

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

CONSENT AGENDA

ITEM NO. 11

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 Zanoni, Milo D. Nitschke, and file

SUBJECT: Lanark Drainage #92A, Phase I

DATE: April 29, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes payment in the amount of \$8,609.74 to Southwestern Bell Telephone, L.P. dba SBC Southwestern Bell Telephone Company (SBC) for the adjustment to aerial cable and related components in connection with the Lanark Drainage #92A, Phase I, a 1999-2004 General Obligation Drainage Bond funded project located in Council District 2.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The Lanark Drainage #92A, Phase I project consists of channel improvements along Walzem Creek from Lanark to Overland and the reconstruction of two portions of Dell Oak and Overland and a portion of Ashland to eliminate low water crossings at the intersections of said channel and streets. The street reconstruction includes street widths of 30 feet with curbs, 4-foot sidewalks, wheelchair ramps and retaining walls as required. Project construction is estimated to begin in May of 2004 and to be completed in April of 2005.

This ordinance authorizes payment to SBC in the amount of \$8,609.74 to reroute and transfer cable as required for project construction, and as indicated in more detail in the Application and Letter of Agency for Custom Work is incorporated herein as Attachment 2. This fee is required as the scope of work does not include the widening or straightening of the roadway. SBC interprets the state statute (Texas Utilities Code Sec. 54.203) to require relocation of utility lines at their expense only in the event of municipal street widening or straightening. The City agrees in this instance to pay for these services while reserving its rights to later seek reimbursement from SBC, and is tracking the cost of each project related to relocation expenses.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 1999-2004 General Obligation Drainage Bond funded projects.

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget and included in the FY 04-09 Capital Improvement Program Budget. Funds in the amount of \$8,609.74 are authorized payable to Southwestern Bell Telephone, L.P. and are available from 1999-2004 General Obligation Drainage Bond funds.

COORDINATION

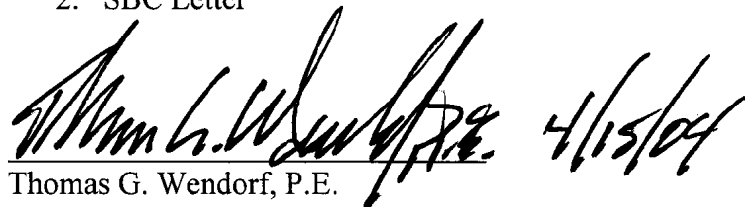
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

SUPPLEMENTARY COMMENTS

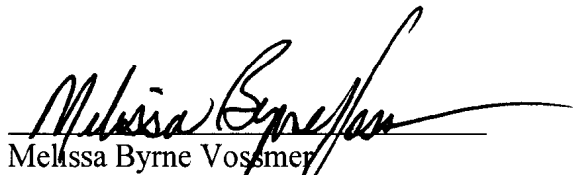
A Discretionary Contracts Disclosure Form is not required.

ATTACHMENTS

1. Project Map
2. SBC Letter

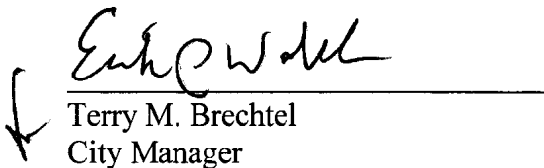
Handwritten signature of Thomas G. Wendorf in black ink, followed by the date 4/15/04.

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

Handwritten signature of Melissa Byrne Vossmer in black ink.

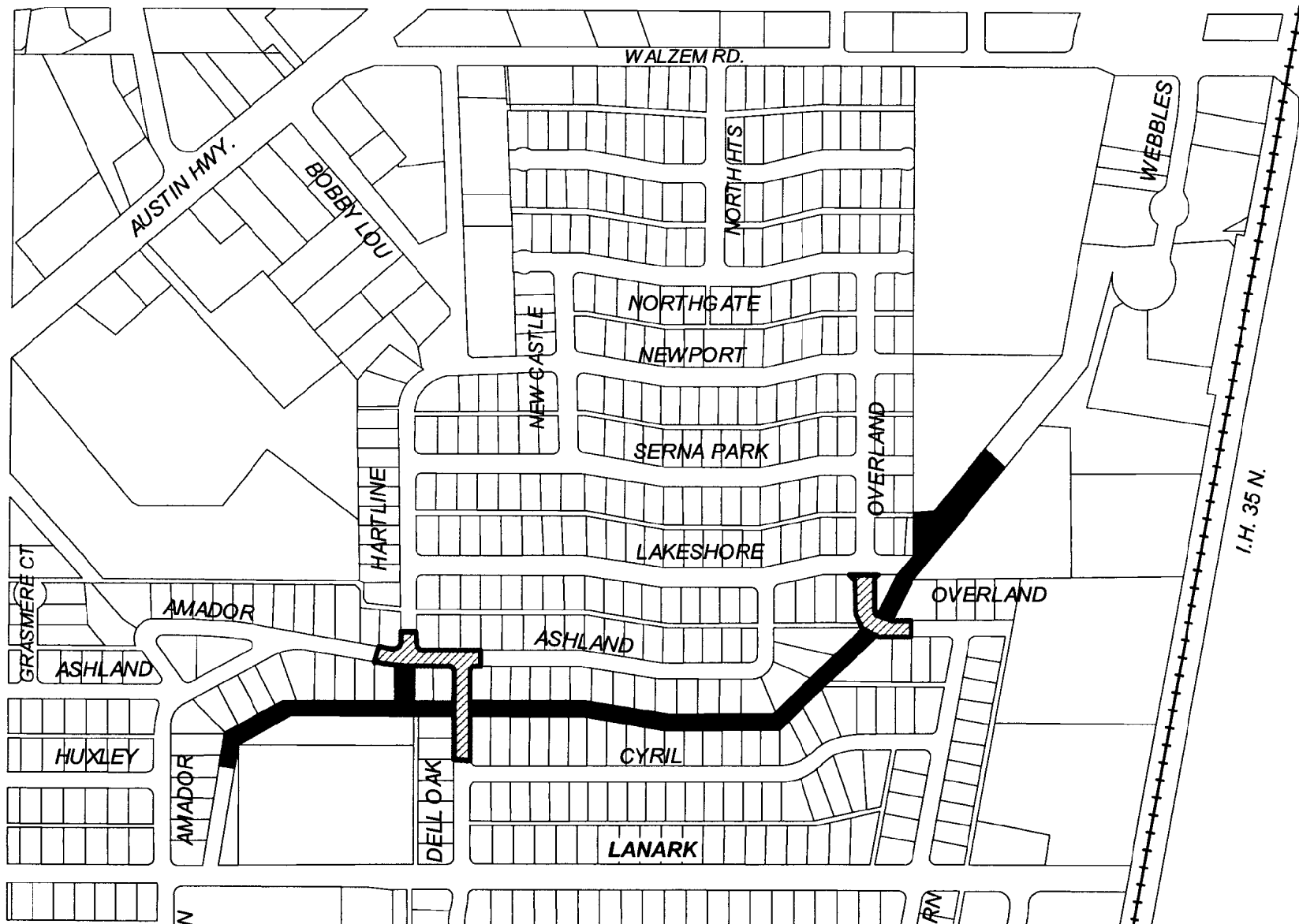
Melissa Byrne Vossmer
Assistant City Manager

Approved:

Handwritten signature of Terry M. Brechtel in black ink, preceded by a checkmark.

Terry M. Brechtel
City Manager

LANARK DRAINAGE #92A, PH.I



CITY OF SAN ANTONIO
Department of Public Works
Capital Programs Division

Not to Scale





RECEIVED

FEB 20 2004

CITY OF SAN ANTONIO
PUBLIC WORKS, CAPITAL PROGRAMS

CWOTS #: 528T04
4119 Broadway, Rm 760R
San Antonio, Texas

APPLICATION and LETTER OF AGENCY FOR CUSTOM WORK

February 16, 2004

CWOTS Number: 528T04
Customer Billing Telephone Number: 210-207-7167

BILL TO: City of San Antonio
Attn: Anibal Gutierrez
114 W. Commerce St.
San Antonio, Texas 78205

WORK SITE LOCATION: Lanark Drainage #92
DESCRIPTION OF CUSTOM WORK: SBC will reroute and transfer cable due to new drainage project. Lanark Drainage #92 a phase1. CPS Sketch 3097955, City of San Antonio Civic improvement.

LABOR EXPENSE: \$ 6,254.20 MATERIAL EXPENSE: \$1,129.48; OVERHEAD EXPENSE: \$1226.06
TARIFF/LICENSE AGREEMENT EXPENSE: \$ 0.00

CHARGE FOR CUSTOM WORK: CONTRACT PRICE: \$ 8,609.74

Applicant requests that Southwestern Bell Telephone, L.P. act as its agent in performing the above-described custom work on applicant's behalf. Applicant agrees to pay the charge(s) indicated above for such work. The charge(s) will be computed in accordance with Southwestern Bell Telephone, L.P.'s ordinary accounting practices under the Uniform System of Accounts for Class A telephone companies and will include allocated costs for labor, engineering, materials, transportation, motor vehicles, tool and supply expenses and sundry billings from sub-contractors and suppliers for work and materials related to the job.

Applicant agrees to make an advance payment of **\$ 8,609.74** Prior to commencement of the work.
Applicant agrees the contract price as stated above plus any applicable taxes when the work is completed.

If the applicant cancels the work prior to completion, Applicant agrees to pay Southwestern Bell Telephone, L.P. for the costs it has incurred in starting performance under the contract and before being notified to cease only.

The price is guaranteed for 60 days from February 16, 2004. If the charges are not accepted
Within 60 days the order will be cancelled and a new order will need to be placed. The second estimate may be higher than the price that was originally quoted.

ACCEPTED FOR CUSTOMER: ACCEPTED FOR SOUTHWESTERN BELL TELEPHONE, L.P.:

Authorized Signature, Title or
Relationship to Company or Individual
Company:
Printed Name:

Title: CWOTS -Manager Optns. Cntrl.

Date: _____

Date: _____



CWOTS #: 528T04
4119 Broadway, Rm 760R
San Antonio, Texas 78209

February 16, 2004

Dear Mr. Gutierrez,

This letter is in regards to your request for Southwestern Bell Telephone, L.P. to perform custom work for you. Enclosed please find an Application and Letter of Agency for Custom Work. This application describes the custom work you have requested along with the associated charges for us to do the work. We require an advance payment on this amount, which is shown on the application.

Both the signed application and the advance payment must be received by our office before we can proceed on your behalf. Our mailing address for these documents is listed below:

Southwestern Bell Telephone, L.P.
Attn: Bertha Wood
4119 Broadway, RM 760R
San Antonio, Texas 78209

Fax number: 210-804-2882

If you decide not to proceed with this work, please call our business office so that we may cancel your request. As always, please feel free to contact our business office at 1 800 303-7477 if you have any questions regarding this matter. Please refer to the record number at the top of your application to assist us in locating your file.

Sincerely,

Bertha Wood
CWOTS Manager Optns. Cntrl.
Southwestern Bell Telephone, L.P.