

CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
ASSET MANAGEMENT DEPARTMENT

CONSENT AGENDA

ITEM NO. 13

TO: Mayor and City Council

FROM: Rebecca Waldman, Director, Department of Asset Management

THROUGH: Terry M. Brechtel, City Manager

COPIES: Erik J. Walsh, Assistant to the City Manager; Malcolm Matthews, Director, Parks and Recreation Department; Thomas G. Wendorf, Director, Public Works Department; File

SUBJECT: Professional Services Agreement for Engineering Services associated with re-platting approximately 59 acres known as the Levi Strauss Property

DATE: July 22, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the selection of the firm of Poznecki, Camarillo and Associates, Inc. to perform engineering services associated with re-platting approximately 59 acres known as the Levi Strauss Property located at 5800 Old Highway 90 West, 5827 Highway 90, and adjacent unimproved land, in City Council District 6, of which approximately 37.4 acres is currently under contract for purchase by the City of San Antonio, located in City Council District 6; accepts the firm's proposal and awards a professional service contract in an amount not to exceed the sum of \$50,000.00 for such engineering services.

Staff recommends approval of this ordinance

BACKGROUND

Pursuant to Ordinance No. 99351, dated June 10, 2004 a Purchase and Sale Agreement was authorized with Levi Strauss & Co. in an amount not to exceed \$4,850,000.00 for approximately 58.9 acres, containing 2 primary buildings with a combined square footage totaling approximately 333,000 square feet, located on Highway 90 West, for use by the Departments of Public Works and Parks and Recreation. As provided for under the terms of the Purchase and Sale Agreement, the City of San Antonio was given the option to purchase only Building II and the adjacent 22-acre parcel with the stipulation that, if the option was exercised, the City would re-plot the property into three parcels at the City's expense in an amount not to exceed \$50,000.00.

Due diligence revealed that the purchase of Building I for use by the Public Works Department, was not financially feasible. As such, the City has exercised its option to purchase only Building II and the adjacent 22-acre parcel (approximately 37.4 acres total), for use by the Parks and Recreation Department, for the purchase price of \$3,300,00.00. Therefore, this item approves an engineering services agreement to provide for the re-platting of the property in accordance with the terms of the Purchase and Sale Agreement between Levi Strauss & Co. and the City.

This firm was selected following the City's release of a Request for Qualifications to which seven (7) firms responded. The Public Works Architectural and Engineering Selection Committee selected the firm of Poznecki, Camarillo and Associates, Inc. for the project. This firm was rated third, however, was selected due to the volume of projects that the first and second rated firms currently have with the City.

FISCAL IMPACT

The funding for these expenditures, in an amount not to exceed \$50,000.00, was authorized pursuant to Ordinance No. 99351, dated June 10, 2004, in which the amount of \$150,000.00 was appropriated in Fund 40-003407, Other Capital Projects, Municipal Buildings and Grounds, in Index Code 787986, entitled "Miscellaneous Services and Fees" and is authorized to be encumbered and made payable for miscellaneous services & fees in connection with Levi Strauss property project.

POLICY ANALYSIS

Approval of this Ordinance: 1) will facilitate the long-range goals of the Parks and Recreation Department, providing for improved operational efficiencies, thereby improving the services provided to the citizens of San Antonio; and 2) is in accordance with the terms of the Purchase and Sale Agreement between Levi Strauss & Co. and the City.

COORDINATION

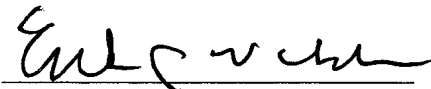
The agenda item has been coordinated with the Departments of Parks and Recreation, Public Works, and the City Attorney's Office.

SUPPLEMENTARY COMMENTS

The required Discretionary Contracts Disclosure form is attached.

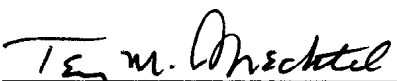


Rebecca Waldman, Director
Department of Asset Management



Erik J. Walsh
Assistant to the City Manager

Approved:



Terry M. Brechtel
City Manager

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:

Adalberto Camarillo, R.P.L.S.

(2) the identity of any **business entity**¹ that would be a party to the discretionary contract:

Poznecki, Camarillo and Associates, Inc.

and the name of:

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

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;

Andrew W. Poznecki, Jr., P.E.

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.

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.

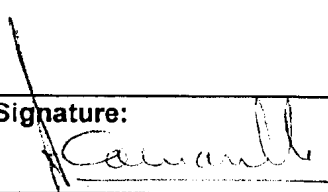
Political Contributions

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:
Ed Garza	\$2,000.00	March, 2003
Sandra Martinez	\$1,300.00	April, 2003

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.

Signature: 	Title: President Poznecki, Camarillo Company: and Associates, Inc.	Date: 6/25/04

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.