

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

AGENDA ITEM NO. **28**

**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; Peter Zanon; Milo D. Nitschke; file

**SUBJECT:** Professional Facilitation Services for the Ad Hoc Citizen's Water Quality Review Committee

**DATE:** April 15, 2004

**SUMMARY AND RECOMMENDATIONS**

This ordinance accepts the proposal and awards a professional service contract in amount not to exceed \$83,884.50 payable to Shannon P. Marquez, dba Jenkins, Austin, Márquez & Associates, a WBE, for professional facilitation services and associated reimbursable expenses for the Ad Hoc Citizen's Water Quality Review Committee.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

The Ad Hoc Citizen's Water Quality Review Committee functions under the Quality of Life Committee chaired by Councilman Carroll Schubert and reports directly to Mayor Ed Garza. The Committee, chaired by Councilman Art Hall, is charged with reviewing and making recommendations relating to the adoption and support of additional governmental regulations and other measures required for protection of the quality of water in the Edwards Aquifer. The committee will assess the adequacy of regulation of activities, which have the potential for polluting the Edwards Aquifer, and hydrologically connected surface streams, whether such activities occur on the recharge, transition, or contributing zones of the Aquifer. The committee may request relevant documents and resources from other interested parties including Bexar County, surrounding incorporated cities and surrounding counties and will make recommendations, as needed. Currently, the committee is in the process of reviewing all water quality related ordinances and regulations as they pertain to Texas Commission on Environmental Quality (TCEQ), Edwards Aquifer Authority (EAA), San Antonio Water Systems (SAWS), and the City of San Antonio (COSA).

This ordinance authorizes compensation to Shannon P. Marquez, doing business as Jenkins, Austin, Márquez & Associates, for professional facilitation services for the Ad Hoc Citizen's Water Quality Review Committee necessary to facilitating committee meetings; reviewing and evaluating existing studies, models, and data; developing decision criteria and regulatory impact analysis (RIA); facilitating stakeholder negotiations and consensus-building for final recommendations. These tasks are to be completed by August 2004.

This firm was selected through the City's solicitation process, whereby a Request for Qualifications was released and three firms responded with Interest Statements. Ms. Marquez' firm, Jenkins, Austin, Márquez & Associates, was selected by the Public Works Architect and Engineer Selection Committee based on the firm's extensive experience in environmental services, water resource issues and regulatory requirements, as well as previous experience in working with municipalities, government agencies, non-profit organizations, corporations and international institutions.

### **POLICY ANALYSIS**

Approval of this ordinance will be a continuation of City Council policy to maintain water quality standards in the San Antonio metropolitan area and surrounding counties.

### **FISCAL IMPACT**

Funds in the amount of \$83,884.50 are available from the Storm Water Operating Fund and are authorized payable to Shannon P. Marquez, dba Jenkins, Austin, Márquez & Associates as follows:

\$79,890.00

Payable for professional services

\$ 3,994.50

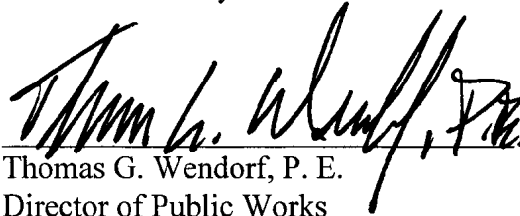
Payable for reimbursable expenses

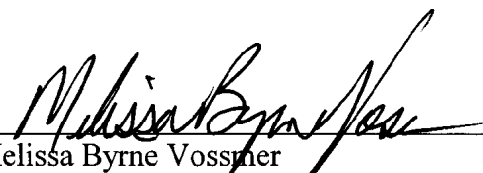
### **COORDINATION**

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

### **SUPPLEMENTARY COMMENTS**

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

 4/8/04  
Thomas G. Wendorf, P. E.  
Director of Public Works

  
Melissa Byrne Vossner  
Assistant City Manager

Approved:

  
Terry M. Brechtel  
City Manager

Evaluation of Qualification Statements for  
**Summary: Ad Hoc Water Quality Review Committee**  
 CITY OF SAN ANTONIO - ARCHITECT/ENGINEER REVIEW

		Evaluators Score					SBEDA					
						80	10	5	5	20		
		Rater #1	Rater #2	Rater #3	SUBTOTAL	Average Panel Score	Locally Headquartered Business Enterprise	Historically Underutilized Enterprise (HUE)	Small Business Economic Development Advocacy Policy Compliance (SBEDA)	SBEDA TOTAL	TOTAL POINTS Out of 100	Ranking
No.	Architect/Engineer Candidates											
1	Water Resources Management	40	61	24	125	41.67	0	0	0	0	41.67	3
2	Jenkins, Austin, Marquez & Associates	61	74	70	205	68.33	10	5	4	19.00	87.33	1
3	PBS & J	60	73	75	208	69.33	6	1.75	1	8.75	78.08	2
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Notes:

Design Review Commission) and TxDOT as they relate to this project.

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

ATTACHMENT 3  
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:

NONE

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

<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.

Discretionary Contracts Disclosure

- (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, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
N/A		

**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:	Title:	Date:
<i>Shannon P. Marquez</i>	<i>President</i>	<i>March 22, 2004</i>
	Company:	
	<i>JAMTA</i>	

<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.