

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
AVIATION DEPARTMENT**

TO: Mayor and City Council

FROM: Kevin C. Dolliole, Aviation Director

THROUGH: Terry M. Brechtel, City Manager

COPIES: Christopher J. Brady, Finance, Management and Budget, Public Works, City Attorney, File

SUBJECT: Professional Services Agreement Design Services – New Terminal Expansion Project at San Antonio International Airport

DATE: May 29, 2003

SUMMARY & RECOMMENDATION

This proposed ordinance authorizes the execution of a Professional Services Agreement with the firm of 3D/International (3DI) to provide architectural and engineering services in connection with the New Terminal Expansion Project at San Antonio International Airport (Project) for an amount not to exceed \$12,638,227.00. Furthermore, this ordinance appropriates \$12,638,227.00 for architectural fees, \$250,000.00 for contingent expenses and \$50,000.00 for administrative expenses for a total appropriation of \$12,938,227.00.

The scope of services for the New Terminal Expansion Project includes the standard architectural and engineering services associated with building construction together with specialty designs, such as baggage handling, security processing, and flight information displays, which are associated with airport terminal construction.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The City has in the Five-Year Capital Program projects to expand the terminal facilities at San Antonio International Airport in support of the current and projected passenger trend in enplanements, aircraft gate occupancy and parking demands. These projects were included as part of the Terminal Improvement Program presentation to City Council during the June 22, 2000 "B" Session.

The Programming Study for the first phase of the terminal expansion, which will ultimately replace Terminal 2 with Concourse B and Concourse C, was awarded to Marmon Mok/Gensler by City Council on August 9, 2001 and has been completed. The results of this Study were presented to City Council on February 20, 2003. The Programming Study included the

schematic design for the New Concourse B and Concourse C, the terminal roadway system and related infrastructure support. The results of this work will be used by 3DI to formulate final design documents.

Ordinance No. 96790 passed and approved by City Council on November 21, 2002, selected the firm of 3D/International and directed City staff to negotiate a Professional Services Agreement to provide architectural and engineering services in connection with the New Terminal Expansion Project.

City staff together with the Program Manager, Carter Burgess, has negotiated an agreement with 3DI which has divided the Project into four sub-projects. These four sub-projects have been further divided into a total of ten construction packages which will be awarded individually. This will allow construction to start on certain packages of the New Terminal Expansion Project while design documents are being completed on the remaining packages.

In addition, this agreement includes a concept referred to as Design Bridging. This concept is used for specialty elements of the Project such as baggage conveyance systems and security. Under this concept, design plans are developed to approximately 30% complete, performance specifications are developed to 100% complete and each specialty package is issued as Design/Build through a Request for Proposal (RFP) process. The responding proposals are to be evaluated by City staff, the Program Manager and 3DI based on evaluation criteria as set forth in the RFP. Criteria would include, but not necessarily limited to, cost, references, similar projects and maintenance history. The successful respondent would initially enter into a design/build contract with the City and complete the design (shop drawings) while coordinating with the Program Manager and 3DI. Ultimately, the specialty contractor would be assigned to work and coordinate with the general contractor as part of the construction contract award.

The advantages to design bridging are:

- Reduced Architectural Fees
- Reduced General Contractor Overhead & Profit Mark Up
- Better Quality Control

Design bridging for four Project specialty elements have been identified as follows:

- Baggage Conveyance
- Security & Access
- Paging
- MUFIDS

The use of this concept has reduced the Architectural fees by \$1,400,000.00. Additional savings will be realized in construction costs.

POLICY ANALYSIS

This proposed action is consistent with the City's policy of improving facilities at San Antonio International Airport.

FISCAL IMPACT

This proposed action will appropriate architectural fees (\$12,638,227.00), contingent expenses (\$ 250,000.00) and administrative expenses (\$ 50,000.00). Funding for the total appropriation of \$12,938,227.00 will be from the Airport System Construction Fund, 2002 GAR Bonds (60%) and the Airport System Construction Fund, 2002 PFC Bonds (40%).

COORDINATION

This request for ordinance has been coordinated with Public Works, Finance, City Attorney, and the Office of Management and Budget.

SUPPLEMENTARY COMMENTS

The Discretionary Contracts Disclosure Form submitted by 3D/International is attached.

Consistent with the February 20, 2003 presentation to City Council, the following is a breakdown of the design fees:

	Design Fees
Pre Sept. 11, 2001 Design Elements	\$9,308,583
Identified New Projects	\$1,202,620
Requested New Projects	\$ 623,876
Post Sept. 11, 2001 Design Elements	\$1,503,148

The Pre Sept. 11, 2001 design elements represent the assumed design concepts prior to the implementation of the Programming Study and the impacts the events of September 11th had on terminal design. The Identified New Projects represent new projects that were identified through the programming study as being required to support the Project. Examples include utility upgrades and apron reconstruction.

The Requested New Projects are those elements of the design that were identified during the Programming Study, which are not critical to the basic terminal design but would enhance the Project or aid the logistical operations. Examples include enhanced concourse connectors and a new airport communication center. These projects will be evaluated through the design process and included only if they can be supported within the budget.

Post Sept. 11, 2001 Design Elements represent the impacts the events of September 11th had on terminal design such as baggage screening, checkpoint configuration and passenger reconciliation areas. These elements are driven by Transportation Safety Administration (TSA) mandates. Pending federal legislation may allow future recovery, through the TSA, for enhanced security mandates including design fees.

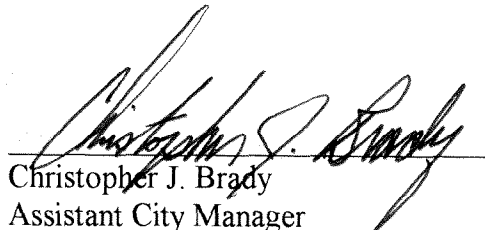
The schematic design fee of \$1,426,687.00 paid to Marmon Mok/Gensler together with the proposed fee of \$12,638,227.00 represents 8.2% of the estimated construction costs. The following is a summary of fees for other projects of a similar nature:

<u>Airport</u>	<u>Const.</u>	<u>% Fee</u>
Houston	\$150M	10%
Baton Rouge	\$ 14M	12%
Salt Lake City	\$ 1B	7.3%
Austin	\$100M	10%
Oakland	\$ 60M	8%
JFK	\$400M	8%

SIGNATURES



Kevin C. Dolliole
Aviation Director



Christopher J. Brady
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

Attachments

City of San Antonio

Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Section 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 supplemental 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**¹ that would be a party to the discretionary contract: 3D/International, Inc. and the name of:

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

Civil Engineering Consultants, Jaster-Quintanilla & Associates, Corgan Associates, Inc., Shah Smith & Associates, CAGE Inc., and Glover/Reshick & Associates.

(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.

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, or registered lobbyists of the entity.

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.

City of San Antonio
Discretionary Contracts Disclosure*

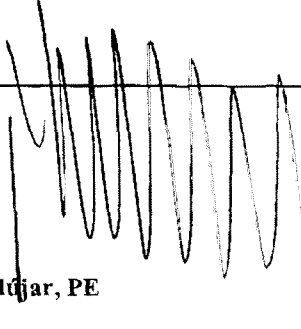
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To Whom Made: See attached sheet.	Amount:	Date of Contribution:
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Disclosures in Proposals

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:  Andrés Andújar, PE	Title: Senior Vice President Company: 3D/International, Inc.	Date: May 15, 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.

3D/I PAC ACTIVITY - May 2001 to May 2003

DATE	PAID TO	AMOUNT	LOCATION	ST
01/30/03	Thomas Aguillon	100	San Antonio	TX
02/03/03	Art Hall	250	San Antonio	TX
02/17/03	Ed Garza	500	San Antonio	TX
02/17/03	John Clamp	100	San Antonio	TX
02/17/03	Phil Cortez	150	San Antonio	TX
02/24/03	Toni Moorehouse	150	San Antonio	TX
03/11/03	Thomas Aguillon	100	San Antonio	TX
03/11/03	Julian Castro	150	San Antonio	TX
04/07/03	Henry Rosales	100	San Antonio	TX
04/17/03	Carroll Schubert	200	San Antonio	TX
04/17/03	Roger Flores	150	San Antonio	TX
04/17/03	Tom Lopez	100	San Antonio	TX
01/30/02	Art A. Hall	250	San Antonio	TX
02/21/02	Bobby Perez	250	San Antonio	TX
03/25/02	David Carpenter	100	San Antonio	TX
04/18/02	David Garcia	100	San Antonio	TX
04/25/02	Ed Garza	250	San Antonio	TX
05/02/02	Enrique Barrera	100	San Antonio	TX
06/20/02	David Garcia	100	San Antonio	TX
10/31/02	Roger Flores	100	San Antonio	TX
12/12/02	Carroll Schubert	100	San Antonio	TX
04/18/01	Carroll Schubert	100	San Antonio	TX
04/18/01	Ed Garza	250	San Antonio	TX
04/18/01	David Garza	100	San Antonio	TX
04/18/01	David Carpenter	100	San Antonio	TX
04/18/01	Bobby Perez	250	San Antonio	TX

City of San Antonio Discretionary Contracts Disclosure*

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State Not Applicable for questions that do not apply.

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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: Design of Concourse B & C at San Antonio International Airport 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: October 10, 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.

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(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:
_____ and the name of:

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

Jaster-Quintanilla San Antonio, LLP

(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


Political Contributions

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To Whom Made:	Amount:	Date of Contribution:
Not Applicable		

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: Principal Company: Jaster-Quintanilla San Antonio, LLP	Date: Oct. 10, 2002

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(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:
_____ and the name of: _____

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

Corgan Associates, 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;

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

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None		

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Signature: <i>Phil Men</i>	Title: Managing Principal Company: Corgan Associates, Inc.	Date: 10/10/02

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(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:
_____ an
d the name of:

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

Shah Smith & Associates, 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:

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

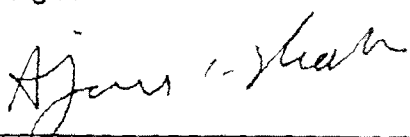
Political Contributions

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Signature: 	Title: President Company: Shah Smith & Associates, Inc.	Date: 10/11/02

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(1) the identity of any **individual** who would be a party to the discretionary contract;

N.A.

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

N.A. CAGE INC

an

d 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.

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N.A.		

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N.A.		
Signature: 	Title: PRINCIPAL Company: CAGE INC.	Date: 7.18.02

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Glover/Resnick & Associates, 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;

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

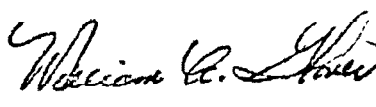
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To Whom Made:	Amount:	Date of Contribution:
NONE		

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 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: President Company: Glover/Resnick + Assoc, Inc.	Date: 10/10/02

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.