

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
PARKS AND RECREATION DEPARTMENT**

TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

THROUGH: Terry M. Brechtel, City Manager

COPIES: Christopher J. Brady; Finance; Management and Budget; Legal; Public Works; File

SUBJECT: Ordinance Amending a Contract with Madeline Anz Slay Architecture, PLLC for Professional Services Associated with the 2003 Pool Facility ADA Improvements Project

DATE: February 19, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance amends a current contract with Madeline Anz Slay Architecture, PLLC for professional services associated with the 2003 Pool Facility ADA Improvements Project in City Council Districts 5, 6 and 7; authorizes payment of \$30,335.00 for additional design work; allocates \$33,635.00 from Certificates of Obligation funds and provides \$3,300.00 for architect contingency.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

Three pool facilities have been identified which require modifications in order to comply with current Americans with Disability Act (ADA) standards. These are: Elmendorf Park Pool, located at 3700 W. Commerce in City Council District 5; Cuellar Park Pool, located at 5626 San Fernando in City Council District 6; and Monterrey Park Pool, located at 5909 W. Commerce in City Council District 7. The necessity to upgrade these facilities has been identified by the Department of Justice. The firm of Madeline Anz Slay Architecture, PLLC, a SDWBE firm, was selected through Ordinance 97461 on April 14, 2003 to design improvements that focus on ADA modifications and renovations to the three pool facilities including path of travel, locker rooms, restrooms, pool access, pool decking, and other improvements as required by the United States Department of Justice.

The amended scope of work will be for professional design services for replacement of the existing bath house at Elmendorf Park Pool. During the course of the ADA design, investigation studies of the building and site have revealed that the sum of all of the modifications to the facility would meet or exceed the cost of replacement. The original design contract was for ADA issues only; the amended contract will include these additional architectural and engineering design services.

Design will begin in March 2004 and will be completed in June 2004. The three projects will be bid as a package to allow for economy of scale. Following advertisement and selection of a contractor, it is anticipated that construction will occur from September 2004 until April 2005. This construction work will not cause the pools to be closed.

POLICY ANALYSIS

These actions are consistent with the approved Certificate of Obligation Funds designated for these projects. The consultant was selected in accordance with established selection procedures.

FISCAL IMPACT

Funding of \$550,000.00 from Certificates of Obligation has been identified for the Elmendorf Park Bath House ADA Modifications Project and \$403,000.00 from Certificates of Obligation has been identified for the Cuellar Park and Monterrey Park Bath House ADA Project. The amount of \$33,635.00 will be added to the current project budget of \$102,033.00. Additional architect fees are \$30,335.00 and architect contingency is \$3,300.00.

COORDINATION

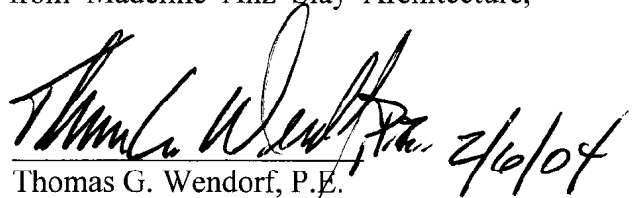
The Public Works Department, Finance Department and Office of Management and Budget have assisted with this action.

SUPPLEMENTARY COMMENTS

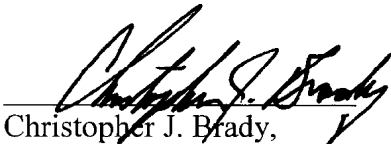
A Discretionary Contracts Disclosure Form is attached from Madeline Anz Slay Architecture, PLLC.



Malcolm Matthews,
Director of Parks and Recreation



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



Christopher J. Brady,
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

City of San Antonio

Discretionary contracts Disclosure

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

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;

N/A

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

Madeline Anz Slay Architecture PLLC

and the name of:

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

Slay Engineering Co., Inc.
Alpha Consulting Engineers
Timothy Dudit

Place Collaborative, Landscape Arch.
Fugro South
A.A. Gonzalez Engineers

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.

Madeline Anz Slay, A.I.A.

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.

(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

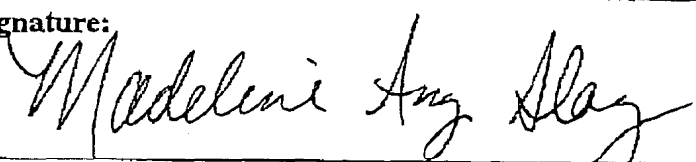
Political contributions

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 through 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, reasonable understood, raise a question 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.

Madeline Anz Slay, Architecture, P.L.L.C.	
Signature: 	Date: 01/23/04

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 careful consideration of whether or not recusal is required.

Site Map Elmendorf Park

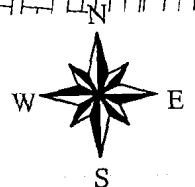


City of San Antonio
Parks & Recreation Dept.

Site Map Elmendorf Park



City of San Antonio
Parks & Recreation Dept.





November 21, 2003

Ms. Lisa Morris, Landscape Architect
San Antonio Parks and Recreation Department
506 Dolorosa
San Antonio, Texas 78283

Re: FY2003 Pool Facility ADA Improvements (MAS #03004)
Elmendorf fee for replacement building

Dear Lisa,

As requested, MAS Architecture has obtained proposals from consultants and revised our architectural fee to reflect a replacement building in lieu of renovation of the existing structure for the Elmendorf location. We have attached a spreadsheet to capture this information for your review and approval.

The information is organized with the replacement building A/E fee shown for design, construction documents and construction administration. Then we have indicated the amounts in the original contract for the remaining renovation work (DD, CD & CA) on the Elmendorf site that would be credited. While our first look at the impact of added fee at the SD review was \$28,000, the current number of \$30,335 is slightly larger due to some increases from formal and more detailed sub-consultant proposals.

Finally, we do expect that some of the "due diligence" site investigation work may increase to accommodate the new building versus replacement and we have noted that also. Please advise any questions you may have on this submittal. We look forward to visiting with the COSA Parks and Recreation Department to facilitate this opportunity to bring significant facility improvements to the Elmendorf Park.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Michael Dean', followed by a horizontal line.

Michael Dean, AIA
Associate

RECEIVED

NOV 26 2003

PARK PROJECT SERVICES
S.A. PARKS RECREATION DEPT.
BY

Attachment I

Certificates of Obligation
2003 Pool Facility ADA Improvements Project
Fund 43-182003

<u>Index Code</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
REVENUES:				
	Elmendorf Bath House ADA (\$550,000)	51,033.00	33,635.00	\$84,668.00
	Cueller & Monterrey Bath House ADA (\$403,000)	<u>51,000.00</u>	<u>0.00</u>	<u>\$51,000.00</u>
	Total:	\$102,033.00	\$33,635.00	\$135,668.00
EXPENDITURES:				
754150	Architect Fees	91,393.00	30,335.00	\$121,728.00
754168	Architect Contingency	9,140.00	3,300.00	\$12,440.00
754176	Bid Advertising/Printing	<u>1,500.00</u>	<u>0.00</u>	<u>\$1,500.00</u>
	Total:	\$102,033.00	\$33,635.00	\$135,668.00