

**CITY OF SAN ANTONIO
City Manager's Office
Interdepartmental Correspondence**

CONSENT AGEND
ITEM NO. 10

TO: Mayor and City Council through the City Manager

FROM: Susan Valis Crane, ASLA, Special Project Manager

COPIES: City Manager; Budget, Finance, Parks and Recreation; File

SUBJECT: RECOMMENDATION FOR THE ACCEPTANCE OF SURVEYING
COMPANIES TO PROVIDE SERVICES FOR CERTAIN PROPERTIES
ALONG THE SALADO & LEON CREEKS UNDER THE PROPOSITION
THREE TAX INITIATIVE PROJECT

DATE: April 8, 2003

SUMMARY AND RECOMMENDATION

An ordinance selecting Civil Engineering Consultants, Bain, Medina, Bain, Inc., CDS/Muery Services, and Vickrey and Associates to provide survey services for properties being considered for acquisition along the Salado & Leon Creeks under the auspices of the Proposition Three Creekways Linear Parks Acquisition and Park Expansion Project, and authorizing the execution of survey consultant contracts for a total amount of \$999,086.00 to accomplish said surveys.

Staff recommends approval of the ordinance.

BACKGROUND INFORMATION

This proposed ordinance selects four companies to provide surveying services for certain properties along the Salado & Leon Creeks under the Creekways Linear Parks Acquisition and Park Expansion Project portion of the Proposition 3 Tax Initiative Project approved by the voters on May 6, 2000. On May 24, 2002 twelve interest statements were received from companies to provide survey services for properties being considered for acquisition along the Salado & Leon Creeks. All companies were well qualified to provide the services requested. An Evaluation Team consisting of staff from the Public Works Department, the Proposition 3 Office and Economic Development Department reviewed and rated all of the proposals.

Upon completion of the review, staff agreed to recommend four companies who rated the highest and met the project criteria. Each company will be assigned priority sections on the Leon and Salado Creek (see attached). The four companies recommended are Civil Engineering Consultants, Bain, Medina, Bain, Inc., CDS/Muery Services, and Vickrey and Associates for a total amount of \$999,086.00.

Properties along the Leon Creek will be assigned to Civil Engineering Consultants and Vickrey and Associates. Along the Salado Creek the firms of Bain, Medina, Bain, and CDS/Muery Services will provide surveys. Proposals were rated on the following:

1.	Demonstrated experience in the service requested	30%
2.	Demonstrated qualifications of staff	30%
3.	Ability to perform the services in the time frame requested by COSA	20%
4.	Local Business Enterprise Participation	10%
5.	Disadvantaged Business Enterprise Participation	5%
6.	Small Business Economic Development Advocacy Program Compliance	<u>5%</u>
		100%

POLICY ANALYSIS:

This proposed action is consistent with policy adopted by the City Council for the acquisition of property along the Salado and Leon Creeks as presented in Proposition Three of the Better Future Sales Tax Initiative passed and approved by the voters on May 6, 2000. The initiative provides for acquisitions to construct a network of creek-based greenways along the Salado and Leon Creeks providing linkages between communities, parks and various other facilities. When developed creekway parks will also provide much needed flood control and turn flood-prone areas into valuable open space—some with recreational spaces. Upon acquisition, development funds from various other sources will be used along with Proposition 3 funds to build facilities and hike and bike trails throughout the system and maintain the areas.

FINANCIAL DATA

This project is funded by the one-eighth sales and use tax in the special revenue Parks Development and Expansion Fund.

The Proposition 3 Tax Initiative Project will collect up to \$20 million for the Creekways Project. Acquisitions funds are to be used as follows:

Acquisition	\$17,000,000.00
Improvements	\$ 2,000,000.00
Administration	<u>\$ 1,000,000.00</u>
Total:	\$20,000,000.00

Salado Creek	174
Leon Creek	<u>108</u>
Total number of parcels estimated to be surveyed:	282

Cost breakdown on the 282 parcels:		
Phase A Base control		\$ 89,370.00
Parcels <1 acre	(78)	\$ 116,548.00
Parcels 1 to 5 acre	(65)	\$ 157,578.00
Parcels 5 to 10 acre	(47)	\$ 119,100.00
Parcels 10 to 50 acres	(71)	\$ 347,872.00
Parcels >50 acres	(21)	<u>\$ 167,618.00</u>
Total projected to be expended		\$ 999,086.00

COORDINATION

This request for ordinance has been coordinated with the Parks and Recreation Department, the City Attorney's Office, Public Works, Finance, Economic Development Department and Asset Management.

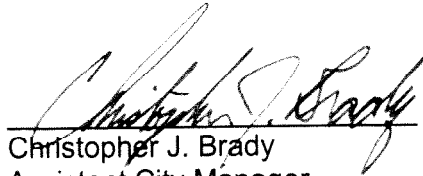
SUPPLEMENTARY COMMENTS

City staff has conducted fieldwork and tours of the creeks for suitable routing areas of the hike and bike trails and flood management areas. This and the staff workshops with the Right-of-Way agents determine the properties targeted for acquisition. The properties proposed for acquisition are then reviewed by the Parks and recreation Advisory Board and Planning Commission before being submitted to the City Council for approval and acquisition.

The disclosure forms submitted by Civil Engineering Consultants, Bain, Medina, Bain, Inc., CDS/Muery Services, and Vickrey and Associates are attached hereto.

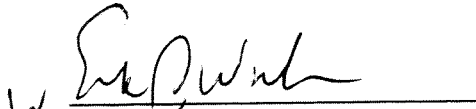


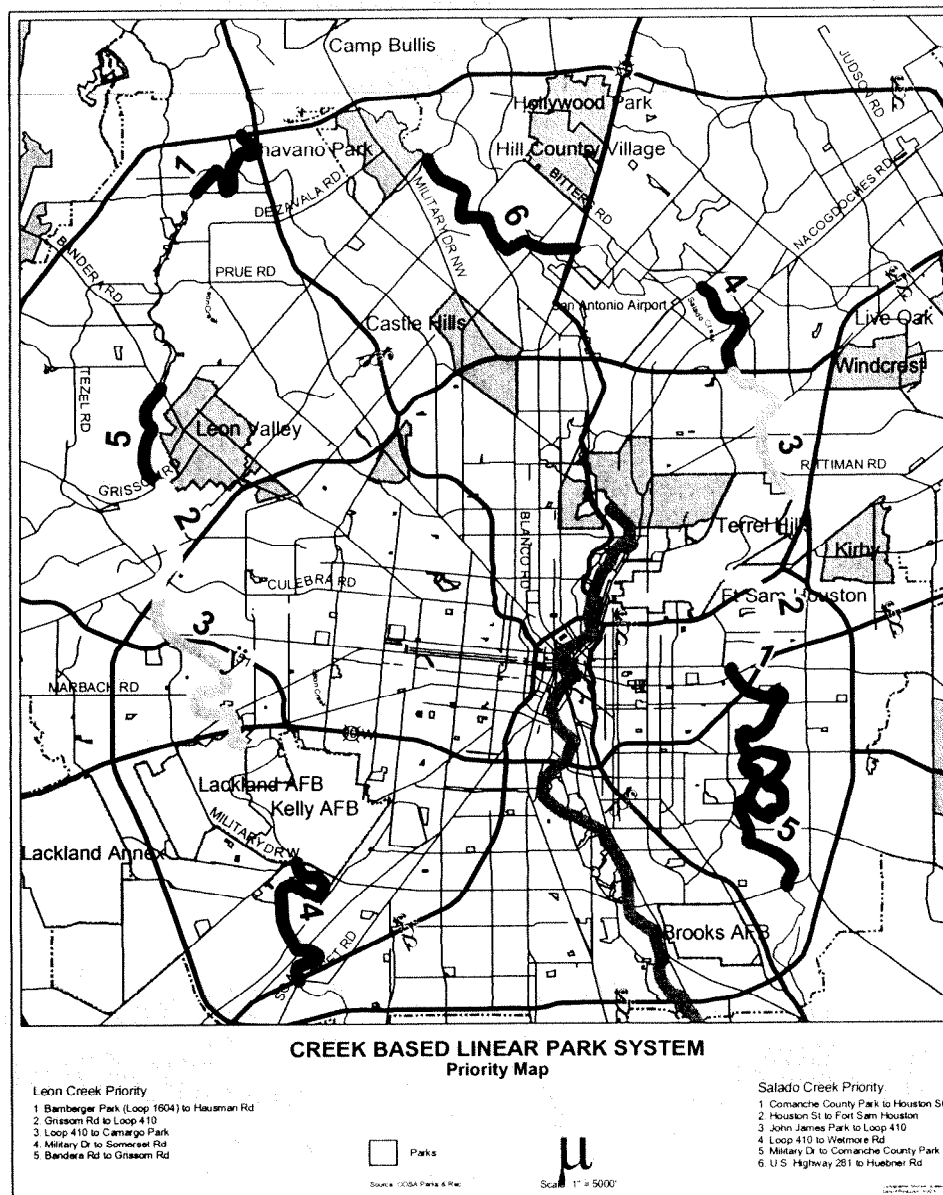
Susan Valis Crane, ASLA
Special Project Manager



Christopher J. Brady
Assistant City Manager

APPROVED:


for
Terry M. Brechtel
City Manager



Creekway Priority Map

City of San Antonio

Discretionary Contracts Disclosure

For use of this form, see City of San Antonio Ethics Code, Part D, Section 1& 2

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:

Pamela Bain, as President of Bain Medina Bain, Inc.

(2) the identity of any business entity that would be a party to the discretionary contract and the name of:
(A) any individual or business entity that would be a subcontractor on the discretionary contract;

Bain Medina Bain, Inc. would be the sole business entity for this contract.

(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 months made directly or indirectly to any member of 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 entity include, but are not limited to, contributions made through officers, owners, or registered lobbyists of the entity.


To Whom Made:	Amount:	Date of Contribution:
David Carpenter	\$140.00	April 2001
CECPAC	\$360.00	March 2001
Friends of Ed Garza and Nelson Wolff	\$150.00/each	September and October 2002
Friends of Bonnie Conner, Robert Tejeda, Carroll Schubert, Bobby Perez, Toni Moorehouse, Lyle Larson, David Carpenter, Julian Castro, Paul Elizondo and Enrique Barrera	\$50.00/each	July thru October 2002

City of San Antonio
Discretionary Contracts Disclosure

For use of this form, see City of San Antonio Ethics Code, Part D, Section 1& 2

Disclosure in Proposals

Any individual or business entity seeking a discretionary contract with the City of San Antonio shall disclose any known facts which, reasonably understood, raise a question* as to whether any city official would violate Section 1 of Part B by participating in official action relating to the discretionary contract.

Signature: 	Date: November 14, 2002

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.

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

Don Durden, P.E., R.P.L.S., President of Civil Engineering Consultants - 88.28% Ownership
Ken Thomas, P.E., R.P.L.S. - Principal - 3.75% Ownership
Chester Varner, R.P.L.S. - Principal - 2.75% Ownership
Alan Lindskog, P.E., R.P.L.S. - Principal - 2.50% Ownership
Joe Nix, P.E., R.P.L.S., P.T.O.E. - Principal - 1.25% Ownership
Garland Galm, P.E. - Principal - 1.22% Ownership
Matt Van Wicklen, P.E. - Principal - 0.25% Ownership

(2) the identity of any business entity that would be a party to the discretionary contract Creekway Linear Park and the name of:

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

N/A

(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 member of City Council, or to any political action committee that contributes to City Council elections, by any individual or business entity whose identity must be by an disclosed under (1), (2) or (3) above. Indirect contributions entity include, but are not limited to, contributions made through the officers, owners, or registered lobbyists of the entity.

Whom CEC Principals Made To:	Amount:	Date of Contribution:
Bonnie Conner	\$210	3/7/01
CEPAC	\$200	4/12/01
Bobby Perez	\$200	4/12/01
Ed Garza	\$2000	4/13/01
David Carpenter	\$200	4/25/01
Enrique Barrera	\$200	4/27/01
CEPAC	\$270	8/7/01
Toni Moorhouse	\$500	5/25/01
Friends of Toni Moorhouse	\$500	1/28/02
Friends of Bonnie Conner	\$100	7/23/02
Friends of Carroll Schubert	\$100	7/30/02


City of San Antonio
Discretionary Contracts Disclosure

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Whom CEC Principals Made To:	Amount:	Date of Contribution:
Friends of Bobby Perez	\$100	8/6/02
Ed Garza	\$300	8/13/02
Toni Moorhouse	\$100	8/20/02
CEPAC	\$250	9/15/02
David Carpenter	\$100	9/24/02
Enrique Barrera	\$100	10/8/02

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 would violate Section 1 of Part B by participating in official action relating to the discretionary contract.

Signature: 	Title: President Company: Civil Engineering Consultants	Date: 11/14/12

¹ For purpose of this rule, facts are "reasonably understood to raise a question" about the appropriateness of official action if a disinterested person would conclude that facts, if true, require recusal or require careful consideration of whether or not recusal is required.

City of San Antonio

Discretionary Contracts Disclosure*

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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;

Kenneth R. Rothe, John T. Kubala, Billy H. Ethridge, Jr.

(2) the identity of any business entity that would be a party to the discretionary contract:
Civil Design Services, Inc., dba CDS/Muery Services and the name of:

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

(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;

(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.


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:
Campaign of Juan F.Solis	\$1,000.00	01/27/00
Friends of Debra Guerra	\$1,000.00	03/13/00
Sixth District Republican Assoc.	\$1,000.00	08/10/00
Julian Castro for Council Campaign	\$1,000.00	04/17/01
David Carpenter Campaign	\$1,000.00	04/17/01

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.

		
Signature:	Title: By: Billy H. Ethridge, Jr. Its: Secretary/Treasurer Company: Civil Design Services, Inc. dba CDS/Muery Services	Date: November 14, 2002

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.

City of San Antonio Discretionary Contracts Disclosure

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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.

N/A

2. The identity of any business entity who would be a party to the discretionary contract.

Vickrey & Associates, Inc.

3. Any individual who is a partner, officer, director, or owner of a business entity who would be a party to the discretionary contract.

N/A


4. Any individual who is a partner, officer, director, or owner of a business entity who would be a party to the discretionary contract.

N/A

5. Any individual or business entity who is a partner, officer, director, or owner of a business entity who would be a party to the discretionary contract.

To Whom Made:	Amount	Date of Contribution
David Carpenter	425.00	2001, 2002
Ed Garza	4,960.00	2001, 2002
Bonnie Conner	600.00	2001, 2002
Bobby Perez	390.00	2001, 2002
Enrique Barrera	500.00	2002
John Sanders	500.00	2001
Carol Schubert	700.00	2001, 2002
David Garcia	250.00	2000
Kike Martin	250.00	2001
Toni Moorhouse	100.00	2002
Julian Castro	200.00	2002

6. Any individual or business entity seeking a discretionary contract from the city shall disclose any known or potential conflict of interest that may exist in connection with the contract.

Signature:  Brenda Vickrey Johnson	Title: President Company: Vickrey & Associates, Inc.	Date: December 3, 2002
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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.

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.