

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

CONSENT AGENDA

ITEM NO.

7

TO: Mayor and City Council

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

THROUGH: J. Rolando Bono, Interim City Manager

COPIES: Melissa Byrne Vossmer; Andrew Martin; Peter Zaroni; Milo D. Nitschke; and file

SUBJECT: Ave Maria Drainage

DATE: October 14, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance amends the professional services agreement in the amount of \$44,370 for additional professional engineering services, payable to Turner, Collie & Braden, Inc., in connection with the Ave Maria Drainage project, an authorized 1999-2004 General Obligation Drainage Improvement Bond funded project located in Council District 1.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This project involves the reconstruction of Ave Maria to a 30-foot width from Jackson Keller to San Pedro, drainage channel improvements from Jackson Keller to Oak Bend, and any necessary utility improvements. It will also include parkway improvements such as curbs, sidewalks, and driveway approaches. Project construction is anticipated to begin in July of 2005 and be completed in October of 2006.

This ordinance will amend the professional services agreement and authorize funds in the amount of \$44,370 payable to Turner, Collie & Braden, Inc., for the revision and redesign of the original plans. Due to the complexity of the project, and the need to perform associated hydrologic and hydraulic analyses, the project requires additional engineering and project management time than what was originally anticipated. The consultant's proposal is included herein as Attachment 2.

This professional services agreement was approved by City Ordinance Number 94912 on March 8, 2002, and initially authorized \$195,470 for engineering services in connection with this project. Subsequently, Ordinance Number 97270, passed and approved on March 6, 2003, and Ordinance Number 97904, passed and approved on August 7, 2003, increased the total contract amount to \$233,560, and authorized additional professional services. This ordinance will increase the total authorized for this professional services agreement to \$277,930.

POLICY ANALYSIS

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

FISCAL IMPACT

This is a one-time capital improvement expenditure and included in the FY05-10 Capital Improvement Budget. Funds in the amount of \$44,370 are available from 1999 General Obligation Drainage Bond Improvement funds and are authorized payable to Turner, Collie & Braden, Inc. for additional engineering services.

COORDINATION

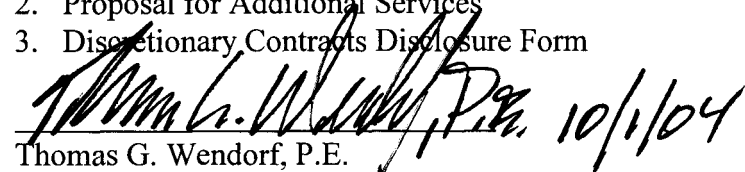
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

SUPPLEMENTARY COMMENTS

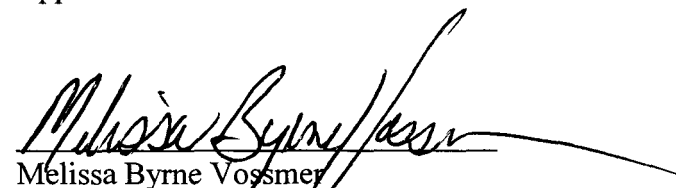
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.

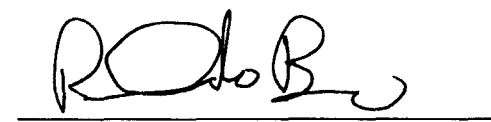
ATTACHMENTS

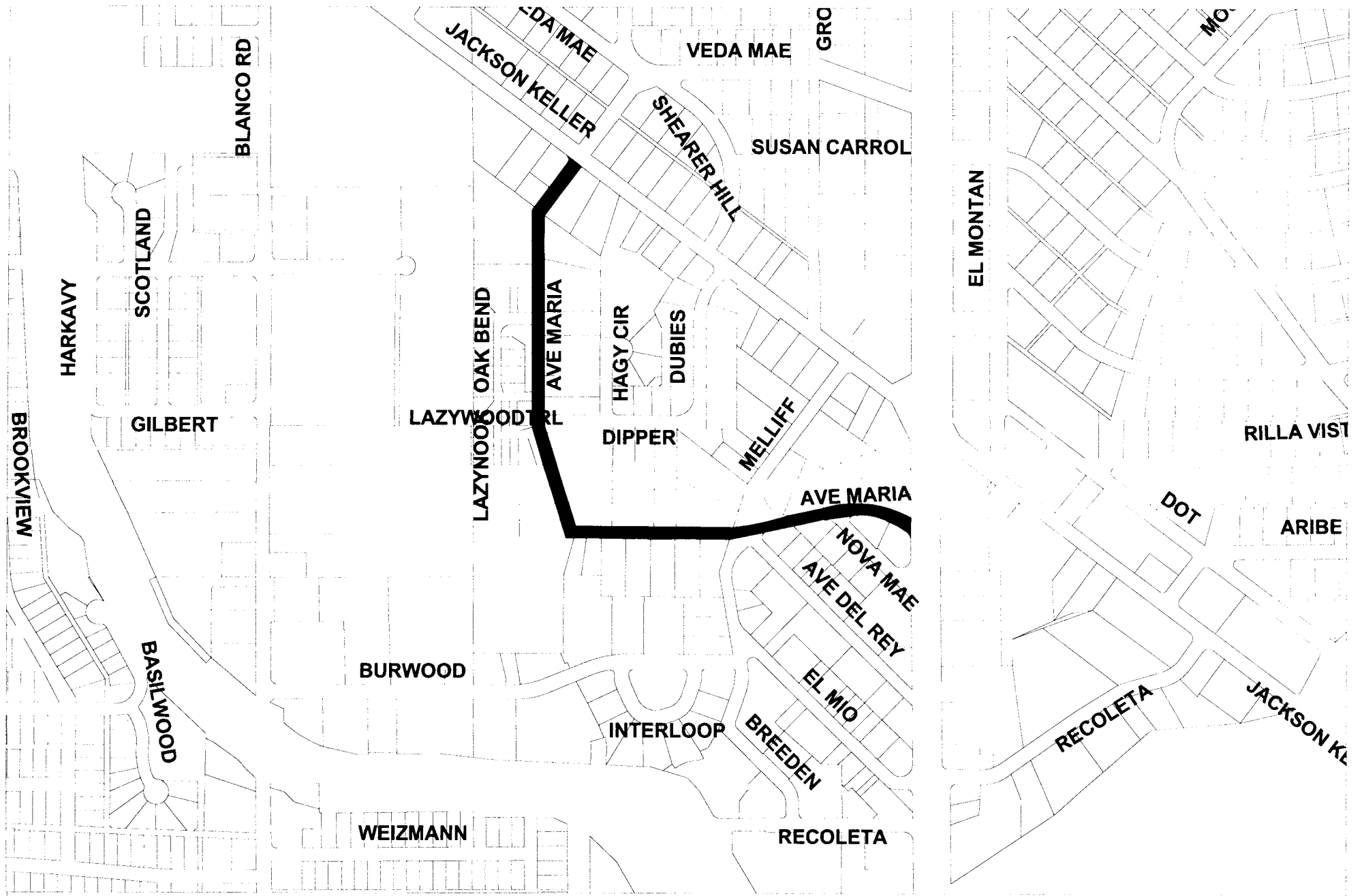
1. Project Map
2. Proposal for Additional Services
3. Discretionary Contracts Disclosure Form


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

Approved:


Melissa Byrne Vossmer
Assistant City Manager


J. Rolando Bono
Interim City Manager



CITY OF SAN ANTONIO
Department of Public Works
CAPITAL PROGRAMS DIVISION

AVE MARIA DRAINAGE STREET PROJECT



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:

N/A

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

and the name of:

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

Garcia Wright Consulting Engineers, Inc.
Drash Consulting Engineers, Inc.

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,

Parent Business Entity of Turner Collie & Braden Inc. - TCB INC.

(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

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*

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.

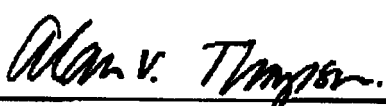
Political Contributions

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:
Roger Flores	\$ 110.00	August 31, 2004
Richard Perez	\$ 110.00	August 13, 2004
Chip Haass	\$ 110.00	August 13, 2004
E.M. Barrera	\$ 110.00	April 30, 2003
Roger Flores	\$ 240.00	June 3, 2003
Ed Garza	\$ 110.00	August 8, 2002
Chip Haass	\$ 110.00	June 3, 2003
Art Hall	\$ 110.00	June 3, 2003
Antonette (Toni) Moorhouse	\$ 110.00	April 30, 2003
Patti Radle	\$1,000.00	June 3, 2003
Carroll Schubert	\$ 110.00	January 24, 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 question¹ 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.

<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Signature:  </div> <div style="width: 35%;"> Title: Principal Company: Turner Collie & Braden Inc. </div> <div style="width: 30%;"> Date: 10-5-04 </div> </div>		
---	--	--

¹ 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.