

CONSENT AGENDA
ITEM NO. 11

**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; Environmental Services; File

SUBJECT: Ordinance Authorizing Payment to C.F. Zavala Group, Inc. for Consultant Services at Spicewood Park

DATE: February 26, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance amends the project budget and appropriates \$15,000.00 from 1999-2004 Park Bond funds for the Spicewood Park Improvements Project in City Council District 4, authorizes payment in the amount of \$15,650.00 to C.F. Zavala Group, Inc. (SBE/MBE/WBE) for landscape architect services under an existing professional services contract and provides for landscape architect contingency.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The 1999-2004 Park Bond Issue approved funding of \$150,000.00 for improvements to Spicewood Park, located at 3139 Fidelia in City Council District 4. The proposed scope of improvements includes the installation of an outdoor basketball court, picnic units, walks and landscaping.

C.F. Zavala Group, Inc. will complete the landscape architect services for the project, with sub-consultant engineering services for a drainage study, structural plans for the basketball court slab and electrical plans for basketball court lighting. This firm is one of three professional landscape architecture firms selected through Ordinance 98075 on August 28, 2003. This is the first project assigned to C.F. Zavala Group, Inc. under the contract, which will total approximately \$50,000.00 per year.

The design work will be completed from February 2004 until June 2004. The construction project then will be bid and a contract awarded. It is anticipated that construction will begin in October 2004 and will end in January 2005.

POLICY ANALYSIS

This ordinance will enable completion of the Spicewood Park renovations project approved by the 1999-2004 Park Bond Issue. The consultant was chosen in accordance with all of the City's consultant selection procedures and was approved by Ordinance 98075 on August 28, 2003.

FISCAL IMPACT

The amount of \$7,000.00 in 1999-2004 Park Bond funds has previously been approved for the Spicewood Park Improvements Project. This ordinance will amend the project budget and allocate the additional amount of \$15,000.00 for a total project budget of \$22,000.00. The amount of \$12,650.00 will be added to consultant fees for a total of \$15,650.00 and the amount of \$2,350.00 will be established for consultant contingency expenses.

COORDINATION

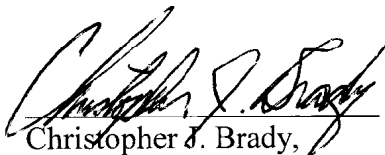
The Finance Department and the Office of Management and Budget have assisted with this action.

SUPPLEMENTARY COMMENTS

A Discretionary Contracts Disclosure Form is attached from C.F. Zavala Group, Inc.

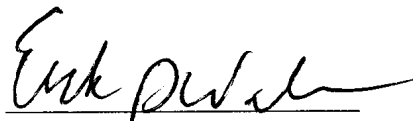


Malcolm Matthews,
Director of Parks and Recreation



Christopher J. Brady,
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

Attachment I

Spicewood Park Improvements Project
Fund 45-982024

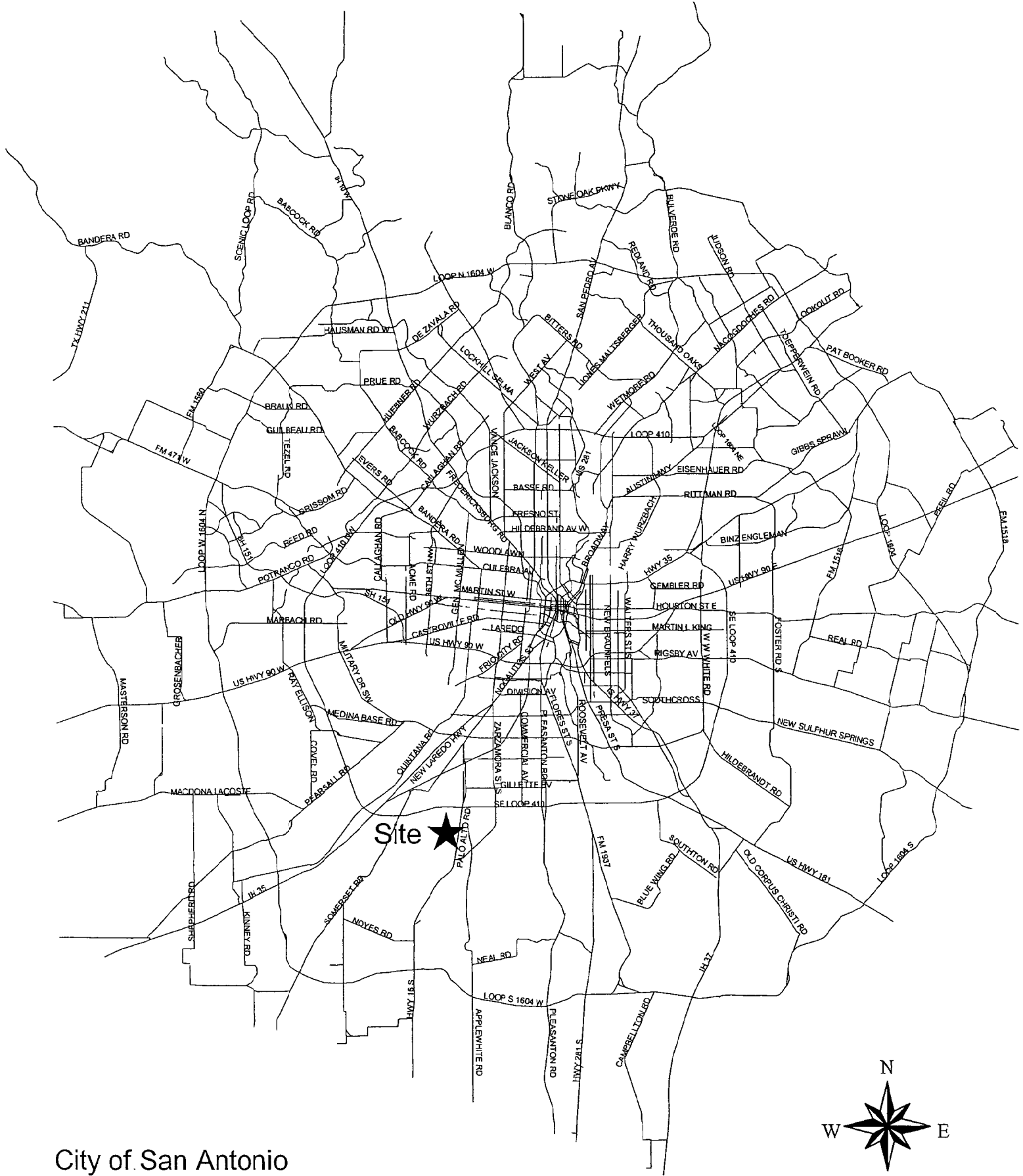
REVENUES:

<u>Description:</u>	<u>Current Budget</u>	<u>Current Appropriation</u>	<u>Revised Budget</u>
1999 Park Bond Funds (\$150,000)	<u>\$7,000.00</u>	<u>\$15,000.00</u>	<u>\$22,000.00</u>
Total:	<u>\$7,000.00</u>	<u>\$15,000.00</u>	<u>\$22,000.00</u>

EXPENDITURES:

<u>Index Code:</u>	<u>Description:</u>	<u>Current Budget:</u>	<u>Revisions:</u>	<u>Revised Budget:</u>
291278	Bid Advertising/Printing	\$1,000.00	\$0.00	\$1,000.00
291252	Mandatory Project Fees	\$3,000.00	\$0.00	\$3,000.00
291245	Architect/Engineering Fees	\$3,000.00	\$12,650.00	\$15,650.00
new	Architect/Engineering Contingency	<u>\$0.00</u>	<u>\$2,350.00</u>	<u>\$2,350.00</u>
	Total:	<u>\$7,000.00</u>	<u>\$15,000.00</u>	<u>\$22,000.00</u>

Site Map Spicewood Park



City of San Antonio
Parks & Recreation Dept.

Site Map Spicewood Park



City of San Antonio
Parks & Recreation Dept.



**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 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:

Leticia A. Zavala,
Albert B. Fernandez, Jr.,
Cullen P. Coltrane

(2) The identity of any business entity¹ that would be a party to the discretionary contract:

C•F•Zavala Group

and the name of:

(A) Any individual or business entity that would be a subcontractor to the discretionary contract:

Fugro South, Inc.; Fernandez, Frazer & White Assoc. Inc.; E.S. Moran Consulting Engineer, Inc.; Steve G. Persyn, P.E., Consulting Structural Engineer, Inc.

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:

Albert B. Fernandez, Jr.; Partner; Fernandez, Frazer, White & Associates, Inc.

(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.

Not Applicable.

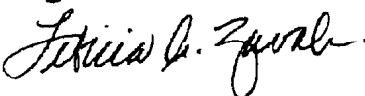
Political Contributions

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:
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 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.

Not Applicable.		
Signature: 	Title: General Partner Company: C-F-Zavala Group	Date: 1.26.04

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 require careful consideration of whether or not recusal is required.

C.F. ZAVALA GROUP**Landscape Architecture & Planning**

11824 RADIUM • SAN ANTONIO, TX 78216 • (210) 366-1911 • Fax: (210) 366-0376

January 27, 2004

Mr. Mark Wittlinger
City of San Antonio Parks and Recreation
506 Dolorosa
San Antonio, TX 78207

Re: Landscape Services for Spicewood Park

Dear Mr. Wittlinger:

C.F. Zavala Group (CFZ) is pleased to provide this proposal for professional landscape design services for the Spicewood Park, San Antonio, Texas. Reference to City of San Antonio Parks and Recreation will be "Client." We propose to develop the landscaping and irrigation scope of work into the following phases: 1) Schematic/Design Development, 2) Construction Documents, 3) Bidding and, 4) Construction Administration.

SCOPE OF SERVICES**1.) Schematic/Design Development**

- A. Upon the notice to proceed, CFZ will review the Client supplied site and tree survey and perform an on-site field observation to become familiar with the site. The site survey will require the following minimum information:
1. Location, name, condition and size of existing trees 6" or greater.
 2. Location of major understory tree stands.
 3. Boundary and topography information.
 4. Existing site utility locations (water tap, water main, etc.) and .
- B. Based on the initial field observation and review of the site survey, CFZ will review the City of San Antonio landscape ordinance and develop the schematic design drawing to meet such standards. Documents and services will include:
1. Completion of a conceptual design for the site development to encompass the landscape elements required. Prepare associated graphics to convey the design intent.
- C. Public presentations of the conceptual design as deemed necessary by SAPAR.
- D. Preparation of a probable cost of construction to establish a landscape budget. The statement of probable construction cost of the Project represents our best judgment of the probable construction costs as a design professional. It is recognized, however, that we do not have control over the cost of labor, materials, equipment or accessories, over a contractor's methods of determining bid prices, or over competitive bidding, market or negotiating conditions. Accordingly, we cannot and do not warrant or represent that bids or negotiated prices will not vary from any Project budget which may have been proposed, established or approved by the Client or other cost estimate or evaluation prepared by our firm.

2.) Construction Documents

Upon approval of schematic/design development plan, CFZ will:

- A. Order a soils testing report of the basketball court area and picnic area. Scope covers 2 holes at 10' depth. Should additional holes or depths further than 10' deep be required, these will be done at an additional cost.
- B. Prepare a hardscape plan with details and specifications for picnic tables, basketball court and minor trail renovation. Additional work shall include:
1. Structural Engineer shall review and advise Landscape Architectural drawings and specifications for structural requirements for basketball court and picnic tables.
 2. Electrical plan, details and specifications for 2 light standards at basketball court.
- C. Prepare a Tree Preservation and Landscape Plan as required for re-vegetation requirements. Information will

Mr. Wittlinger
SAPAR
Spicewood Park

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include:

1. Graphically locating trees to remain, remove, or relocate with corresponding notes and details.
2. Legend indicating caliper of trees to remain, remove or relocate.
3. Locating and identifying proposed plant materials.
4. Preparing a plant list indicating plant quantities, sizes, botanical and common names.
5. Developing planting notes, details and any special installation requirements.
6. Preparing and submitting landscape specification to the project's manager for inclusion in the project manual.
7. Preparing a tree affidavit.
8. Issuing plans to TDLR for ADA requirements. All related TDLR fees will be reimbursable expenses.

D. Revision of the probable cost of construction will be generated.

3) Bidding Negotiations

CFZ will submit plans and specifications to the Client to be included in the project's contract documents in preparation of advertising for bid. CFZ will provide assistance in the interpretation and clarification of the construction documents and preparation of addenda for prospective bidders. Upon receiving bids, CFZ will assist in reviewing landscape and irrigation bid tabs.

4) Construction Administration

A. Once under construction, CFZ will provide on-site construction observations to ensure that the design intent is met. Field observations will be documented in writing on the progress of the landscape and irrigation construction. Observation reports will be generated and distributed to the Client. Structural and Lighting Engineers shall provide construction administration services for respective work.

EXCLUSIONS TO SCOPE OF SERVICES

- A. The following tasks are not included in CFZ's basic scope of services. However, if requested, such services will be considered as additional services to this proposal.
1. Site and tree survey.
 2. Site Master Planning.
 3. Submitting or securing permits and/or variances.

SCHEDULE

Upon the acceptance of this proposal and receiving the requested information, we will begin work and complete the scope of design services as required to meet the project's schedule.

COMPENSATION

Compensation for the above mentioned services will be a fixed fee of \$15,650.00 (fifteen thousand, six hundred, fifty dollars and no/100 cents) plus reimbursable expenses. Reimbursable expenses consist of long distance telephone, reproductions, postage and delivery, etc. shall be billable at a multiple of 1.10 in addition to our compensation (mileage is included in basic services).

Compensation will be invoiced in the following phases:

Soils Testing:

Boring of 2 holes (10' depth) and report \$2,100.00

Civil Engineering Services:

Storm Water Management Plan \$3,100.00

(Additional fees will apply for waiving Detention Pond requirements from COSA. If Detention Pond plan is required, additional services will apply).

Mr. Wittlinger
SAPAR
Spicewood Park

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Electrical Engineering Services:

Construction Documents	\$1,610.00
Bid Negotiations	\$ 140.00
Site Visits	<u>\$1,000.00</u>
	\$2,750.00

Structural Engineering Services:

Review of drawings and specifications (Site visits will be additional services).	\$ 700.00
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Landscape Architectural Services:

Schematic/Design Development	\$ 1,400.00
Construction Documents	\$ 3,850.00
Bidding	\$ 350.00
Construction Administration	<u>\$ 1,400.00</u>
Total:	\$ 7,000.00

Total Architectural and Engineering Fees: \$15,650.00

ADDITIONAL SERVICES

Services other than described in this proposal shall be considered additional services and will not be performed without prior written approval from the Client. Additional services will be billed at hourly basis or on a lump sum fee. Hourly billing rates are \$80.00 for principals, \$60.00 for registered landscape architects and \$45.00 for draftspersons and \$40.00 for secretarial/clerical.


BILLING

Billing for fees and reimbursable expenses shall be on a monthly basis with payments due within thirty (30) days of billing. Past due amounts shall incur a one percent (1%) per month charge on the unpaid balance.

AGREEMENT

We propose that duplicate signed copies of this proposal serve as an agreement for these services.

Proposed by:


Leticia A. Zavala, ASLA
Principal
C.F. Zavala Group

Accepted by:

Authorized Representative of
City of San Antonio Parks and Recreation

Date:

The Texas Board of Architectural Examiners, 8213 Shoal Creek Boulevard, Suite 107, Austin, Texas, 78758, telephone (512)458-4126, has jurisdiction over individuals licensed under the LANDSCAPE ARCHITECT'S Registration Law, Article 249c, Vernon's Texas Civil Statutes.

Irrigation in Texas is regulated by the Texas Natural Resource Conservation Commission, P. O. Box 13087, Austin, Texas 78711-3087.

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