

**CITY OF SAN ANTONIO
NEIGHBORHOOD ACTION DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council
FROM: David D. Garza, Neighborhood Action Director
SUBJECT: On Call List for Contractor Services for Lead Based Paint Projects
DATE: November 4, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance accepts the proposals and authorizes the execution of a professional services agreement with SW Texas Environmental Contractors, Inc. and JGG Integrated Construction, LLC for a one-year period and two (2) one-year renewal options with a contract value not to exceed \$500,000 for each contract for a total amount of \$1,000,000. The ordinance would authorize the City Manager or his designee to execute the agreements contingent upon funding availability; and provide for payment of these services.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The Neighborhood Action Department is required to conduct lead hazard control work through the Department's housing programs to address lead hazards found in housing units receiving assistance from federal funds and through the HUD Lead Grant recently awarded through the Office of Healthy Homes and Lead Hazard Control. To engage contractors for this work, the City advertised a request for qualifications for contracting firms to perform Lead-Based Paint Hazard Control Work. There were a total of seven (7) respondents to the RFQ that submitted by the deadline of September 22, 2004.

City staff proposes to engage environmental contractors to perform lead hazard control work. These contractors include SW Texas Environmental Contractors, Inc. and JGG Integrated Construction, LLC. The selection committee evaluated the proposals based on their experience, knowledge of lead abatement rules and regulations, and demonstrated ability to complete lead abatement activities. The RFQ further required all firms to be licensed rehabilitation contractors by the City of San Antonio. The recently awarded Lead Based Paint Hazard Control grant provides funding for training of contractors to become state certified lead abatement contractors. Staff will be working over the next few months to identify additional contractors that can be trained and certified as lead abatement contractors through the Department of State and Health Services.

The proposed contractor services will include lead abatement and interim controls. Lead abatement is the removal, replacement, enclosure or encapsulation of lead-based paint. Interim controls include but are not limited to paint stabilization. State certified lead consultants, contracted separately by the City, will conduct comprehensive lead inspections and risk assessments on all privately owned residential properties to determine the location and extent of the lead hazards that will be addressed during the lead hazard control process. These consultants will then write specifications and Occupant Protection Plans detailing the lead hazard control work to be conducted by the certified lead abatement contractor. During lead hazard control work, the Consultant will be responsible for monitoring the project and ensuring all work done by the Contractor is in accordance with state and federal regulations. After lead hazard control work is complete, clearance testing will be conducted, by the lead Consultant, on each privately owned residential property or multi-family development prior to moving the occupants back into the dwellings.

POLICY ANALYSIS

The proposed environmental contracting firms were selected through the request for qualifications process. Attachment A illustrates the ranking of the proposals submitted. The evaluating team consisted of staff from Neighborhood Action, Environmental Services and Economic Development Department's SBEDA office. The responses were ranked and the top two firms are being recommended to assist with these services. The City is planning to go through another Request for Qualifications process in order to recruit additional contractors that can be trained, as this is a requirement for the grant. Additional contractors will be needed to meet the workload associated with the \$2,000,000 Lead Based Paint grant awarded from HUD's Office of Healthy Homes.

The proposed contractors will be on-call for various lead contracting activities associated with the City's Owner-occupied Rehabilitation Program, Rental Rehabilitation Program, Lead-Based Paint Program and other housing programs requiring the need to address lead hazards. Subject to funding availability, the proposed agreements shall include a one-year term with two (2) one-year renewals.

FISCAL IMPACT

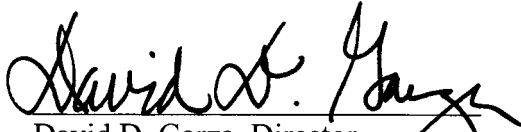
The funds for these on-call contractor services are available from CDBG funds allocated for FY 2004-2005 in connection with the Neighborhood Action Department's housing programs. The two contract with these firms will be funded from these funds. Each contract would not exceed \$500,000 for the one-year term and renewal options. In addition, the funds for these services are available from the recently awarded \$2 million HUD Lead Based Paint Grant, of which \$1.7 million is available to address lead hazards in housing units.

COORDINATION

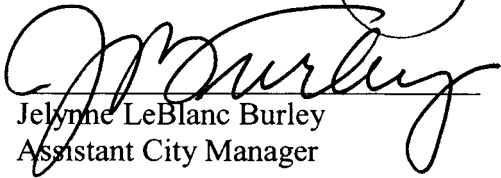
This item has been coordinated with the Environmental Services Department, Asset Management, Economic Development Department and the City Attorney's Office.

SUPPLEMENTARY COMMENTS

The Discretionary Contracts Disclosures are attached for SW Texas Environmental Contractors, Inc. and JGG Integrated Construction, LLC.



David D. Garza, Director
Neighborhood Action



Jelynn LeBlanc Burley
Assistant City Manager



J. Rolando Bono
Interim City Manager

Attachment A

Project Service Category: Lead-Based Paint Hazard Control Program
TOTAL SCORES

	JGG Integrated Construction LLC (SBE/MBE)	SW Texas Env Services	Jett Builders (SBE/MBE/WBE)	Bryand Custom Homes	Bolado Environmental & Construction Services LLC	Certified LVI
Responsiveness to the Request for Submittal - Max 30 points	28.5	29.5	23.0	21.0	n/a	n/a
Respondent's Background and capability to provide the services requested - Max 50 points	45.3	46.3	29.5	31.8	n/a	n/a
Small Business Economic Development Advocacy Program	19.0	10.0	18.0	10.0	n/a	n/a
TOTAL SCORE	92.8	85.8	70.5	62.8	n/a	n/a

N/a denotes firms were disqualified and did not meet minimum requirements.

Evaluation Committee:

Neighborhood Action Department
Environmental Services Department
Economic Development Department

Paula Stallcup, TJ Pinales, Myrna Esquivel
David Newman
Anita Uribe Martin

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 Submission for a discretionary contract:

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

Charles A. Rose
Victor M. Ochoa

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

South West Texas Environmental Contractors, Inc.

and the name of:

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

N/A

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;

South West Remodeling Services (Subsidiary)

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

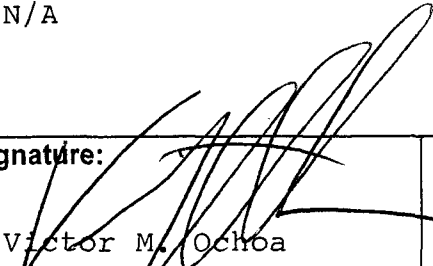
Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a Submission 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 Submissions

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.

N/A		
Signature:  Victor M. Ochoa	Title: Vice President Company: SW TX Environmental Contractors, Inc.	Date: 9/21/04

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.

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

JOSEPH G. GONZALES

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

JGG INTEGRATED CONSTRUCTION, L.L.C.

and the name of:

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

N/A

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

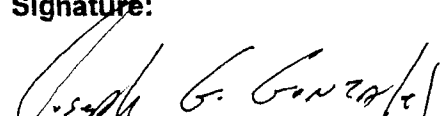
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Disclosures in Submissions

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.

N/A		
Signature: 	Title: OWNER Company: JGG INTEGRATED CONSTRUCTION, LLC	Date: SEPT. 14, 2004

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.