

**CITY OF SAN ANTONIO  
PUBLIC WORKS DEPARTMENT  
CITY COUNCIL AGENDA MEMORANDUM**

**CONSENT AGENDA**  
**ITEM NO. 16**

TO: Mayor and City Council

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

SUBJECT: Salado Creek Hike and Bike Project, Phase I

DATE: December 9, 2004

**SUMMARY AND RECOMMENDATIONS**

This ordinance amends the professional services agreement in the amount of \$96,835.00 for additional professional engineering services, payable to Pape-Dawson Engineers, Inc. and authorizes additional engineering contingency in the amount of \$9,639.00, for a total amount of \$106,474.00, payable from 1999-2004 General Obligation Flood Control with Park Improvement Bond funds in connection with the Salado Creek Hike and Bike Project, Phase I, an authorized Metropolitan Planning Organization (MPO) project located in Council District 2.

Staff recommends approval of this Ordinance.

**BACKGROUND INFORMATION**

The Salado Creek Hike and Bike Project, Phase I will provide for the construction of a hike and bike trail from Willow Springs Golf Course to Comanche Park. Project construction is anticipated to begin in July 2005 and to be completed by July 2006.

This ordinance will amend the professional services agreement and authorize funds in the amount of \$96,835.00 payable to Pape-Dawson Engineers, Inc. for additional work associated with the preparation of schematics for adjustments to area park entrances following changes in Texas Department of Transportation (TxDOT) requirements. The additional professional services will also include construction administration under the recently approved Local Area Management Agreement with TxDOT, in the amount of \$39,000, and additional surveying costs for environmental investigations in the amount of \$21,840, which were not included in the original contract. The consultant's proposal is included herein as Attachment 2.

This professional services agreement was approved by City Ordinance Number 90848, on November 23, 1999, and initially authorized \$195,000.00 for engineering services in connection with this project. Previous amendments to this professional services agreement in the amount of \$154,665.00 have increased the total amount of the contract to \$349,665.00. This ordinance will increase the total authorized for this professional services agreement to \$446,500.00.

**POLICY ANALYSIS**

Approval of this ordinance will be a continuation of City Policy to participate in the development and construction of 1999-2004 General Obligation Flood Control with Park Improvement Bond

and City selected and approved MPO funded Capital Improvement Projects, which are approved annually by City Council.

### **FISCAL IMPACT**

This is a one-time capital improvement expenditure and included in the FY 05-10 Capital Improvement Budget. Funds in the amount of \$106,474.00 are available from 1999-2004 Flood Control with Park Improvement Bond funds and are authorized payable as follows:

\$96,835.00	payable to Pape-Dawson Engineers, Inc. for additional engineering services
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\$ 9,639.00	payable for additional design contingency
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### **COORDINATION**

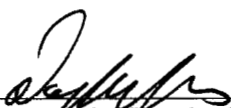
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

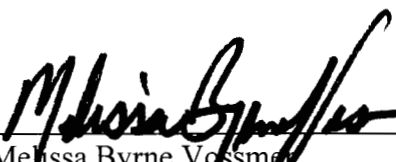
### **SUPPLEMENTARY COMMENTS**

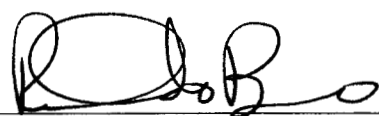
The Discretionary Contract Disclosure Form required by the Ethics Ordinance is attached.

### **ATTACHMENTS**

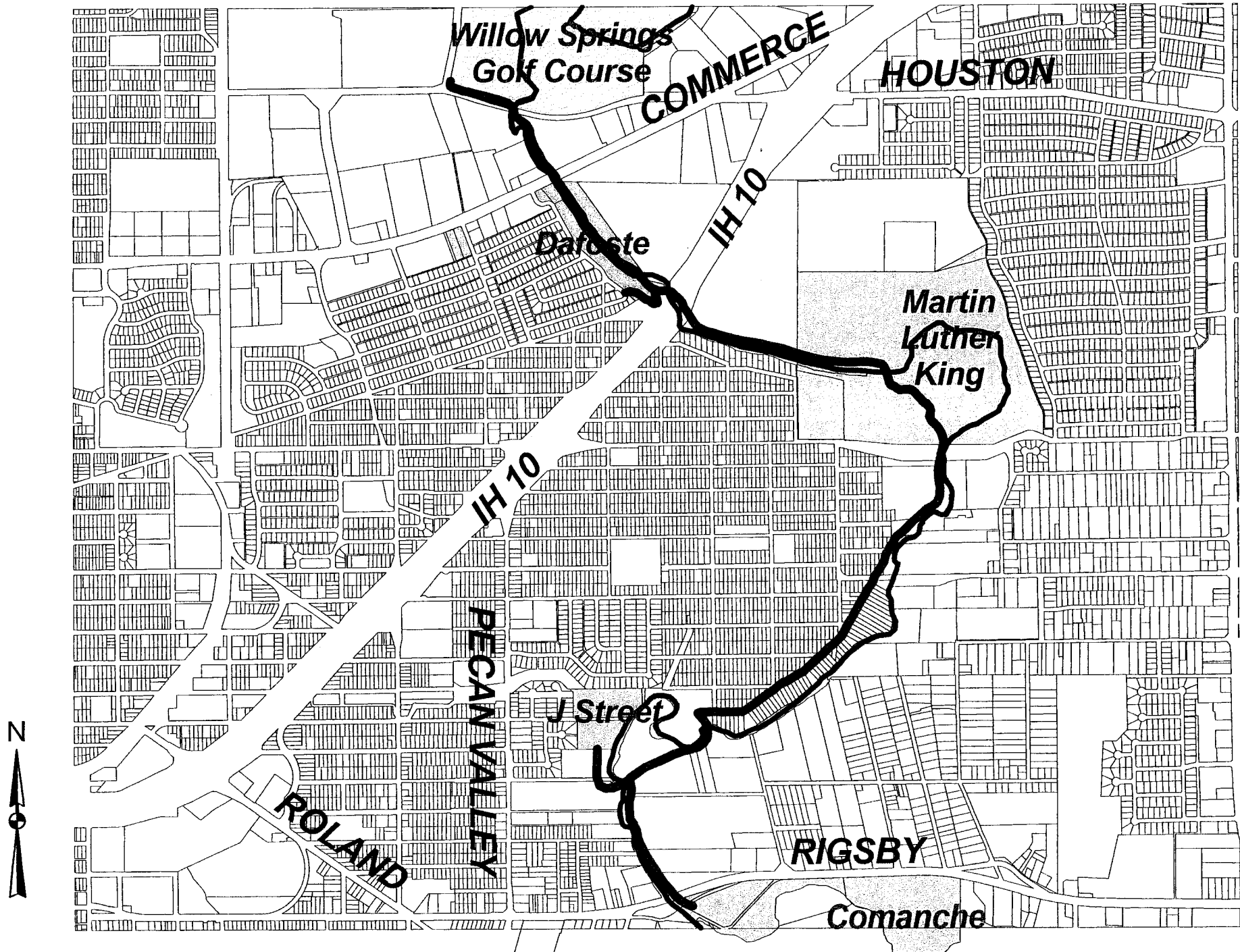
1. Project Map
2. Consultant's Proposal
3. Discretionary Contracts Disclosure Form

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

  
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Melissa Byrne Vossme  
Assistant City Manager

  
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J. Rolando Bono  
Interim City Manager

# SALADO CREEK HIKE & BIKE - PHASE I





October 11, 2004

Mr. Dean Bayer, P.E.  
Capital Programs Project Manager  
City of San Antonio  
P.O. Box 839966  
San Antonio, TX 78283-3966

Re: Salado Hike and Bike Trail, Phase I  
Comanche Park to Willow Springs Golf Course  
Additional Services Request

Dear Mr. Bayer:

As requested, please accept the following proposal to provide various additional services for the project referenced above. The additional services involve construction administration services, additional work associated with the schematic approval process, additional surveying and scour analyses.

We understand the City will administer the project construction under a Local Area Management Agreement with TxDOT and is requesting support from Pape Dawson in these efforts. Please recall that the current scope of services, authorized on August 16, 2002, was developed to eliminate construction administration services from the services of our original contract. Accordingly, we have prepared the following scope to outline the services to be provided during construction.

- 1) Preparation of bid documents and bid proposal
- 2) Analysis of the bids and bid tabulation
- 3) Recommendation of qualified bidder
- 4) Attendance of 46 construction observation site visits (bi-monthly for 18 months with 10 non-scheduled additional site visits)
- 5) Periodic project meetings with City of San Antonio and TxDOT personnel (estimated at 10 meetings)
- 6) Attend alignment adjustment walk throughs (maximum of 4)
- 7) Review shop drawings and testing reports submitted by contractor
- 8) Observe landscape installation on a monthly basis (18 site visits)
- 9) Provide construction observation progress reports
- 10) Review contractor pay requests and approval recommendation

We would like to note this proposal does not include construction staking services. We will provide the descriptions and locations of survey control points within the project

**PAPE-DAWSON ENGINEERS, INC.**

555 East Ramsey | San Antonio, Texas 78216 | Phone 210 375 9000 | Fax: 210 375 9010 | [info@pape-dawson.com](mailto:info@pape-dawson.com)

Mr. Dean Bayer, P.E.  
Salado Creek Hike and Bike Trail, Phase I  
Commanche Park to Willow Springs Golf Course  
October 11, 2004  
Page 2 of 3

limits, which were set/obtained during project design. The contractor will be responsible for all construction staking. Also, please note that Rialto Studio, Inc will be assisting in the construction services to observe landscaping issues and be available for alignment revision walk throughs. We respectfully request that our budget be increased by \$39,000 to provide construction administration services.

We also request compensation for effort expended during the schematic review and approval process, which was not in our current scope. The effort included several unscheduled meetings with City and State personnel, revisions due to changing TxDOT design criteria, preparation of a tree inventory and several re-submittals of the schematic. For this effort, we respectfully request that our budget be increased by \$32,495.

Additionally, we request compensation for effort expended for surveying services which have been provided which have been beyond that originally scoped. The surveying services included recovering control points for the hike and bike trail, staking of the crossings and obtaining rights-of-entry. For this effort, we respectfully request that our budget be increased by \$21,840.

Per our recent meeting, Storm Water Engineering has requested scour analysis data for each of the proposed hike and bike trail creek crossings. This service is not included in our current scope. The analyses and resultant report will be based upon soil conditions delineated on Bexar County Soils Maps and will be based upon detailed soils analyses of each crossing. We respectfully request that our budget be increase by \$3,500 to provide these services.

In summary, the total of the amounts indicated above are tabulated as follows.

Construction Administration	<u>\$39,000</u>
Schematic Fee	<u>\$32,495</u>
Surveying Fee	<u>\$21,840</u>
Scour Analysis	<u>\$3,500</u>
<u>Total Fee Increase</u>	<u>\$96,835</u>

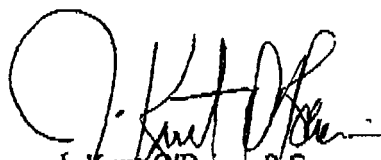
Mr. Dean Bayer, P.E.  
Salado Creek Hike and Bike Trail, Phase I  
Commanche Park to Willow Springs Golf Course  
October 11, 2004  
Page 3 of 3

We appreciate the opportunity to work with you on this project. If you concur with this request, please acknowledge your approval by signing in the space provided below and returning this letter to our office. If you have any questions or need additional information, please do not hesitate to contact me at your earliest convenience.

Sincerely,  
Pape-Dawson Engineers, Inc.



Steven C. Dean, P.E.  
Engineering Manager



J. Kent O'Brien, P.E.  
Vice President, Transportation

cc: Michael Guerra, E.I.T.

**ACKNOWLEDGED AND ACCEPTED**

By: Dean Bayer PE

Date: 11/22/04

# 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 an **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.

Pape-Dawson Engineers, Inc.

**and** the name of:

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

Givler Engineering, Inc.

Poznecki-Camarillo & Associates, Inc.

C.F. Zavala Group

Arias & Associates, Inc.

Williams CAD Consulting

(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;

None

<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.

- (3) the identity or an 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


### 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:
See attached		

### 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.

<b>Signature:</b>  Wayne Brasington	<b>Title</b> CFO <b>Company:</b> Pape-Dawson Consulting Engineers, Inc.	<b>Date:</b> 11/05/04
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<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.