plat.
4. All metes and bounds descriptions prepared for easements shall be tied to physical monuments of record related to the boundary of the effected tract.
5. A registered or licensed surveyor must seal, sign and date every written description.
6. All boundaries shall be connected to identifiable physical monuments related to corners of record.
7. Provide field notes description in Word format on diskette.

B. Plats:

1. Must include the parcel number from the range of numbers given to the Project Manager/Consultant by the City Real Estate Section.
2. Identify and depict all improvements that are either located within the taking, including the permanent easement and the temporary easement, or located within 20-feet from the taking. This is essential for preparation of valid appraisals.
3. Indicate the whole property out of which the fee simple or easement is to be taken. Broken lines on large properties are acceptable as long as all overall dimensions are shown.

4. Indicate all existing easements.
5. If there is more than one acquisition within the same tract of land, indicate proposed acquisitions and easements on the same plat and only highlight and detail the area the written description describes. For example, there are two proposed acquisitions within Lot 8: fee simple and temporary easement. You need to provide a plat and a written description for the fee simple and use the same plat with another written description for the temporary easement. Show both areas on the same plat, but only highlight and detail the area that matches the written description for that taking.
6. The surveyor shall note upon the survey plat, which monuments were found and which monuments were placed as a result of his/her survey.
7. When appropriate, reference shall be cited in the description prepared to record instrument that defines the locations of adjoining boundaries.
8. Flood Plain Areas: When applicable, indicate the flood plain boundary on the plat and provide the square footage of the flood plain area within and outside of the fee title, permanent easement and temporary easement individually. This is essential for preparation of valid appraisals.
9. Indicate location(s) of any underground storage tanks, drums, pipelines, above ground storage tanks, obvious surface stains, etc. Should you have any questions and/or concerns, please contact the assigned Project Manager. assigned to that project.

C. Field:

1. Set an iron pin on every corner of the fee simple taking and the permanent easement. Show all iron pins on the plat and call them out on the written description.
2. Set a stake for every corner (inflection point) of the temporary easement.

- III. All survey work shall meet the requirement as described in the latest version of Professional Land Surveying Practices Act and General Rules of Procedure and Practices adopted by the Texas Board of Professional Land Surveying. Ensure part to be taken has not been dedicated via plat dedication.
- IV. Surveyor to submit copy of closure computations for each parcel.
- V. If you should have questions, please contact the appropriate Project Manager. Thank you for your efforts in providing a quality product.

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:

None

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

Lockwood, Andrews and Newnam, Inc.

and the name of:

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

Bain Medina Bain, Inc.

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;

Lec A. Daly

* 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*

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.

(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 part / 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:	Amount:	Date of Contribution:
Bannwolf Campaign for Mayor	\$500.00	March 28, 2001
Bannwolf Campaign for Mayor	\$200.00	April 11, 2001
Enrique M. Barrera Campaign	\$200.00	April 11, 2001
David Carpenter Campaign	\$210.00	April 23, 2001
Bonnie Conner Campaign	\$210.00	March 19, 2001
Ed Garza Campaign	\$200.00	April 11, 2001
Bobby Perez Campaign	\$210.00	March 19, 2001
Ed Garza Campaign	\$150.00	August 9, 2002

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.

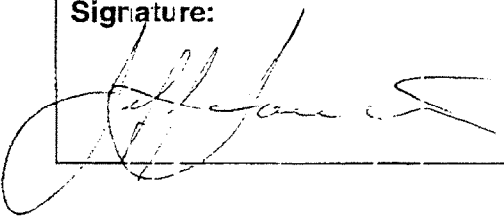
City of San Antonio Discretionary Contracts Disclosure*

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.

Signature: 	Title: Manager, Infrastructure Company: Lockwood, Andrews & Newnam, Inc.	Date: 12/18/02
--	---	-----------------------