

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
AVIATION DEPARTMENT**

TO: Mayor and City Council

FROM: Kevin C. Dolliole, Aviation Director

THROUGH: J. Rolando Bono, Interim City Manager

COPIES: Finance, Office of Management & Budget, Public Works, File

SUBJECT: Consultant Selection – Residential Acoustical Treatment Program

DATE: October 14, 2004

SUMMARY & RECOMMENDATION

This ordinance selects the firm of THC, Inc., and authorizes the negotiation of a detailed scope of service, fee and contract for the Acoustical Treatment Consultant (ATC) to implement the Residential Acoustical Treatment Program (Program). This proposed contract assigns to the ATC, the work effort, accountability and responsibility for the design, construction, public relations, and legal services to fully implement the Program. This ordinance is the initial action for the full program implementation to include the treatment of potentially 5,100 residences.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

Within its Five-Year Capital Program, the City has a program to acoustically treat qualifying residences proximate to San Antonio International Airport. This program is a derivative of the noise compatibility studies completed since 1991 and is consistent with Federal Guidelines and requirements mandated in our grant assurances.

The purpose of this Program is to acoustically treat qualifying residences proximate to San Antonio International Airport through the Federal noise program. The City's Program was developed through a pilot program in which protocol for construction implementation, administration, public relations and team organization was established.

The Program has been designed around the Single Parcel Method (SPM) of procurement. With this method, construction procurement is performed through a selection process using a database of approved contractors developed through a series of outreach, training conferences and seminars. Homeowners participate in the selection process and have an opportunity to review contractor's portfolios and conduct interviews before selecting a minimum of three contractors. The selected contractors prepare and submit bids to the ATC who then enters into a construction contract with the lowest of the three bidders. With individual contracts held on each participating

home, it is much more efficient to have these contracts held by the ATC who is then directly accountable for the quality of construction and homeowner liaison. Under the contract, the ATC is reimbursed for construction costs for design, public relations, legal and other associated fees on a monthly basis.

Along with construction, the ATC will provide design services, public relations, and legal services to fully implement the Program. The Program will commence with a set-up phase including the establishment of the block prioritization and a product showroom, as well as the development of the public information brochure, homeowner handbook and homeowner orientation material. The ATC will also be required to develop and conduct an outreach program for potential construction contractors to explain the Program, qualifications to participate, and the bidding, contracting and payment process. Contractor Pre-Qualification and Training will be an ongoing process throughout the term of the program.

Once the set-up phase is complete, the Program will be cyclical in nature. The renovation of one group of residences will be in process while the next group is under design. This will roll into construction and the following set of residences will come under design. A typical cycle will consist of the following major elements:

- Community Outreach
- Qualification & Selection Process
- Meet with Selected Homeowners
- Develop Design Package
- Execute Avigation Easements
- Contractor Selection Process
- Renovations
- Close Out

Texas law requires public procurement using a design build method to enlist the services of an independent design review. The FAA grant assurances require full time on-site inspection services for all grant funded projects. A Request for Qualifications will be issued in the near future for these services.

The advantages to the Single Parcel Method are:

- ➔ Homeowner involvement with entire process including contractor selection leads to much higher customer satisfaction.
- ➔ The process is self-purging. Contractors who do not perform well are not likely to be selected for future work.
- ➔ Potentially higher participation of SBEDA and DBE

POLICY ANALYSIS

This action is consistent with the City's policy of improving facilities at San Antonio International Airport.

FISCAL IMPACT

This action has no fiscal impact. Funds for this work will be appropriated by a subsequent ordinance approving the Professional Services agreement. Fees for this contract are estimated to range from \$2,500,000.00 to \$3,000,000.00 and will be established based on the final scope and staffing requirements to be determined during contract negotiations.

COORDINATION

This request for ordinance has been coordinated with the Public Works, Asset Management, and Finance Departments, the City Attorney's Office, and the Office of Management and Budget.

SUPPLEMENTARY COMMENTS

The City requested Interest Statements from firms desiring to provide Acoustical Treatment Consultant services. The Request for Qualifications was posted on the City's website and advertised in both the AAAE and ACI trade publications. A mandatory pre-proposal meeting was conducted to fully disclose the scope, size and complexity of the Project in order to assist the participants in formulating teams.

In response to the Request for Qualifications, three qualified interest statements were received from the following prime consultants:

1. C&S Design Build, Inc.
2. THC
3. W. D. Schock Company

Eight members of City staff representing the following six City Departments were established as the interview committee. Two additional members of City Staff provided special evaluations.

Planning
Housing & Community Development
Economic Development
Neighborhood Action
Public Works
Aviation Department

Special Evaluation

Finance
Economic Development (SBEDA)

The committee interviewed all three firms, giving consideration to past experience and recognizing ability and competence to provide such services.

Each member of the committee independently rated each team. A composite rating was developed from an average of the eight technical evaluations plus the SBEDA and financial ratings. An evaluation criterion totaling 100 points was distributed as follows:

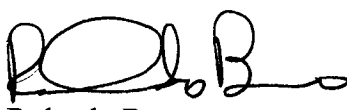
Management Ability of Team	15
Technical Capability of Team	20
Action Plan	15
Relevant Experience of the Team	25
Financial Stability	5
SBEDA	20

Based on the interviews and the ratings, the interview committee has recommended that the firm of THC, Inc. be selected for negotiation of a contract for the Acoustical Treatment Consultant. A copy of the final ratings is attached.

The Discretionary Contracts Disclosure Form submitted by THC, Inc. is attached.


Kevin C. Dolliole
Aviation Director

Approved:


J. Rolando Bono
Interim City Manager

Attachments

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.

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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 response for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract:

Joe A. Carroll / President

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

THC, 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;

N/A

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.

(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

Political Contributions


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To Whom Made:	Amount:	Date of Contribution:
	N/A	

Disclosures in Responses

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.

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.

Signature: 	Title: <i>President</i> Company: <i>THC, Inc.</i>	Date: <i>3-25-04</i>

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Joe A. Carroll / President

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

THC, Inc.

and the name of:

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

Gabriel Durand-Hollis FAIA - Durand-Hollis Rupe Architects, Inc.

Alicia C. Trevino, AIA - Durand-Hollis Rupe Architects, Inc.

Greg T. Shue, AIA - Durand-Hollis Rupe Architects, 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;

N/A

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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.

N/A

Political Contributions

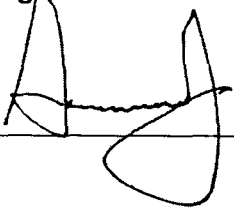
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To Whom Made:	Amount:	Date of Contribution:
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Disclosures in Responses

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Signature: 	Title: President.	Company: Durand-Hollis Rupe Architects, Inc.	Date: March 22, 2004

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.

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Disclosure of Parties, Owners, and Closely Related Persons

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(1) the identity of any **individual** who would be a party to the discretionary contract:

Joe A. Carroll / President

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

THC, Incorporated

W.D. Schock Company, Inc.
and the name of:

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

Landrum & Brown, Incorporated
11279 Cornell Park Drive
Cincinnati, OH 45242

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

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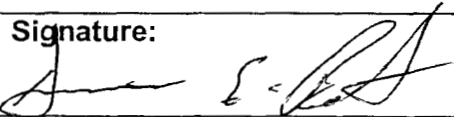
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To Whom Made:	Amount:	Date of Contribution:
Not Applicable		

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.

None		
Signature: 	Title: Chief Financial Officer Company: Landrum & Brown, Incorporated	3-24-04

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.

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Joe A. Carroll / President

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

THC, Inc.

and the name of:

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

Center for Energy & Environment
211 North 1st Street
Suite 455
Minneapolis, MN 55401

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:

NA

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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.

COSA Form 1050-33-2, d form, 09/12/02 NA

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NA		

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NA

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Signature: 	Title: Executive Director Company: Center for Energy & Environment	Date: March 24, 2004

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Joe A. Carroll / President

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THC, Inc.

and the name of:

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

AEHS, 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;

N/A

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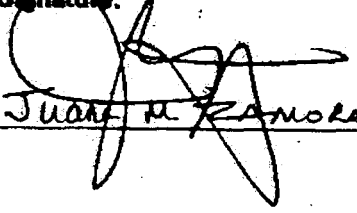
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Signature:  Juan R. Ramola	Title: President Company: AETHS, INC.	Date: 3-24-04

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Joe A. Carroll / President

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

THC, Inc.

and the name of:

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

DM Dukes & Associates, Inc. - Dawnna M. Dukes, President

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:

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None

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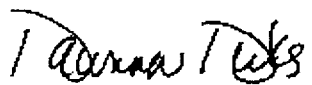
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None

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Signature: 	Title: President Company: DM Dukes & Associates, Inc.	Date: March 24, 2004

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Signature: <i>Walter J. Lor</i>	Title: Vice President Company: Psomas	Date: 3/25/04

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THC, Inc.

and the name of:

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

Kevin Wolff - First American Title Insurance Company

and the name of:

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N/A

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N/A

Political Contributions

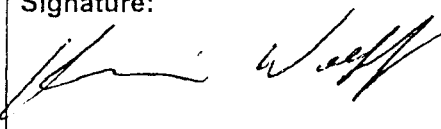
Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a response for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any *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:
	N/A	

Disclosures in Responses

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.

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.

Signature: 	Title: C. O. O. E. V. P. Company: FIRST AMERICAN TITLE SAN ANTONIO, DIVISION	Date: 3/22/04

**PROJECT: Acoustical Treatment Consultant
at**

**San Antonio International Airport
INTERVIEW REVIEW**

C I T Y O F S A N A N T O N I O

	Weight Factors	15	20	15	25	5	10	5	5	100
No.	Candidates	Management Ability of Team	Technical Capability of Team	Action Plan	Team's Experience on Similar Projects	Financial Status	**Locally Headquartered Business Enterprise	** Disadvantaged Business Enterprise (DBE)	** Small Business Economic Development Advocacy Policy Compliance (SBEDA)	Total Rating
1	C&S Design Build, Inc.	11.94	15.63	12.50	18.63	3.00	3.10	2.05	5.00	71.84
2	THC	12.00	17.00	12.38	20.00	5.00	2.70	1.55	4.00	74.63
3	W. D. Schock Company	11.50	15.25	10.88	18.63	5.00	5.10	2.00	4.00	72.35
4										
5										
6	Ranking By Category									
7	C&S Design Build, Inc.	2	2	1	2	2	2	1	1	3
8	THC	1	1	2	1	1	3	3	2	1
9	W. D. Schock Company	3	3	3	2	1	1	2	2	2
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Notes: * Special Considerations - special expertise regarding codes, ADA, rules, regulations, regulatory agency criteria, etc. of: TNROC (Texas Natural Resource Conservation Commission), HDRC (Historic and Design Review Commission) and other as applicable to this project.

** Percentages for Locally Headquartered Businesses, DBE firms and Small Business Economic Development Advocacy policy compliance will be provided by Economic Development Department.

Reviewer: Summary

Date:

PROJECT: Acoustical Treatment Consultant

at

San Antonio International Airport

INTERVIEW REVIEW

C I T Y O F S A N A N T O N I O

No.	Candidates	Rater 1	Rater 2	Rater 3	Rater 4	Rater 5	Rater 6	Rater 7	Rater 8	Financial Status	SBEDA	Ranking
1	C&S Design Build, Inc.	65.00	60.00	60.00	58.00	57.00	60.00	70.00	39.50	3.00	10.15	3
2	THC	69.00	69.00	71.00	67.00	33.00	63.00	67.00	52.00	5.00	8.25	1
3	W. D. Schock Company	50.00	50.00	49.00	50.00	60.00	63.00	65.00	63.00	5.00	11.10	2
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Notes: * Special Considerations - special expertise regarding codes, ADA, rules, regulations, regulatory agency criteria, etc. of: TNRCC (Texas Natural Resource Conservation Commission), HDRC (Historic and Design Review Commission) and other as applicable to this project.

** Percentages for Locally Headquartered Businesses, DBE firms and Small Business Economic Development Advocacy policy compliance will be provided by Economic Development Department.

Reviewer: Rankings by Rater