

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

CONSENT AGENDA

ITEM NO. 14

**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:** Woodlawn - Bandera to Maiden

**DATE:** November 13, 2003

**SUMMARY AND RECOMMENDATIONS**

This ordinance amends a professional service contract and authorizes additional funds in the amount of \$114,628.00 payable to Pape-Dawson Engineers, Inc., a non-MBE firm for professional services, and authorizes additional design contingency in the amount of \$22,925.00 for a total amount of \$137,553.00 funded with Certificates of Obligation in connection with the Woodlawn - Bandera to Maiden project, an authorized 1999 General Obligation (G.O.) Street Improvement Bond project located in City Council District 7.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

This ordinance provides additional compensation to Pape-Dawson Engineers, Inc. for engineering services associated with the design of drainage outfall improvements located within Camino Santa Maria from Woodlawn to Overhill, Overhill from Camino Santa Maria to Notre Dame and Notre Dame from Overhill to Stonegate Drive.

Additionally, because the outfall system will extend beyond the street construction limits of Woodlawn, the streets above the system will require asphalt overlay. This ordinance authorizes Pape-Dawson Engineers, Inc. to design these improvements. Project construction is anticipated to begin in June, 2005.

This professional service contract was originally approved by City Ordinance No. 91753 on May 11, 2000 and initially authorized \$391,365.00 for services related to this project and amended on June 28, 2001 by City Ordinance Number 94154 authorizing an additional \$12,801.00 for a total contract amount of \$404,166.00. This Council action will increase the total authorized for this professional service contract to \$518,794.00.

## POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 1999 G.O. Street Improvement Bond funded Capital Improvement Projects.

## FISCAL IMPACT

This is a one-time capital improvement expenditure and is included in the FY04-09 Capital Improvement Budget. Funds in the amount of \$137,553.00 are available from Certificates of Obligation and are authorized payable as follows:

\$114,628.00	Payable to Pape-Dawson Engineers, Inc. for engineering services
\$ 22,925.00	Payable for design contingency

## COORDINATION

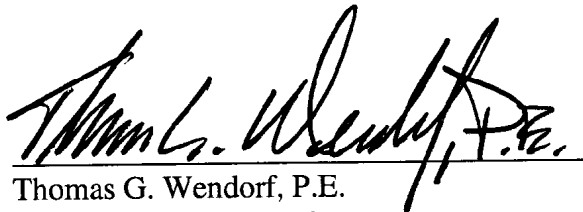
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

## SUPPLEMENTARY COMMENTS

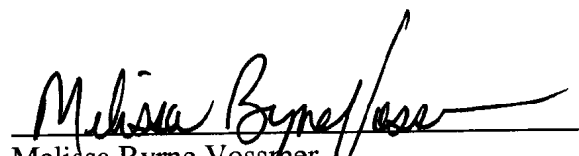
The Discretionary Contract Disclosure Form required by the Ethics Ordinance is attached.

## ATTACHMENTS

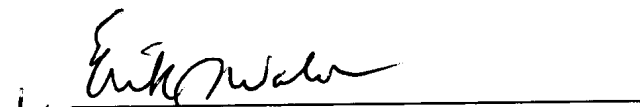
1. Proposal
2. Project Map
3. Discretionary Contract Disclosure

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

10/31/03

  
Melissa Byrne Vossner  
Assistant City Manager

Approved:

  
Terry M. Brechtel  
City Manager



October 6, 2003

Mr. David E. Matney, P.E.  
Capital Programs Management  
City of San Antonio  
P.O. Box 839966  
San Antonio, TX 78283-3966

Re: Woodlawn Avenue: Bandera to Maiden  
Proposal for Supplemental Agreement No. 3

Dear Mr. Matney:

As a result of our meetings recently regarding the direction of the Woodlawn project, we have prepared this proposal for Supplemental Agreement No.3 to the contract referenced above. The City has recently identified funds to be made available to construct the original limits of the Woodlawn Avenue project along with the Camino Santa Maria Drainage outfall of the project. As directed by the City, the project now will consist of the reconstruction of Woodlawn from Maiden to Duke and will also include the construction of drainage outfall improvements from Camino Santa Maria along Overhill and Notre Dame streets to an existing outfall at Stonegate.

Our understanding of the new scope of work as outlined in our meeting is as follows:

- The entire project will continue to be prepared as currently planned; as an MPO project designed in accordance with TxDOT standards and procedures and reviewed by the TxDOT CCMO office.
- The western drainage system for the project will connect to the existing Apache Creek outfall culvert. No improvements to the Apache Creek drainage system are to be designed or constructed with this project.
- Quantities for the overall project would not need to be separated to account for the source of funds for the project. A single set of proposals and bidding documents will be prepared for the overall project.

The above revisions are based on concurrence by TxDOT with the direction the City proposes to take with the plan development.

This proposal includes a revised scope of services for the project along with a proposed fee schedule. In separate correspondence dated April 14, 2003, we summarized the scope and effort completed for the project thus far under the current contract. Our current approved contract amount is \$433,291 as detailed in the aforementioned letter. Our current contract scope allowed for the design of the original roadway project from Bandera to Maiden as one set of construction documents. Therefore, the plans for the Camino Santa Maria Outfall improvements are outside of the currently approved scope. This additional effort is summarized as follows:

**PAPE-DAWSON ENGINEERS, INC.**

555 East Ramsey | San Antonio, Texas 78216 | Phone: 210.375.9000 | Fax: 210.375.9010 | [info@pape-dawson.com](mailto:info@pape-dawson.com)

Camino Santa Maria Drainage Outfall

We have prepared previous proposals and estimates for the design of these improvements and reviewed these with you and your staff. Based on these discussions, Pape-Dawson has estimated the cost to complete the schematic, preliminary, intermediate, and final design of the proposed outfall system to be \$114,628, based on 11.13 percent of the estimated construction cost of \$1,029,903 for the outfall. The 11.13 percent fee is consistent with the original contract fee indicated in a letter dated April 20, 2000 from the City.

With the addition of this work, our existing contract status can be summarized as follows:

SUMMARY OF COSTS

A summary of the cost changes associated with this proposal follows:

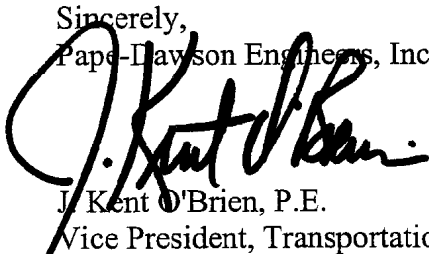
Current Contract Amount	\$433,291
Camino Santa Maria Outfall	\$114,628
<b>Total Revised Contract Amount:</b>	<b>\$547,919</b>

As provided previously, we updated the preliminary opinion of probable cost for the project in July. The overall probable cost for the Woodlawn Avenue construction and Camino Santa Maria outfall is currently estimated to be \$4,963,147.


We request that our contract be modified for the amount indicated. Once the contract revision is approved, we would like to meet with you and Dale Keller to develop a new schedule for the remainder of the project.

We appreciate the opportunity to work with you on this project. We are available to meet with you to finalize the proposal.

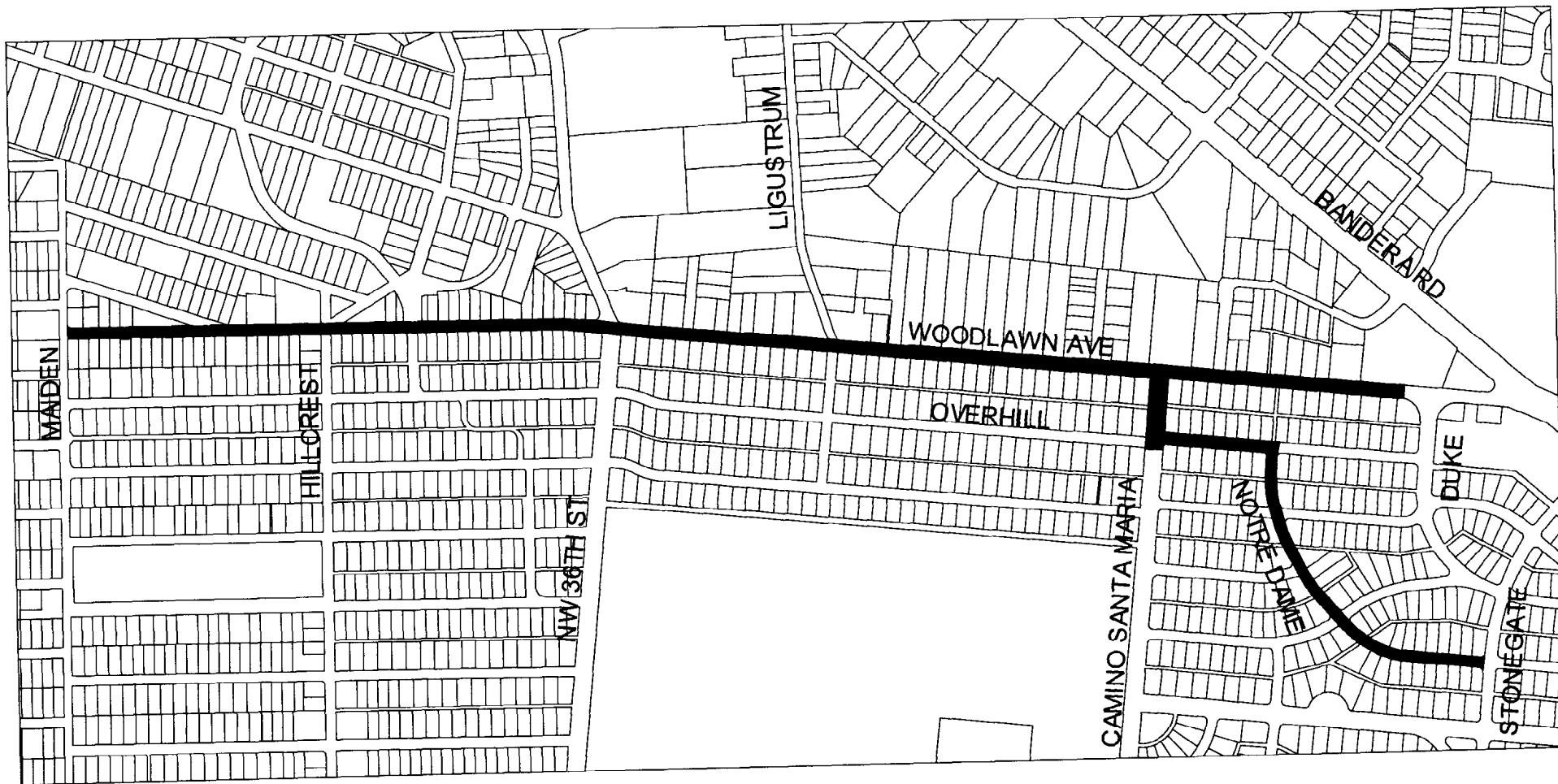
Sincerely,  
Pape-Dawson Engineers, Inc.

  
J. Kent O'Brien, P.E.  
Vice President, Transportation

Pape-Dawson Engineers, Inc.

  
David M. McBeth, P.E.  
Sr. Project Manager

cc: Dale Keller



CITY OF SAN ANTONIO  
Department of Public Works  
Capital Programs Division

## WOODLAWN: BANDERA TO MAIDEN



SCALE: NOT TO SCALE  
29 SEPT 2003

# 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**<sup>1</sup> that would be a party to the discretionary contract:

Pape-Dawson Engineers, Inc.

and the name of:

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

None

and the name of:

(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

<sup>1</sup> 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\*

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.


### 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:
See attached list for Pape-Dawson Engineers, Inc.		

### 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 question<sup>2</sup> 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:  Wayne Brasington	Title: CFO  Company: Pape-Dawson Engineers, Inc.	Date:  October 8, 2003

<sup>2</sup> 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.



October 8, 2003

**DISCRETIONARY CONTRACT ETHICS STATEMENT  
PAPE-DAWSON ENGINEERS, INC.**

Political contributions of more than \$100 made during the previous twenty-four months to Council members and political action committees.

**Eugene H. Dawson, Jr.**

June 2002	Enrique Barrera	\$500
Aug. 2002	Carroll Schubert	\$500
Jan. 2003	Carroll Schubert	\$500

**Samuel G. Dawson**

June 2002	Enrique Barrera	\$500
Aug. 2002	Carroll Schubert	\$500
Jan. 2003	Carroll Schubert	\$250
March 2003	Ed Garza	\$500

**Officers**

July 2002	Consulting Engineers	\$2,480
	Council of Texas-PAC	
May 2003	Consulting Engineers	\$1,800
	Council of Texas – PAC	
Various	Candidates and Previous	\$ 2,750
	Council Not Holding Office	

Pape-Dawson Engineers, Inc.

Wayne Brasington  
Chief Financial Officer

ethicsord.doc/misc

**PAPE-DAWSON ENGINEERS, INC.**