

**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: San Antonio River Walk/Mission Trails Link from Alamo to Eagleland

DATE: May 1, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance amends a professional service contract and authorizes an additional \$28,220.00 from 1999 General Obligation Flood Control with Park Improvement Bonds payable to Civil Engineering Consultants, Inc., a non-MBE firm, for engineering service and \$2,822.00 for engineering contingency for an overall total amount of \$31,042.00 in connection with the San Antonio River Walk/Mission Trails Link from Alamo to Eagleland Metropolitan Planning Organization (MPO) project located in City Council District 5.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This ordinance provides for compensation to Civil Engineering Consultants, Inc. for the revision of the hike and bike trail alignment for the San Antonio River Walk/Mission Trails Link from Alamo to Eagleland project. This revision reduces the original \$2,777,000.00 cost estimate to \$2,500,000.00 and will save approximately \$277,000.00 in retaining wall costs in the construction phase of this project. This project will include the design for 4,000 feet of hike and bike path and pedestrian walkway across, along, and in some cases within the San Antonio River Flood Control Channel. This facility extends from Eagleland Drive to the southern terminus of the San Antonio River Walk, just upstream from the Guenther Street Bridge. This project is currently under the design phase and is scheduled for advertisement in March 2004, begin construction by May 2004, and be completed by July 2005.

This professional services contract was originally approved by City Ordinance No. 90973 on December 9, 1999 and initially authorized \$110,000.00 for preliminary design services related to this project and did not include final design. Subsequent City Council action authorized additional funds in the total amount of \$187,290.00 and brought the total contract value to

\$297,290.00. This Council action will increase the total, to date, authorized for this professional service contract to \$325,510.00.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 1999 General Obligation Flood Control with Park Improvement Bond funded, Metropolitan Planning Organization 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 \$31,042.00 are available from the 1999 General Obligation Flood Control with Park Improvement Bond funds and authorized payable as follows:

\$28,220.00	payable to Civil Engineering Consultants, Inc. for engineering service
\$ 2,822.00	payable for engineering contingency

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. The estimated City project cost is \$1,379,274.00.

COORDINATION

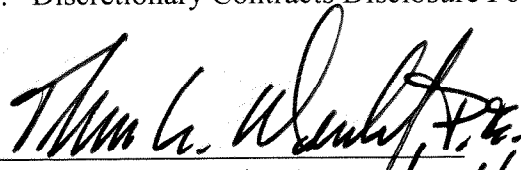
This request for Ordinance has been coordinated with the Office of Management and Budget, the Finance Department, and the Texas Department of Transportation.

SUPPLEMENTARY COMMENTS


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

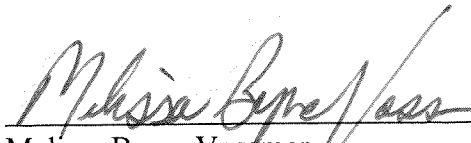
ATTACHMENTS

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

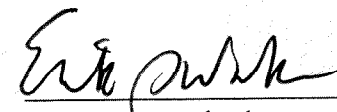

Thomas G. Wendorf, P.E.
Director of Public Works

4/18/03


Malcolm Matthews
Parks and Recreation Director


Melissa Byrne Vossmer
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

MUNICIPAL • DEVELOPMENT
SURVEYING • TRANSPORTATION

January 16, 2003

City of San Antonio
ATTN: Dean Bayer, P.E.
P.O. Box 839966
San Antonio, Texas 78283-3966

RE: E0154514 - Eagleland / River Walk Link

Dear Mr. Bayer:

Attached is a revised proposal for increased scope for the Eagleland Project for the following services:

1. Preliminary design services to revise the hike and bike trail alignment, update the schematic, and coordinate the changes with the COSA, SARA, and adjacent land owner.
2. Right of Way services to research ownership data, locate property corners, prepare field notes and plats, stake new alignments, and right of way and easement limits, and coordination with SARA and COSA on property issues.
3. Revisions to cross sections, retaining wall layouts and alignments, retaining wall details, and additional utility coordination.

A proposed scope and fee was previously submitted on October 4, 2002 in the amount of \$29,706. On October 31, 2002, I resubmitted a revised fee, at your request, in the amount of \$28,220.

The attached fee for additional services totals \$28,220. Of this total, approximately \$18,442 is for the right of way services and \$10,201 is for preliminary design services. In reviewing the scope, there are several tasks that have been removed from the original scope such as retaining wall layouts and details. However, the new alignment will require some retaining wall layouts and details, and this essentially canceled out the additional design effort.

Since we were given Notice to Proceed in July 2002, we have performed some work on this project. Most notable is the completion of the schematic as it had been developed through coordination with the Oversight Committee and SARA. After the schematic was submitted in August, we turned our efforts toward preparation of plans for PS&E. At this point we were informed that there was an effort to come to terms with James Lifshutz for right of way or an easement to accommodate a realigned trail. We met with you and your staff, Oversight Committee members and Mr. Lifshutz to determine

the feasibility of this realignment. We were asked to look into a preliminary alignment to see if it would function, which we did. We met again with Mr. Lifschutz, you, Michael, Irby Hightower and others on site and at SARA's offices to discuss the new alignment. We provided exhibits and electronic files to your office, Irby and SARA to assist the City's coordination of this project.

Since July 2002, we have invoiced the City for the following:

\$39,799.25	To complete the schematic and submit for review and approval
\$ 9,782.75	After the schematic was submitted, we initiated some plan work in anticipation of schematic approval (preliminary plan sheets, 30% checklist, summary sheets, and reviewing bridge options)
\$ 6,945.00	Attended meetings, site visits with Irby, revised alignment, prepared exhibits
\$ 5,602.25	Attended meetings, prepared exhibits, staked centerline, retaining wall estimates of cost, estimated ROW needs for new alignment
\$ 1406.25	Attended meeting at SARA, prepared minutes, coordination of electronic files with SWA

Of the amounts shown above, approximately \$13,953 has been charged to the project to realign the trail, attend meetings, offer explanations, prepare exhibits, and coordinate information on behalf of the City that was not included in our original scope of services. We did this at your request so the process would continue without getting tied up in contract discussions, allowing the project and the revisions to move forward. I think our cooperation with you and your staff has allowed you to continue your negotiations with little delay due to lack of information.

I am offering this proposal again to allow this project to continue moving forward while negotiations are still underway with Mr. Lifschutz. In order for this alignment to be placed on a schematic ready for submittal, the revised schematic will require labeling, profile adjustments, cross section checks, and additional review to insure accuracy and correct format. I am assuming this project will be subject to TxDOT review and approval before construction drawings are started, especially since ROW is now an issue.

Given our level of effort already performed to achieve the status we are in currently, I request that you process this proposal so we can continue with schematic revisions, make the appropriate submittals, and continue with our plan preparation as anticipated.

Please review this proposal and let me know when you expect this to be approved by City Council. If you have any questions, do not hesitate to contact me.

Sincerely,
CIVIL ENGINEERING CONSULTANTS



Garland C. Galm, P.E.
Transportation Division Manager

**SCOPE AND FEE ESTIMATE TO REALIGN HIKE AND BIKE TRAIL
EAGLELAND RIVERWALK LINK**

		\$ 150.00	\$ 134.00	\$ 110.00	\$ 75.00	\$ 75.00	\$ 50.00	\$ 125.00	\$ 75.00	\$ 80.00	\$ 105.00	\$ 45.00		
		PRINCIPAL	PROJ	PROJ	EIT	ENGR	CADD	RPLS	SIT	2 MAN	3 MAN	CLERICAL	TOTAL	COST
TASK DESCRIPTION	SHEETS		MGR	ENGR		TECH	TECH			CREW	CREW		HOURS	
		\$ 150.00	\$ 134.00	\$ 110.00	\$ 75.00	\$ 75.00	\$ 50.00	\$ 125.00	\$ 75.00	\$ 80.00	\$ 105.00	\$ 45.00		
PRELIMINARY DESIGN														
Revise Alignment for Hike and Bike Trail			4		12		6					1	23	\$ 1,781.00
Meet with COSA and Developer			6		10								16	\$ 1,554.00
Coordination with subconsultants			2		4								6	\$ 568.00
Revise estimate			2		4	4							10	\$ 868.00
Revise schematic			4		20	4	12					2	42	\$ 3,026.00
Revise typical sections			2		4	2	4						12	\$ 918.00
Subtotal	0	0	20	0	54	10	22	0	0	0	0	3	109	\$ 8,715.00
ENVIRONMENTAL COORDINATION														
Coordination with COSA environmental section			4		6							1	11	\$ 1,031.00
Subtotal	0	0	4	0	6	0	0	0	0	0	0	1	11	\$ 1,031.00
RIGHT OF WAY AND UTILITIES														
Utility locations					2								2	\$ 150.00
Ownership data			4		4			8	12				28	\$ 2,736.00
ROW Map	10		4		4			8	12			1	29	\$ 2,781.00
Field Notes								16	12			1	29	\$ 2,945.00
Property Ties								2	4		30		36	\$ 3,700.00
Stake ROW/Easements/Centerline								8	8		24		40	\$ 4,120.00
Preliminary Utility Coordination			4		4							1	9	\$ 881.00
Coordination with SARA Surveyors			1					4	6			1	12	\$ 1,129.00
Subtotal	10	0	13	0	14	0	0	46	54	0	54	4	185	\$ 18,442.00
ROADWAY AND DESIGN CONTROLS														
Geometric design, vertical and horizontal					4	4							8	\$ 600.00
Utility coordination/agreements, exhibits			1		4							2	7	\$ 524.00
Coordination with COSA and SARA			8		8							2	18	\$ 1,762.00
Retaining wall layouts and details	15		8		24	8	16						56	\$ (4,272.00)
Retaining wall layouts and details	2		2		8	2	8						20	\$ 1,418.00
Subtotal	17	0	19	0	48	14	24	0	0	0	0	4	109	\$ 32.00

TOTALS= \$ 28,220.00

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 - 89.53% Ownership
Chester Varner, R.P.L.S. - Principal - 2.75% Ownership
Alan Lindskog, P.E., R.P.L.S. - Principal - 2.50% Ownership
Ken Thomas, P.E., R.P.L.S. - Principal - 3.75% 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: San Antonio River Improvements - Eagleand Project and the name of:

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

Raba-Kistner Consultants, Inc.
Bender Wells Clark Design
Hicks and Company

(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:
Tim Bannwolf	\$1500	11/20/00
Bonnie Conner	\$210	3/7/01
Bobby Percz	\$200	4/12/01
Tim Bannwolf	\$200	4/12/01
Ed Garza	\$2000	4/13/01
David Carpenter	\$200	4/25/01
Enrique Barrera	\$200	4/27/01
Toni Moorhouse	\$200	5/25/01
Toni Moorhouse	\$500	1/28/02

City of San Antonio
Discretionary Contracts Disclosure

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

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: June 4, 2002

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.