

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

CONSENT AGENDA
ITEM NO. 10

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; File

SUBJECT: Lovett from Fleming to Oregon

DATE: May 1, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance amends a professional service contract and authorizes an additional \$7,500.00, from Community Development Block Grant (CDBG) funds payable to Cady & Associates, a non-MBE firm, for engineering services and \$2,820.00 for engineering contingency for a total of \$10,320.00 in connection with the Lovett from Fleming to Oregon project located in Council District 4.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This ordinance requests additional compensation to Cady & Associates for professional engineering services for bid preparation, construction administration, ADA review, and record drawings associated with the Lovett from Fleming to Oregon project. These services were not included in the original contract because the project was previously funded for design only. The Lovett from Fleming to Oregon project includes the reconstruction and widening to a typical 30-foot, two lane street section. The project also includes sidewalks, curbs, driveway approaches, and underground drainage. This project is currently under the design phase and was advertised in April 2003. It is scheduled to begin construction in July 2003, and to be completed by February 2004.

This professional services contract was originally approved by City Ordinance No. 95860 on June 6, 2002 and initially authorized \$20,240.00. This City Council action will increase the total, to date, authorized for this professional service contract to \$27,740.00. The contingency account originally authorized \$2,024.00 for this project. This Council action will increase the total amount to \$4,844.00.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved Community Development Block Grant (CDBG) funded Capital Improvement Projects.

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget and included in the FY03-08 Capital Improvement Program Budget. Funds in the amount of \$10,320.00 are available from Community Development Block Grant (CDBG) funds to be authorized payable as follows:

\$ 7,500.00	payable to Cady & Associates, for engineering services
\$ 2,820.00	payable for miscellaneous engineering contingency

This item represents a portion of a total estimated City project cost of \$341,965.00.

COORDINATION

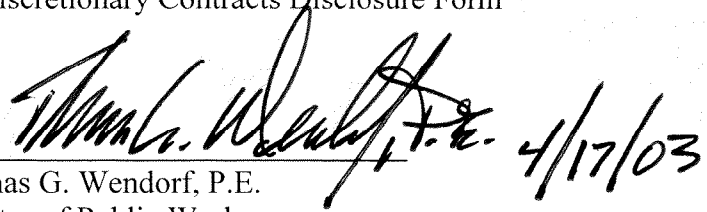
This request for ordinance has been coordinated with the Office of Management and Budget, the Finance Department, and the Housing and Community Development Department.

SUPPLEMENTARY COMMENTS

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

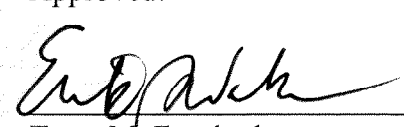
ATTACHMENTS

1. Project Map
2. Proposal
3. Discretionary Contracts Disclosure Form


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


Melissa Byrne Vossmer
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager

LOVETT - FLEMING TO OREGON

1

FLEMING

NEW LAREDO HWY.

LOVETT

OREGON

CADY & ASSOCIATES
CIVIL ENGINEERS

February 27, 2003

Samuel Hutchins IV, P.E.
Project Manager
City of San Antonio
P.O. Box 839966
San Antonio TX 78283-3966

Ref: Gerald -- New Laredo to Fleming
Fleming -- New Laredo to Gerald
Lovett -- Fleming to Oregon

Dear Mr. Hutchins:

The revised fee proposals (lump sum) for the Bid and Construction Phases of the referenced projects are shown below:

Gerald Avenue -- New Laredo to Fleming

Base Fee

Bid Phase \$ 800.00
Construction Phase \$ 2,300.00
Total \$ 3,100.00

Additional Services

ADA Inspection \$ 150.00
as built mylars \$ 150.00
Total \$ 300.00

Fleming Street -- New Laredo to Gerald

Base Fee

Bid Phase \$ 1,000.00
Construction Phase \$ 3,000.00
Total \$ 4,000.00

Additional Services

ADA Inspection \$ 150.00
as built mylars \$ 150.00
Total \$ 300.00

Lovett -- Fleming to Oregon

Base Fee

Bid Phase \$ 1,800.00
Construction Phase \$ 5,400.00
Total \$ 7,200.00

Additional Services

ADA Inspection \$ 150.00
as built mylars \$ 150.00
Total \$ 300.00

If you have any questions, please call.

Sincerely,


Stephen A. Cady, P.E.

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.

Stephen A. Cady

(2) the identity of any business entity¹ 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.

(2) Cady & Associates

(a) Bain Medina Bain, Inc.

San Antonio Design Group

(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

(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

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.

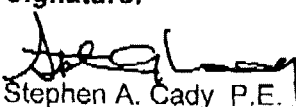
Political Contributions

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:
None		

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.

Signature:  Stephen A. Cady P.E.	Title: Company: Cady & Associates	Date: Feb. 26, 2003

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.