

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

CONSENT AGENDA
ITEM NO. 11

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: Mission Trails Package # 3

DATE: May 15, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance provides payment in the amount of \$15,249.44 payable to Eagle Construction & Environmental Services, L.P., a non-MBE firm, for environmental remediation services associated with the Mission Trails Package # 3 project, an authorized 1999 General Obligation Street Improvement Bond project located in Council District 3. A previously executed On-Call Professional Services Agreement for Environmental Consulting and Remediation activities with Eagle Construction & Environmental Services, L.P. was approved by City Council on May 30, 2002, through Ordinance No. 95847.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

A Phase II subsurface investigation was recently conducted and identified waste debris within the proposed underground drainage system alignment. The waste debris and associated soil have been slightly impacted by heavy metals. Due to the specific health and safety requirements and waste management procedures associated with this contamination, Eagle Environmental was contracted to address the contamination in accordance with applicable federal, state, and local requirements.

Eagle Construction & Environmental Services, L.P. was contracted to provide mechanical equipment and labor to perform excavation, loading, transportation and disposal services associated with the contamination. Eagle also provided and compacted backfill material in the excavated trench to replace the excavated impacted soil. Approximately 528 cubic yards of impacted soil from the Riverside Golf Course was disposed of at a state approved disposal facility.

The Mission Trails Enhancement project will provide drainage, street, and park improvements to connect the five historic missions. The Mission Trails Package 3 (3A) provides for street and drainage improvements from Hart Ave to Isabel. Also, included are enhancements and hike & bike trails along Mission Road from Southcross to Mitchell, the San Antonio River from Mission Road to Theo, and Theo from the San Antonio River to Mission Road. This project is currently under construction and is scheduled for completion by December 2003.

This professional services contract was originally approved by City Ordinance No. 95847 on May 30, 2002, and initially authorized \$1,500,000.00 for services.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 1999 General Obligation Street Improvement Bond funded Capital Improvement Projects. Environmental investigation is a necessary component of the design of Capital Improvement Projects.

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget and not included in the FY03-08 Capital Improvement Program Budget. This item represents a portion of a total estimated City project cost of \$1,235,233.00. Funds in the amount of \$15,249.44 are available from 1999 General Obligation Street Improvement Bond funds and authorized payable to Eagle Construction & Environmental Services, L.P.

COORDINATION

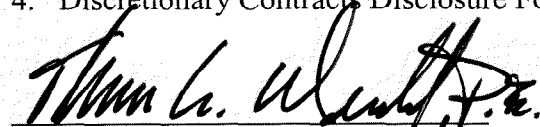
This request for ordinance has been coordinated with the Office of Management and Budget, the Finance Department, and the Environmental Services Department.

SUPPLEMENTARY COMMENTS

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

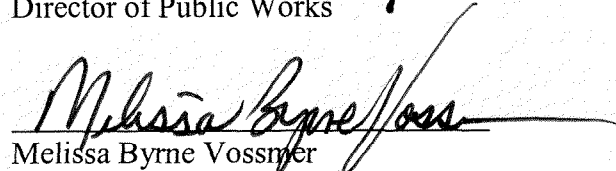
ATTACHMENTS

1. Project Map
2. Invoice ID #43155, dated 1/31/03
3. Invoice ID #44146, dated 4/8/03
4. Discretionary Contracts Disclosure Form



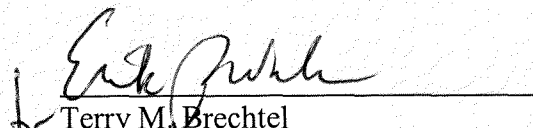
Thomas G. Wendorf, P.E.
Director of Public Works

5/1/03

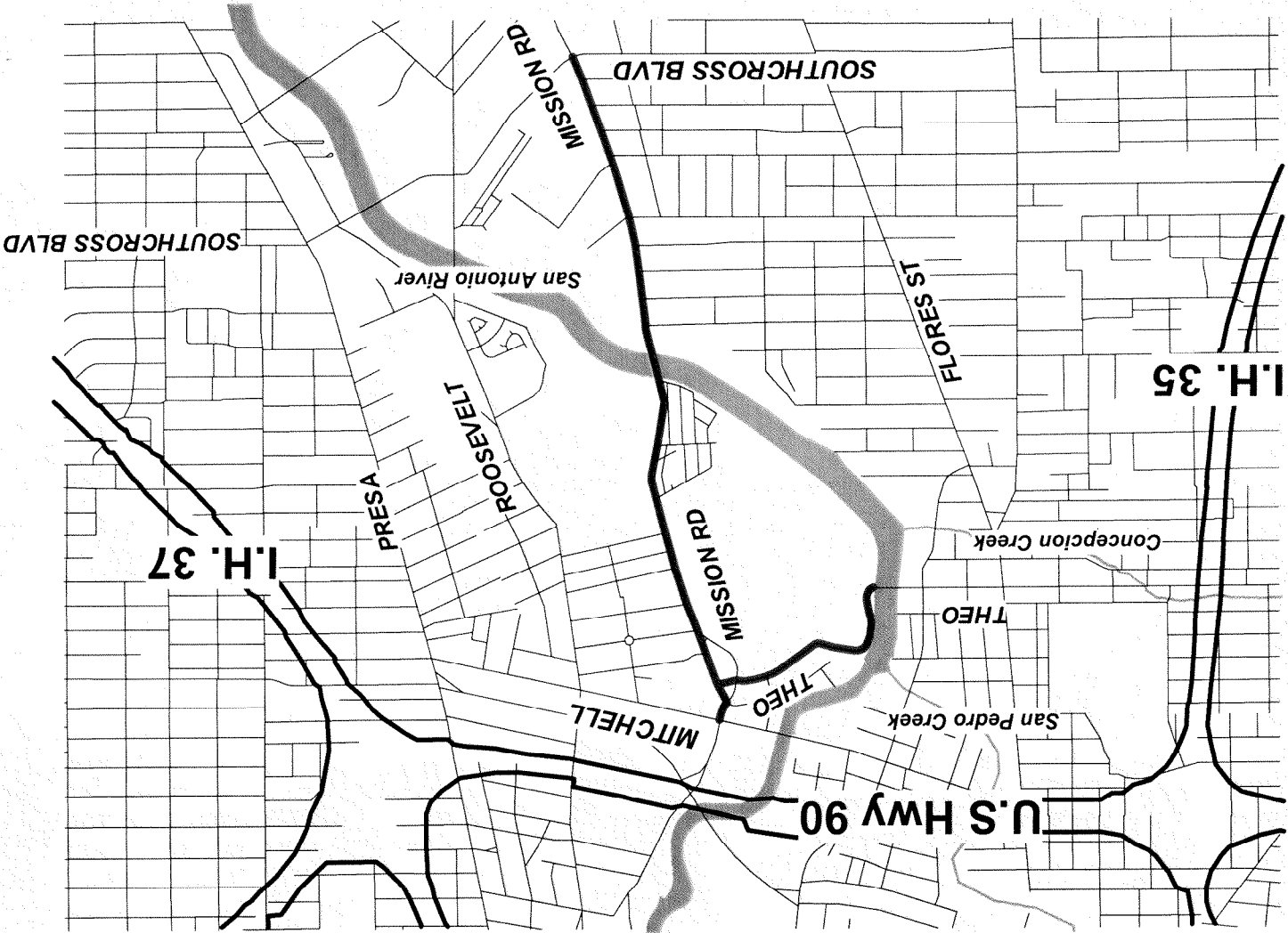


Melissa Byrne Vossmer
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager

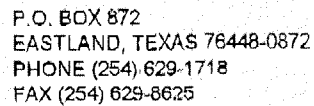
MISSION TRAILS PACKAGE 3



CITY OF SAN ANTONIO
Department of Public Works
CAPITAL PROGRAMS DIVISION

Scale: Not to Scale
North

received
2/10/03
JEC



Invoice Date	Customer ID	Invoice ID
1/31/2003	CIT020-01	43155
Draw ID	Work Order	
1		

Job Location: 04-21-0266
Transport Soil
Mission Hills
San Antonio, Tx

[illegible]

Approved
2/11/03
JEC

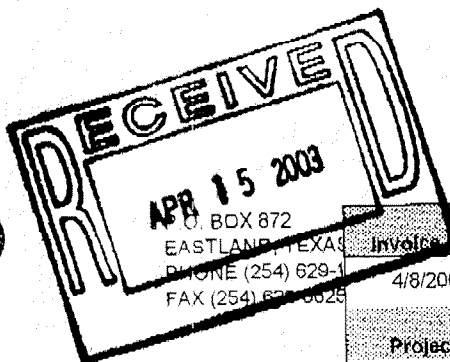
EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, LP.
P.O. BOX 872 - EASTLAND, TEXAS
(254) 629-1718

City Public Works
P.O. Box 839966
San Antonio, Texas 78283
Attn: John Cantu

PAY ITEM	DESCRIPTIONS OF ITEMS	UNIT	QTY	UNIT PRICE	TOTAL PRICE
30.1.2	Excavation and disposal of special waste at Riverside Golf Course In San Antonio, Texas.				
30.1.2	Mobilization of Equipment, Personnel, Tools, and Appurtenances for Delivery Orders 501 to 2000 CY	LS	1.00	\$543.00	\$543.00
30.1.5	Demobilization of Equipment	LS	1.00	\$543.50	\$543.50
30.2.2	Excavation of Bulk Soils 501 to 2000 CY	CY	908.00	\$2.24	\$2,033.92
	Loading of Bulk Soils	CY	528.00	\$2.20	\$1,161.60
30.3.1	Backfilling of Excavations	CY	612.00	\$6.59	\$4,033.08
30.4.2	Bulk Transportation of LPST, Class II or Class III Non hazardous Waste with a Haul Distance of Greater than 10 Miles, One Way	CY	528.00	\$6.53	\$3,447.84
30.5.1	Bulk Disposal of LPST, Class II, or Class III Non hazardous Waste	CY	528.00	\$4.50	\$2,376.00
30.8.3	Health and Safety Plan	EA	1.00	\$100.00	\$100.00
30.8.11	Traffic Control	Day	3.00	\$1.50	\$4.50
Alt #1	Compactor	Day	1.50	\$350.00	\$525.00
Vendor	Analytical Testing - Xenco - 24 Hour Rush		115.00%	\$196.00	\$225.40
	Total Due				\$14,993.84

This invoice represents a progress billing and reflects only charges processed
to date. Additional charges applicable to this billing period such as additional
labor, materials, equipment and vendor charges such as laboratory analysis,
transportation of waste, disposal of waste, etc. are often delayed and will be
processed and included in subsequent progress billings.

PROJECT 04-21-0266

9 Apr 03
Rw**INVOICE**

Invoice Date	Customer ID	Invoice ID
4/8/2003	CIT021-06	44146
Project #	Work Order	
04-31-0084		

BILL TO:

City of San Antonio
Mr. Ralph Westbrook
1940 Grandstand
San Antonio, Texas 78283

REMIT TO:

Eagle Construction & Environmental, LP
P.O. Box 872
Eastland, Tx 76448
ABA No. 111921751 Account No. 22905910
Tax ID# 74-2366144

Date of Service: 4/3/2003
Type of Service: Disposal of fluids
Job Location: 505 Roosevelt
Authorized By: Ralph Westbrook

Contact at Eagle Construction & Environmental
Jeff West 210-566-8366

Authorized By:	Ralph Westbrook				
Item	Description			Amount	
04/03/03	Removal of fluids from UST at 505 Roosevelt in San Antonio, Texas.				
30.5.1	Bulk transportation and disposal of nonhazardous liquid waste.	Gal	355.00	\$0.72	\$255.60
<div>REVIEWED BY ENVIRONMENTAL MANAGEMENT DIVISION APPROVAL DATE 4/16/03 FORWARD TO Sherri Rice (Capital Programs) X <u>[Signature]</u></div>					
DATE DUE: 4/16/2003		Amount Billed		\$255.60	
		Total Tax			
		Retainage Held			
		Amount Due		\$255.60	

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.
EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P.

and the name of:

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

EBLEX MALDONADO TRUCKING
APPROVED OIL SERVICES
LIQUID ENVIRONMENTAL SOLUTIONS
CONES ENVIRONMENTAL DRILLING, INC.

(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.

EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES -1, INC.
JOE L. WALRAVEN FAMILY PARTNERSHIP, LTD.
MARC W. WALRAVEN

(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

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	N/A	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 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.

NONE		
Signature: 	Title: VICE PRESIDENT OF THE G.P. Company: EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P.	Date: 04/04/03

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.