

**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; File

SUBJECT: Civil Engineering Services for the Garza Park Pedestrian Bridge Project

DATE: July 22, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes payment in the amount of \$16,385.00 to Bain Medina Bain, Inc., SBE/WBE/DBE, for civil engineering services associated with the Garza Park Pedestrian Bridge Project in City Council District 7 as authorized under a stand-by agreement approved by Ordinance 97945 on August 7, 2003; establishes a project budget; authorizes \$1,000.00 for bid advertising/printing expenses, \$3,000.00 for mandatory project fees and \$3,000.00 for engineering contingency, for a total amount of \$23,385.00 from 1999-2004 Park Bond funds; appropriates funds and provides for payment.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

Gilbert Garza Park is located in Council District 7 at 1450 Mira Vista. The 21.5 acre park is split by a large drainage canal that separates a swimming pool area from a recreation center. The 1999 Park Bond Issue approved funding for a pedestrian bridge to link the two areas, but the amount funded is not adequate to complete the project. This ordinance will approve payment to a consultant civil engineering firm that will provide for the drainage study of the pedestrian bridge over the channel and for design of the structural engineering at the bridge abutments. The remainder of the project is being designed by Parks and Recreation Department staff.

Bain Medina Bain, Inc., SBE/WBE/DBE, was selected as a stand-by consultant through Ordinance 97945 on August 7, 2003 and has submitted a proposal to complete the required tasks. The firm will prepare the drainage study and construction details. Bain Medina Bain, Inc. has been assigned one previous stand-by project with a fee of \$21,874.50.

The drainage study will be completed from August 2004 until November 2004. After the study and design is completed, additional funding will be required in order to construct the bridge and related walkway. At that time an implementation schedule can be developed.

POLICY ANALYSIS

These actions are consistent with the approved 1999 Park Bond Issue, which designated funds for this project. The engineer was selected in accordance with established selection procedures through Ordinance 97945 on August 7, 2003.

FISCAL IMPACT


Funding of \$63,459.00 was approved in the 1999 Park Bond Issue for this project and the proposed ordinance will allocate funds of \$23,385.00. Engineering fees are \$16,385.00, engineering contingency is \$3,000.00, bid advertising/printing is \$1,000.00 and mandatory project fees are \$3,000.00. The General Fund is not impacted by this action.

COORDINATION

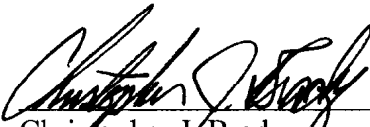
The Finance Department and the Office of Management and Budget have assisted with this action.

SUPPLEMENTARY COMMENTS

A Discretionary Contracts Disclosure Form is attached from Bain Medina Bain, Inc.




Malcolm Matthews,
Director of Parks and Recreation



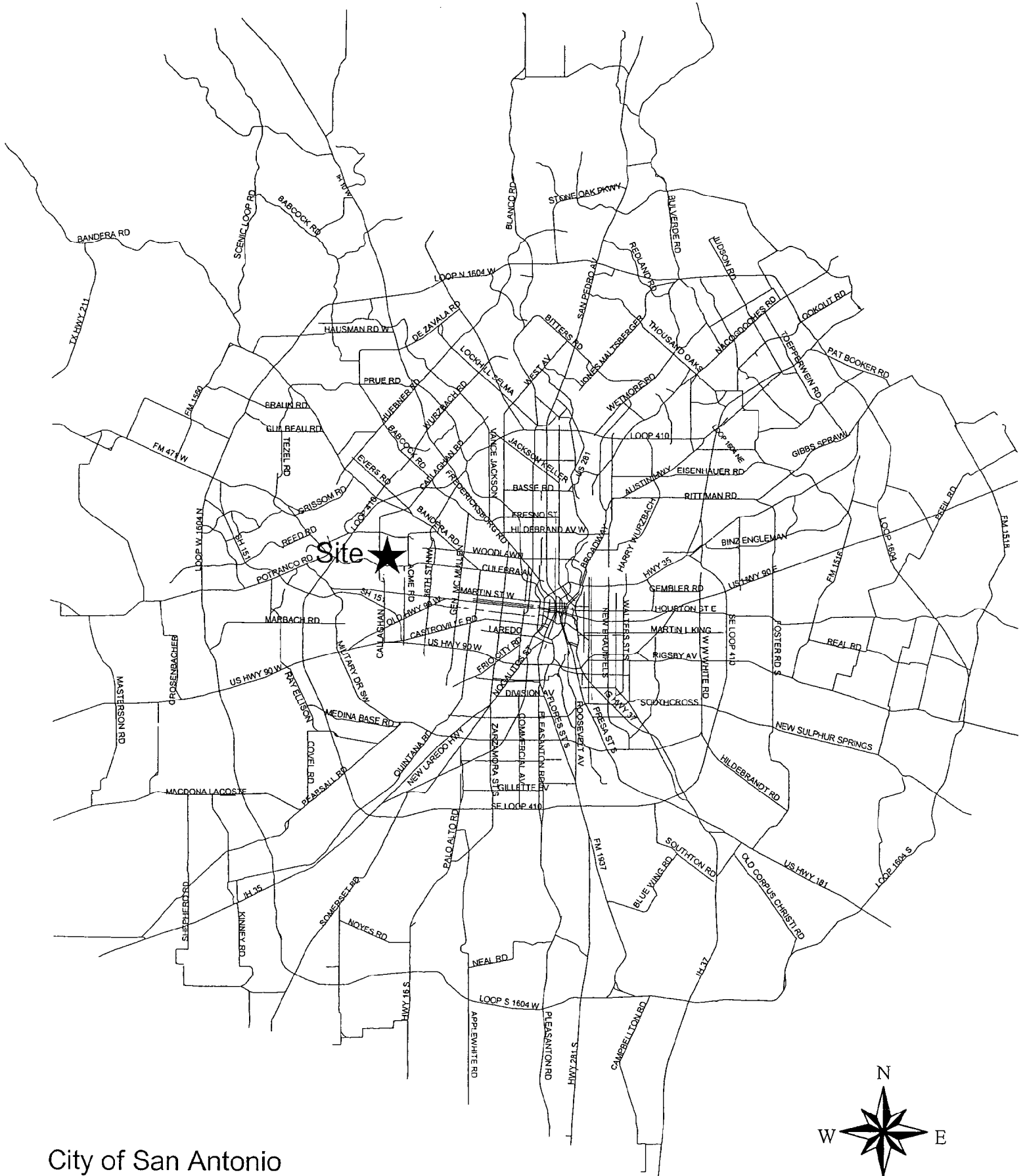
Christopher J. Brady,
Assistant City Manager

Approved:

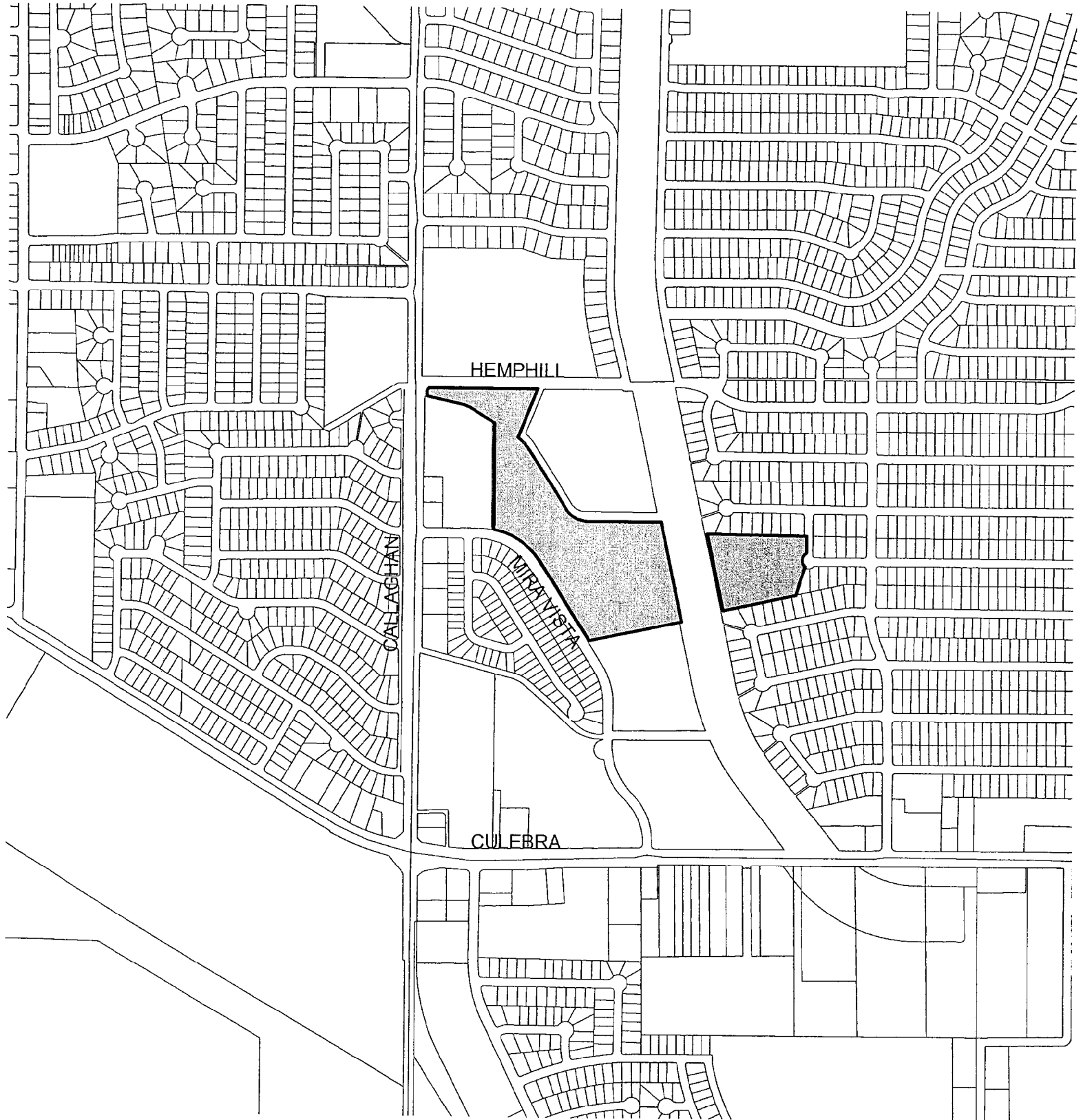


Terry M. Brechtel
City Manager

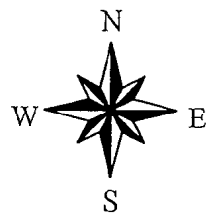
Site Map Garza Park



Site Map Garza 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 91), (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:

Pamela Bain, as President of Bain Medina Bain, Inc.

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

Bain Medina Bain, Inc. would be the sole business entity for this contract.

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;

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.

City of San Antonio Discretionary Contracts Disclosure*

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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

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 or indirectly to any current or former member of City Council, and 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 entity 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: |
|---|---------------|----------------------------|
| David Carpenter | \$140.00 | April 2001 |
| CECPAC | \$360.00 | March 2001 |
| Friends of Ed Garza and Nelson Wolff | \$150.00/each | September and October 2002 |
| Friends of Bonnie Conner, Robert Tejada, Carroll Schubert, Bobby Perez, Toni Moorehouse, Lyle Larson, David Carpenter, Julian Castro, Paul Elizondo and Enrique Barrera | \$50.00/each | July thru October 2002 |
| Toni Moorehouse, Enrique Barrera and Carroll Schubert | \$70.00/each | May 2003 |

Disclosure 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 would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

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.

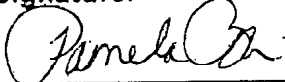
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| | | |
|--|---|---------------------------------|
| | | |
| Signature:  | Title: President Company: Bain Medina Bain, Inc. | Date: May 2, 2003 |