

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

CONSENT AGENDA
ITEM NO. **13**

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: Houston from Bowie to Pine

DATE: June 19, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance amends a professional service contract and authorizes Certificates of Obligation funds in the amount of \$30,000.00 payable to K.M. Ng & Associates, Inc., for engineering services in connection with Houston from Bowie to Pine project, an authorized Metropolitan Planning Organization (MPO) project, located in Council Districts 1 and 2.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

This ordinance approves additional compensation to K.M. Ng & Associates, Inc., for engineering services to include construction administration of the Houston from Bowie to Pine project. This project provides for the reconstruction of the existing 2-lane roadway to 2 lanes at railroad tracks and 4 lanes in other areas to include curbs, 4-foot sidewalks at the curb, driveway approaches, and necessary drainage. This project is Phase II of the Houston Street project, which is currently under construction and is scheduled for completion by February 2005. Phase III includes Pine to Walters and is scheduled to let in October 2003.

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.

This professional services contract was originally approved by City Ordinance No. 81897 on March 23, 1995, and initially authorized \$117,000.00 for services related to this project. Subsequent City Council action authorized additional funds in the total amount of \$93,361.00 and brought the total contract value to \$210,361.00. This City Council action will increase the total, to date, authorized for this professional service contract to \$240,361.00.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to participate in the development and construction of City selected and approved MPO projects which are approved annually by Council.

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget and not included in the FY 03-08 Capital Improvement Program Budget. Funds in the amount of \$30,000.00 are available from Certificates of Obligation and authorized payable to K.M. Ng & Associates, Inc. This item represents a portion of the total estimated City project cost of \$954,445.00.

COORDINATION

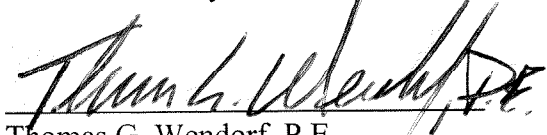
This request for ordinance has been coordinated with the Office of Management and Budget, the Finance Department, and the Texas Department of Transportation.

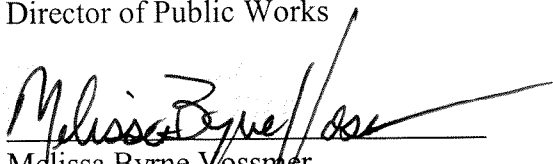
SUPPLEMENTARY COMMENTS

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


ATTACHMENTS

1. Project Map
2. K.M. Ng & Associates, Inc. Letter, dated April 4, 2003
3. Discretionary Contracts Disclosure Form

 6/5/03
Thomas G. Wendorf, P.E.
Director of Public Works


Melissa Byrne Vossmer
Assistant City Manager

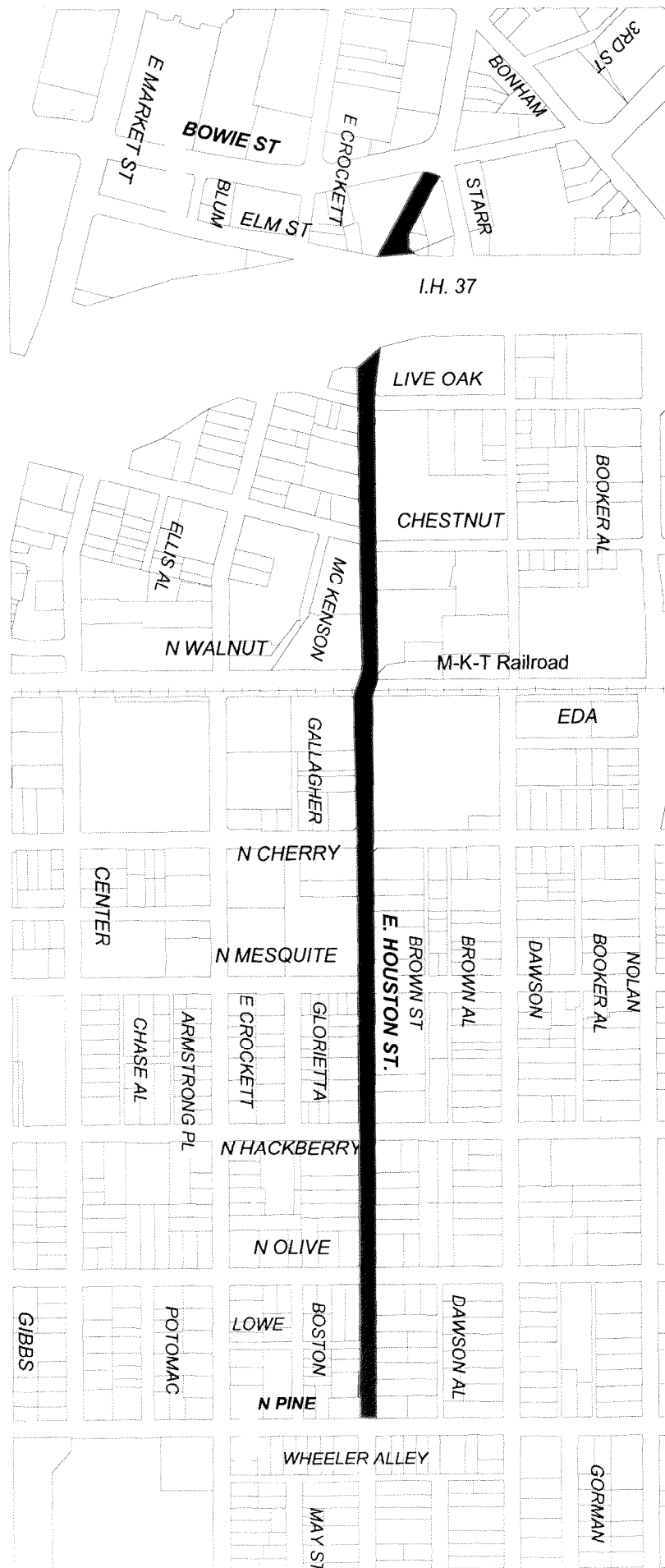
Approved:


Terry M. Brechtel
City Manager



CITY OF SAN ANTONIO
Department of Public Works
Capital Programs Division

HOUSTON: BOWIE TO PINE



Not to Scale





K. M. Ng & Associates, Inc.
Consulting Engineers

Post-it® Fax Note 7671		Date 4/9/03	# of pages 2
To Charles Bloom	From K.W. Chan		
Co./Dept. COSA	Co. K.M. Ng & Assoc		
Phone # 207-6942	Phone # 736-6623		
Fax # 207-7604	Fax # 736-9259		

April 4, 2003

Mr. Charles Bloom
Department of Public Works
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

Re: Houston Street - Bowie to Pine

Dear Mr. Bloom:

Reference is made to my telephone conversation with Mr. Istiak Salah on April 1, 2003, regarding our providing additional services on the above mentioned project. As discussed, we are submitting the attached Standard Hourly Rates for the requested additional Construction Phase services on the Houston Street - Bowie to Pine project on an as-needed basis for consulting and for Field Alteration services.

These rates are effective for the period April 1, 2003 through March 31, 2005 and shall apply to other projects that also may require these additional services.

We appreciate this opportunity to serve the City of San Antonio. If you have any questions or concerns regarding this proposal, please do not hesitate to advise me.

Very truly yours,

Kum Wing Chan, P.E.
Principal and Chief Civil Engineer

KWC:so
Attachment - Standard Hourly Rates

Copy: Mr. Istiak Salah, P.E.

Post-it® Fax Note 7671		Date 4/9/03	# of pages 2
To Istiak Salah	From K.W. Chan		
Co./Dept. COSA	Co. K.M. Ng & Assoc		
Phone # 207-7983	Phone # 736-6623		
Fax # 207-7196	Fax # 736-9259		

K.M. NG & ASSOCIATES, INC.
6243 I.H. 10 West, Suite 200
San Antonio, Texas 78201-2022
office@kmng.com

Tel: 210/736-6623
Fax: 210/736-9258
<http://www.kmng.com>

STANDARD HOURLY RATES

April 1, 2003 - March 31, 2005

Principal	\$ 100.00
Project Manager	\$ 88.40
Senior Engineer	\$ 83.20
Staff Engineer	\$ 72.80
Designer	\$ 52.00
CADD Technician	\$ 46.80
Clerical Staff	\$ 38.48
Surveyors (3-Man Crew with vehicle and equipment)	\$ 98.80

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;

Not Applicable

- (2) the identity of any **business entity**¹ that would be a party to the discretionary contract:

K.M. Ng & Associates, Inc.

and the name of:

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

Not Applicable

- (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;

Not Applicable

- (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.

Not Applicable

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.

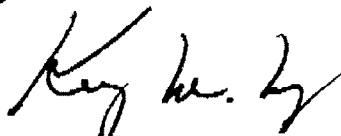
Political Contributions

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: 	Title: President Company: K.M. Ng & Associates, Inc.	Date: April 11, 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.