

**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:** El Monte – Blanco to San Pedro, Phase II

**DATE:** May 6, 2004

**SUMMARY AND RECOMMENDATIONS**

This ordinance amends a professional service contract in the amount of \$15,633 payable to Hoyt Consulting Engineers, Inc. for professional engineering services, in connection with the El Monte – Blanco to San Pedro, Phase II project, an authorized 2003-2007 General Obligation Street Improvement Bond funded project located in Council District 1.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

This professional service contract was originally approved by City Ordinance No. 81848 on March 16, 1995 and initially authorized \$50,000 for services related to the Flores/Breeden/Beacon Outfall Project. Ordinance Number 83949, passed and approved on April 18, 1996 authorized additional funds in the amount of \$103,415.00 for professional services associated with the final design and oversight of that project. Ordinance Number 88950, passed and approved on December 17, 1998 authorized additional funds in the amount of \$65,500 for professional services in conjunction with the award of the construction contract for the Flores/Breeden/Beacon, Phase I project. On March 16, 2000, Ordinance Number 91422 authorized the extension of the scope of the Flores/Breeden/Beacon Project to include the El Monte - Flores to San Pedro project, to save time, advertising costs and to reduce construction costs, and authorized funds in the amount of \$161,200 payable to Hoyt Consulting Engineers for the completion of final plans for the Flores/Breeden/Beacon, Phase II Project. On November 15, 2001, Ordinance Number 94916 authorized funds in the amount of \$7,610 for additional professional services for the preparation of Traffic Control Plans in connection with the N. Flores/Breeden/Beacon Drainage Outfall, Phase II project.

Subsequently, the El Monte – Flores to San Pedro project was divided into three phases. The second, the El Monte – Blanco to San Pedro, Phase II project referenced herein provides for the reconstruction of N. Flores from El Monte to La Manda to a roadway width of 30-feet (2 lanes), including curbs, ADA accessible, 4-foot sidewalks, as well as driveway approaches and drainage improvements. On August 22, 2002, Ordinance Number 96219 authorized funds in the amount of \$24,900 for additional professional engineering services required due to changes in the scope of the project in conjunction with the contract award for the construction of the Flores/Breeden/Beacon Drainage Outfall, Phase II and the El Monte from Flores to San Pedro projects. Ordinance Number 96835, passed and approved on December 12, 2002 authorized funds in the amount of \$69,900 payable to Hoyt Consulting Engineers, Inc. for additional professional services to include the development of plans for the El Monte – Blanco to San Pedro, Phase I through the final design phase and the El Monte – Blanco to San Pedro, Phase III plans through Phase B, the detailed design phase.

This ordinance will authorize funds in the amount of \$15,633 payable to Hoyt Consulting Engineers, Inc. for additional services in connection with the El Monte – Blanco to San Pedro, Phase II project, to include fees for the bid and construction phase of the project, Texas Department of Licensing and Regulation (TDLR) inspection and review and other miscellaneous additional services as shown in more detail in the consultant's proposal included herein as Attachment 2. This ordinance will increase the total authorized for this professional service contract to \$498,158. The El Monte – Blanco to San Pedro, Phase II project construction is anticipated to begin in August of 2004 and be completed in February of 2005.

### **POLICY ANALYSIS**

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 2003-2007 General Obligation Street Improvement Bond projects.

### **FISCAL IMPACT**

This project was approved as a result of the November 4, 2003 bond election. Although this project was not included in the FY04-09 Capital Improvement Program Budget, approval of this ordinance will appropriately modify the capital budget. Funds in the amount of \$15,633 are available from the 2003-2007 General Obligation Street Improvement Bonds, and are authorized payable to Hoyt Consulting Engineers, Inc.

### **COORDINATION**

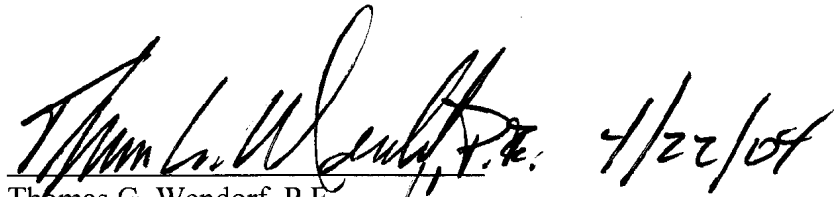
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

## SUPPLEMENTARY COMMENTS

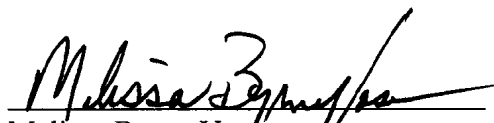
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.


## ATTACHMENTS

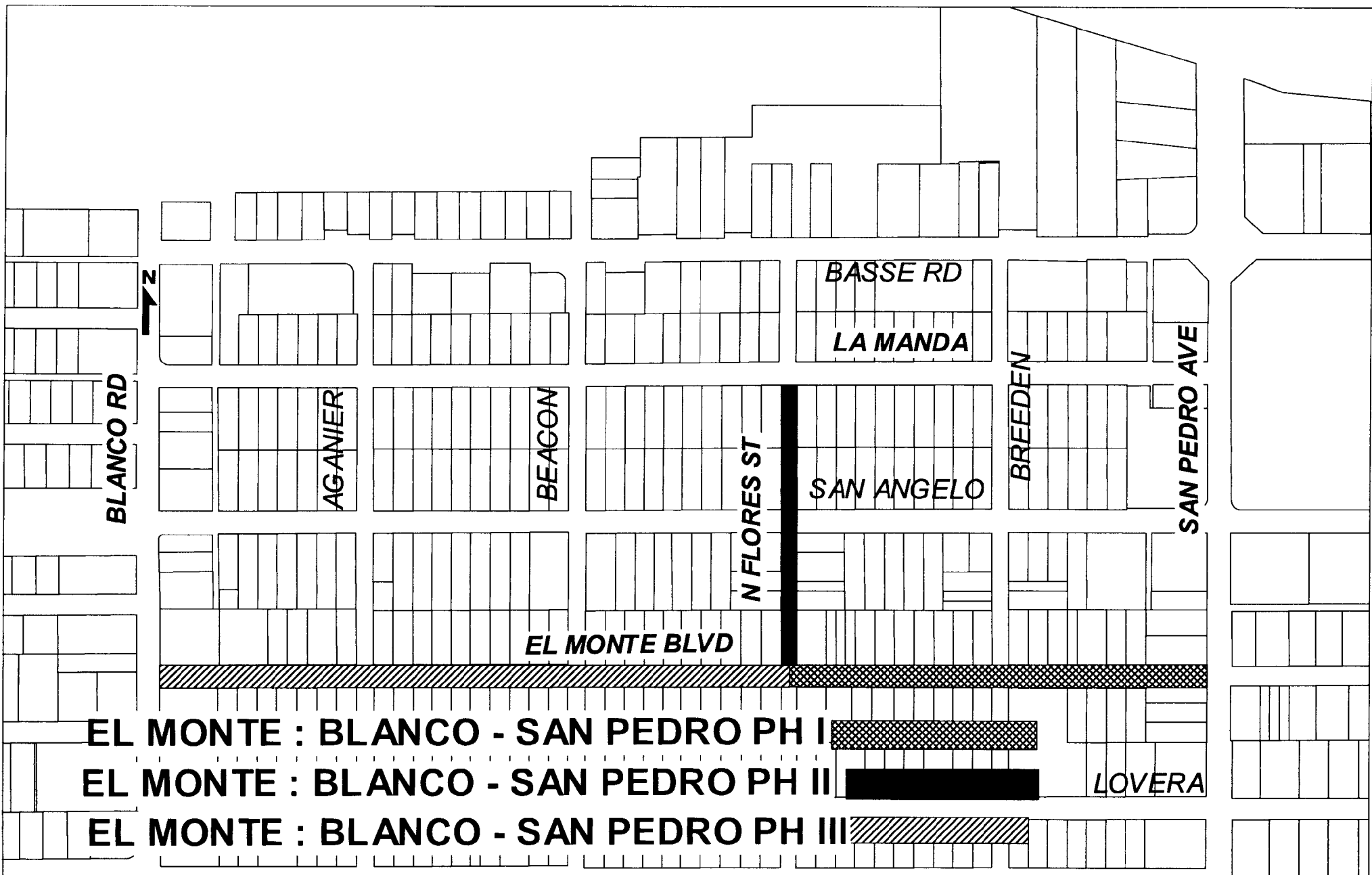
1. Project Maps
2. Proposal
3. Discretionary Contracts Disclosure Form

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

Approved:

  
Melissa Byrne Vossmer  
Assistant City Manager

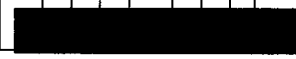
  
Terry M. Brechtel  
City Manager



**EL MONTE : BLANCO - SAN PEDRO PH I**



**EL MONTE : BLANCO - SAN PEDRO PH II**



**LOVERA**

**EL MONTE : BLANCO - SAN PEDRO PH III**



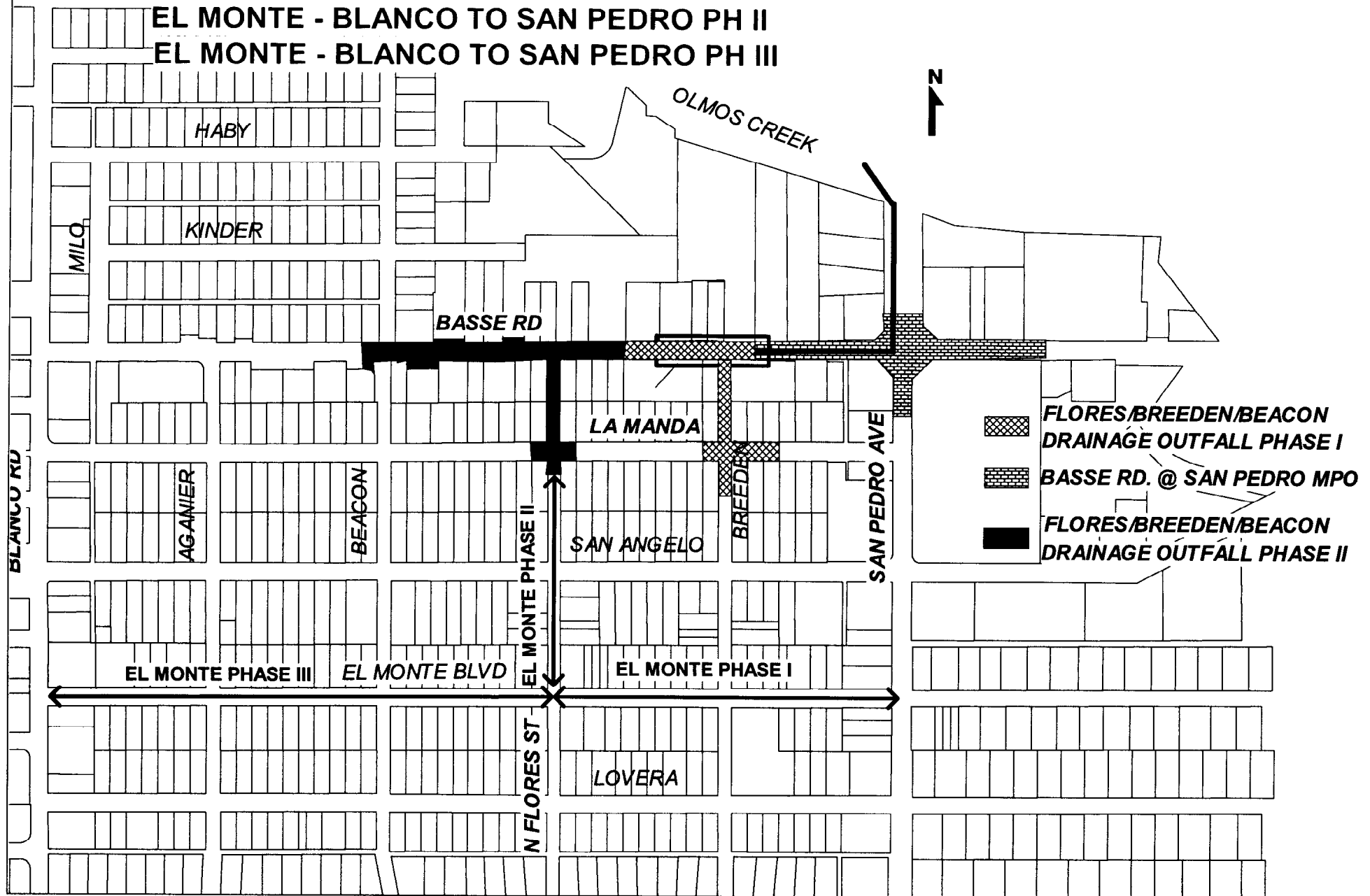
# FLORES/BREEDEN/BEACON OUTFALL PHASE I & II

BASSE RD. @ SAN PEDRO

EL MONTE - BLANCO TO SAN PEDRO PH 1

EL MONTE - BLANCO TO SAN PEDRO PH II

EL MONTE - BLANCO TO SAN PEDRO PH III





HOYT CONSULTING ENGINEERS, INC.  
SMALL BUSINESS ENTERPRISE

10223 HIGHWAY 281 NORTH, SUITE 104  
SAN ANTONIO, TEXAS 78216  
(210) 479-5410

December 3, 2003  
(Revised 2/5/04)

Jim Clements, P.E.  
Project Manager  
c/o A.S.M. Ferdous  
Department of Public Works  
P.O. Box 839966  
San Antonio, TX 78283-3966

Via e-mail & Regular Mail:

RECEIVED

FEB 10 2004

CITY OF SAN ANTONIO  
PUBLIC WORKS, CAPITAL PROGRAMS

RE: El Monte Blanco to San Pedro Phase II

Dear Jim,

We are pleased to offer this revised proposal to complete Civil Engineering Services on this project.

Since the fee through Design Phase (\$24,900) is of record, we propose to use it (with inflation) as the basis for this proposal. Fee through design with 4% inflation compounded for 3.25 years = \$28,600.

Percent by Phase:

Phase A	30%
Phase B	25%
Design Phase	20%
Bid Phase	10%
Construction Phase	15%

Fee Basis = Fee through Design \$28,600 = 38,133.33  
% through Design 0.75

In reviewing this proposal please bear-in-mind that when engineering services are not continuous it is less efficient which increases our costs. Also, during the time delays, City criteria has changed which causes redesign, redrafting and replotting. Further, the City of San Antonio has built new sidewalks within the project area and some property owners have changed driveways, fences, etc. This causes a need to resurvey and redraft drawings to update existing conditions.

Our 95% plans will have to be updated and replotted for changes in standards including wheel chair ramp location revisions. Further, since El Monte Phase II is being built before El Monte Phase I, the grades will have to be revised to take all flow to La Manda and then drainage will have to be restaked.

The above narrative provides the basis for the following fee breakdown.

<u>Basic Service Scope</u>		<u>Fee</u>
Bid & C.D. Phase	\$38,133 at 10%	\$ 3,813
Construction Phase	\$38,133 at 15%	\$ 5,720
	Subtotal	\$ 9,533
<u>Scope of Additional Services</u>		
Update the old 95% Design Phase Plans to New Standards		\$ 1,000
Revise grades at El Monte & N. Flores		\$ 1,200
Revise Drainage Computations		\$ 500

## 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:

Hoyt Consulting Engineers, Inc.

and the name of

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

Other subcontractors have not been selected at this time.

(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:

N.A.

(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:

N.A.

<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\*

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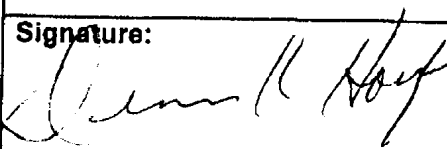
### Political Contributions

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:
None		

### 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.

Signature:  Dennis K. Hoyt, P.E.	Title: As President Company: Hoyt Consulting Engineers, Inc.	Date:  02/12/04

<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.