

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

TO: Mayor and City Council

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

SUBJECT: Linda Lou - Presa to Hackberry

DATE: February 17, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the transfer of funds in the amount of \$12,317 from 2003-2007 General Obligation Drainage Improvement Bond Funds to reimburse the Environmental Indefinite Delivery Consulting Services project for professional services paid to ATC Associates, Inc., in connection with Linda Lou - Presa to Hackberry, an authorized 2003 – 2007 General Obligation Drainage Improvement funded project located in Council District 3.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This Ordinance authorizes the transfer of funds from 2003-2007 General Obligation Drainage Improvement Bond Funds to reimburse the Environmental Indefinite Delivery Consulting Services project for professional services in connection with the Linda Lou – Presa to Hackberry Project. Payment was made to ATC Associates, Inc., for previously approved professional environmental consulting services related to the preparation of a Phase II Environmental Site Assessment.

The Linda Lou - Presa to Hackberry project provides for underground drainage improvements necessary to eliminate standing water and for the rehabilitation of the existing pavement and curbs. The Linda Lou storm water drainage system will run along Boxelder Lane and tie into the existing stub-out placed as part of the Metropolitan Planning Organization (MPO) Southcross - Presa to New Braunfels Project. Construction on the Linda Lou project is anticipated to begin in January of 2006 and to be completed by January 2007.

A previously executed Professional Services Agreement for professional environmental services with ATC Associates, Inc. in an amount not to exceed \$180,000 was approved by City Council on February 28, 2002, through Ordinance No. 95384. As of February 4, 2005, \$109,777.42 has been expended for services provided under this Professional Services Agreement.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to participate in the development and construction of previously approved 2003-2007 General Obligation Drainage Improvement Bond funded projects.

FISCAL IMPACT

This is a one-time capital improvement expenditure and is included in the FY 05-10 Capital Improvement Budget. Funds in the amount of \$12,317 are available from 2003-2007 General Obligation Drainage Improvement Bond funds and are authorized to be appropriated and transferred to the Environmental Indefinite Delivery Consulting Services project for consulting services rendered by ATC Associates, Inc.

COORDINATION

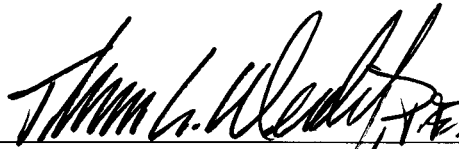
This request for ordinance has been coordinated with the Office of Management and Budget, the Finance Department and the Environmental Services Department.

SUPPLEMENTARY COMMENTS

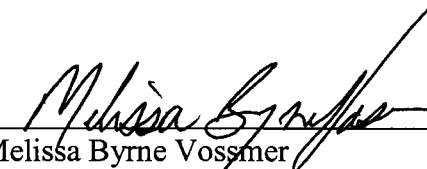
The Consultant's Proposal, Invoice and Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.

ATTACHMENTS


1. Project Map
2. Proposal
3. Discretionary Contracts Disclosure Form



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

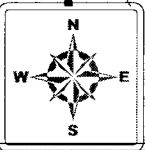
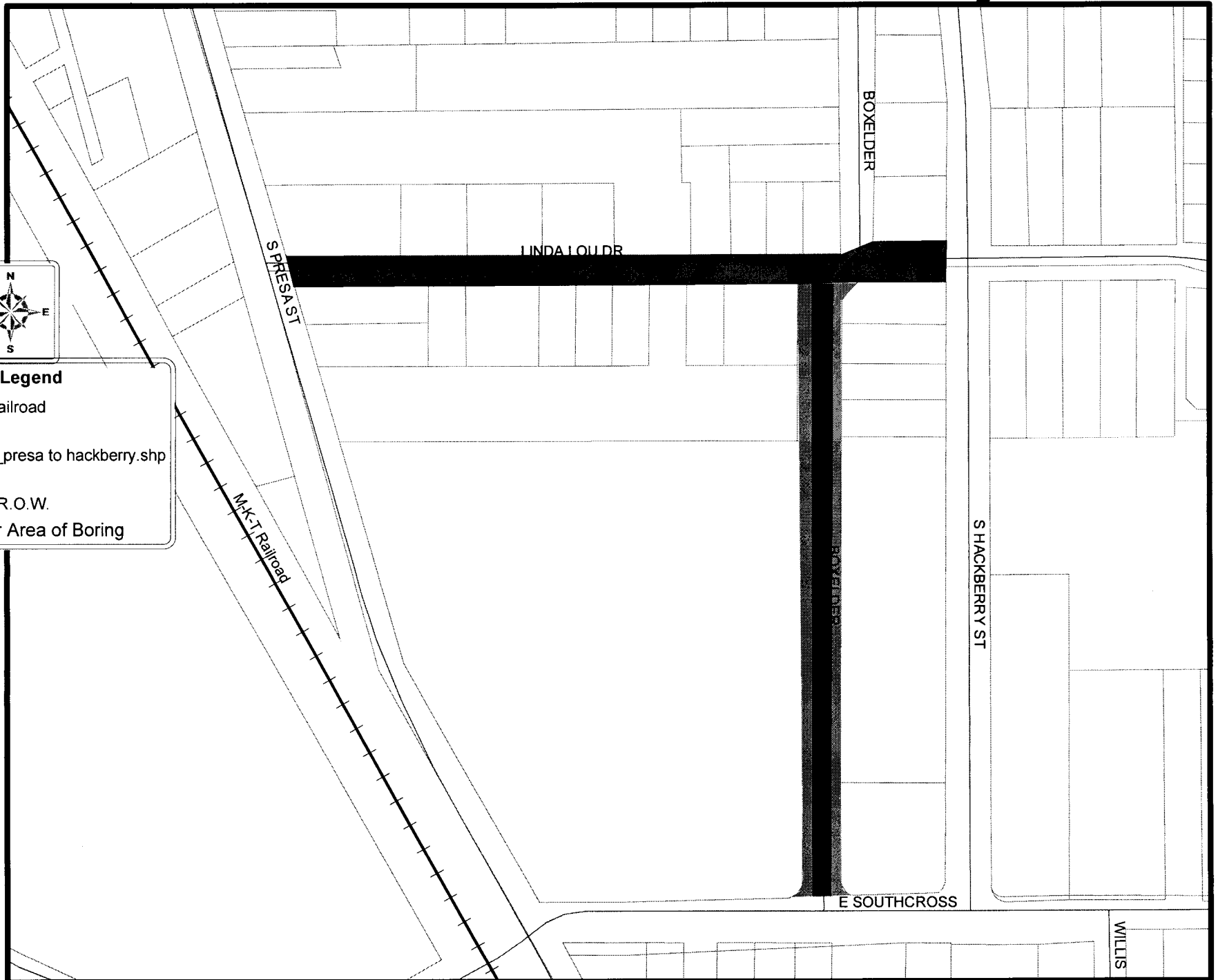


Melissa Byrne Vossmer
Assistant City Manager

4 

J. Rolando Bono
Interim City Manager

Linda Lou: Presa to Hackberry



Legend

- M-K-T Railroad
- Streets
- Linda lou_presa to hackberry.shp
- Parcels
- Boxelder R.O.W.
- Boxelder Area of Boring



140 Heimer Rd, Suite 675
San Antonio, TX 78232
<http://www.atcassociates.com>
210-496-3434
Fax 210-496-1397

October 11, 2004

Mr. Robert Espinosa
City of San Antonio
Environmental Services Department
Environmental Management Division
1920 Grandstand
San Antonio, Texas 78238

Re: **Proposal for Phase II Environmental Site Assessment**
Boxelder: Linda Lou to Southcross
San Antonio, TX
ATC Proposal No. 46-25-2973 revision

Dear Mr. Espinosa:

ATC Associates Inc. (ATC) is pleased to present this proposal to perform a Phase II Environmental Site Assessment at the above referenced sites. The assessments will be conducted in the City Right of Way along Boxelder, from Linda Lou to Southcross, in San Antonio, Texas. The proposed subsurface investigation is to determine the environmental impact to soil corresponding to the deepest proposed excavation for proposed storm sewers.

The Scope of Services outlined in this proposal includes the following:

SCOPE OF WORK

At the request of the City of San Antonio, ATC is proposing to install Geoprobe borings to a depth of 12 feet below land surface (bls). The borings will be installed in the City Right of Way along Boxelder, from Linda Lou to Southcross. This bid is based on one eight hour day of Geoprobe boring and an estimated nine (9) borings.

Task 1 Pre-Field Tasks

Prior to conducting field activities, ATC will prepare a site-specific health and safety plan (HSP) to address safety issues associated with the proposed scope of work. The elements of the HSP will be based on the requirements described in the Occupational Safety and Health Administration (OSHA) rules (29 CFR 1910). The HSP will address the potential hazards associated with the field activities and the personnel protective measures selected in response to these hazards.

ATC will contact the State of Texas utility locator service a minimum of 48-hours prior to conducting any drilling activities at the site.

ATC will prepare a Traffic Closure Plan to perform drilling in the City Right of Way along Boxelder, from Linda Lou to Southcross. ATC's drilling contractor will obtain a street cut permit from the City of San Antonio including the required bond to perform drilling within the streets.

Task 2 Field Activities – Install Soil Borings

ATC will retain the services of a driller contractor to provide drilling services using a Geoprobe system. ATC will advance a maximum of nine (9) test holes at the site based on an eight hour day of probing. Each of the test holes will be advanced to a maximum depth of approximately 12 feet bls or probe refusal.

Soils will be collected on a continuous basis during drilling using split-spoon samplers. Soil samples will be field screened with a photoionization detector (PID) or similar field monitoring method. PID readings and soil descriptions will be recorded on boring logs. The soil sample exhibiting the highest PID reading, the bottom of the borehole or the water table interface if encountered will be collected for laboratory analyses.

A maximum of nine (9) soil samples will be collected for environmental laboratory analyses. Soil samples will be used to not only document the presence of impact, but also to document the absence of impact, where appropriate. Soil samples will be collected in laboratory-supplied glass containers that will be sealed, labeled, and placed in an ice-cooled chest pending delivery to Xenco Laboratories. Appropriate Chain-of-Custody documentation will be initiated at the sites and will follow the sample(s) to Xenco Laboratories.

If groundwater is encountered, groundwater samples will be collected from a maximum of one (1) boring. Groundwater samples will be collected in laboratory-supplied glass containers that will be sealed, labeled, and placed in an ice-cooled chest pending delivery to Xenco Laboratories. Appropriate Chain-of-Custody documentation will be initiated at the sites and will follow the sample(s) to Xenco Laboratories.

Following completion of drilling activities, field screening, and collection of soil samples, each test hole will be backfilled in accordance with City of San Antonio requirements. Drill cuttings will be placed in sealed 55 gallon drums, and taken to the City of San Antonio HHW site pending analytical results for profiling. Drill cuttings will be manifested and disposed of by the City of San Antonio.

Task 3 Chemical Analysis

Each of the soil and groundwater samples collected from the borings will be submitted to Xenco Laboratories for analyses:

Soil samples obtained from the soil borings placed in the vicinity of the Stop-N-Go gasoline station will be analyzed for the following:

- Total Petroleum Hydrocarbons (TPH) by Texas method 1005
- Benzene, Toluene, Ethyl benzene and Xylenes (BTEX) and Methyl-tertiary butyl-ether (MTBE) by EPA Method 8021
- RCRA 8 Metals

Soil samples obtained from the soil borings placed in the vicinity of the former Southern Steel facility will be analyzed for the following:

- Total Petroleum Hydrocarbons (TPH) by Texas method 1005
- Volatile Organic Compounds (VOCs)
- Pesticides by EPA method 8081
- RCRA 8 Metals

Samples will be tested on standard turnaround.

Task 4 Report of Findings

ATC will prepare a letter report of findings upon completion of field activities. ATC's report will include appropriate tables figures and other attachments. Two (2) copies of this report will be submitted to the City of San Antonio.

COST ESTIMATES

The following cost estimate is provided for the referenced activities. Costs are detailed by the attached Estimated Project Costs table for clarification.

Billing will be based on a budget of **\$12,317.00**. This budget is based upon the anticipated scope of work outlined in this proposal in accordance with the terms and conditions and Schedule of Fees listed in the *Non-Asbestos Professional Environmental Engineering Agreement* between the City of San Antonio and ATC. ATC is prepared to initiate this project as soon as practicable after receiving written authorization to proceed, and access to the subject property has been secured and scheduled. Please sign where indicated on the following page and return to ATC in order to authorize us to perform the scope of work detailed in this proposal.

Basic Assumptions

- No delays or allowances for or weather problems.
- Drilling locations are accessible.
- Subsurface utilities can be sufficiently located.
- Up to 9 soil borings will be drilled to a maximum depth of 12 feet bls or boring refusal.
- Work can be performed in Level D PPE.

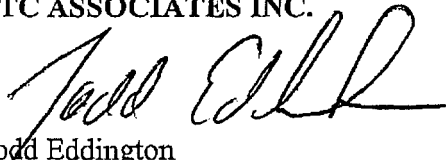
Mr. Robert Espinosa
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ATC Proposal No. 46-25-2973 revision
Page 4

- A street map sufficient for the Traffic Plan will be provided by the City.
- Traffic Plan will include barricades and signage only.
- City approves traffic plan and issues street cut permit.
- The City will waive all fees for permits and Traffic Plan.
- Drilling activities can be completed in one work day.
- A maximum of nine drums of drill cuttings will be produced.

Thank you for the opportunity to submit a proposal for this project. We look forward to working closely with you. Please contact Todd Eddington at 210-496-3434 if you have any questions regarding this proposal or the project.

Sincerely,

ATC ASSOCIATES INC.



Todd Eddington
Branch Manager

Attachment: Cost Breakdown

Project Authorized By:

Signature

Print Name

Date

Revised 10/11/04
City of San Antonio
Proposal for Phase II Environmental Site Assessment
Boxelder: Linda Lou to Southcross
ATC Proposal No. 46-25-2973

Task and Task Description	Estimated Cost Breakdown				Estimated Cost
Task 1: Pre-Field Activities	Labor Breakdown				\$1,180.00
		Units	Rate/Hour	Fee	
	Project Manager	2	\$75	\$150	
	Staff Scientist	16	\$60	\$960	
	Project Administrator	2	\$35	\$70	
	Subtotal				
Task 2: Install Soil Borings	Labor Breakdown				\$4,601.00
		Units	Rate/Hour	Fee	
	Project Manager	2	\$75	\$150	
	Staff Scientist	16	\$60	\$960	
	Traffic Plan Rentals		\$650	\$650	
	Drilling Contractor		\$2,016	\$2,016	
	Drum Disposal	9	\$45	\$405	
	Equipment/Misc.				
	Interface Probe	1	\$40	\$40	
	PID	1	\$50	\$50	
	Sampling Supplies	9	\$28	\$252	
	Mileage		\$78	\$78	
	Subtotal				
	Task 3: Chemical Analysis	Environmental - Laboratory and Labor Breakdown			
SOIL		Units	Rate/Hour	Fee	
TPH		9	\$65	\$585	
BTEX/MTBE		6	\$55	\$330	
RCRA 8 Metals		9	\$108	\$972	
VOCs		6	\$132	\$792	
Pesticides		6	\$186	\$1,116	
WATER					
TPH		1	\$65	\$65	
BTEX/MTBE		1	\$55	\$55	
RCRA 8 Metals		1	\$108	\$108	
VOCs		1	\$132	\$132	
Pesticides		1	\$186	\$186	
Subtotal					
Task 4: Report Preparation		Labor Breakdown			
		Units	Rate/Hour	Fee	
	Project Manager	6	\$75	\$450	
	Staff Scientist	20	\$60	\$1,200	
	Project Administrator	4	\$35	\$140	
	Drafting	9	\$45	\$405	
Subtotal				\$2,195.00	
Total				\$12,317.00	

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 that would be a party to the discretionary contract;

N/A
and the name of:

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

N/A

(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

(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

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.

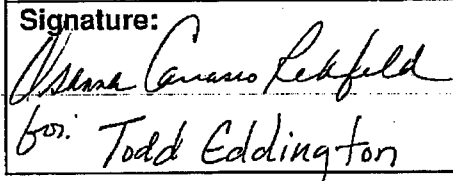
Political Contributions

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:
N/A	N/A	N/A

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.

Signature:  for: Todd Eddington	Title: Branch Manager Company: ATC Associates Inc.	Date: 11/22/04

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.

Name of On-Call Professional Services Contractor	Specialty	SBEDA	Contract Cap	Authorized YTD	Balance	Ordinance # and Date	Project Manager
ATC ^{1,2}	Phase II Environmental Site Assessments (ESA), mold assessment, environmental construction oversight	n/a	\$ 180,000.00	\$ 109,777.42	\$ 70,222.58	Ord. 95384 on 2/28/02	John Cantu
Drash ^{1,2}	Phase II ESA, environmental specification preparation	WBE, SBE	\$ 180,000.00	\$ 85,329.00	\$ 94,671.00	Ord. 95384 on 2/28/02	John Cantu
EFI ^{1,2}	Risk based closures, Phase II ESA, mold remediation, environmental construction oversight	n/a	\$ 180,000.00	\$ 113,836.00	\$ 66,164.00	Ord. 95384 on 2/28/02	John Cantu
Geo Marine ^{1,2}	Phase II ESA, geophysical assessments	SBE, MBE, DBE	\$ 180,000.00	\$ 117,547.03	\$ 62,452.97	Ord. 95384 on 2/28/02	John Cantu
Geo Strata ^{1,2}	Phase I and Phase II ESA, RCRA facility compliance audits	WBE, SBE	\$ 180,000.00	\$ 111,484.49	\$ 68,515.51	Ord. 95384 on 2/28/02	John Cantu
Pape Dawson ^{1,2}	Phase II ESA, geologic assessments, water pollution abatement plans, environmental specifications	n/a	\$ 180,000.00	\$ 82,102.00	\$ 97,898.00	Ord. 95384 on 2/28/02	John Cantu
Eagle ²	Environmental Construction activities, such as soil excavation, emergency response, tank removal	n/a	\$ 1,500,000.00	\$ 661,137.10	\$ 838,862.90	Ord. 95847 on 5/30/02	John Cantu
Raba-Kistner	Groundwater Sampling & Risk Assessment for closed Landfills	WBE, SBE, DBE	\$ 150,000.00	\$ 128,534.00	\$ 21,466.00	Ord. 97612 on 5/15/03	John Cantu
SCS Engineers	Design, Operation and Maintenance of landfill gas collection systems	DBE, SBE	\$ 150,000.00	\$ 115,679.80	\$ 34,320.20	Ord. 97612 on 5/15/03	John Cantu
HNTB	Preparation of Environmental documents related to NEPA/FHWA regulations	DBE, SBE	\$ 100,000.00	\$ 70,005.40	\$ 29,994.60	Ord. 97613 on 5/15/03	John Cantu
PBS&J	Preparation of Environmental documents and conduct cultural resources surveys related to NEPA/FHWA regulations	DBE, SBE	\$ 100,000.00	\$ 67,240.07	\$ 32,759.93	Ord. 97613 on 5/15/03	John Cantu
ATC ³	Asbestos surveys and air monitoring during abatement activities	MBE	\$ 250,000.00	\$ 18,117.79	\$ 231,882.21	Ord. 99401 on 7/4/04	Abe Diaz
AEHS ³	Asbestos surveys and air monitoring during abatement activities	MBE	\$ 250,000.00	\$ 15,394.50	\$ 234,605.50	Ord. 99401 on 7/4/04	Abe Diaz
Bexar Env.	Asbestos abatement contractor for City structures	n/a	\$ 366,000.00	\$ 233.00	\$ 365,767.00	Ord. 96837 on 12/22/02	Abe Diaz

¹ From Council Memo dated 2/28/02. "The actual work activities will be allocated as delivery orders to each individual consulting firm on a rotating basis in an alphabetical fashion, with the exception of specific engineering work activities or where the proposed work requires certain qualifications held by only a particular firm.

² All of the consultants perform adequate phase II Environmental Site Assessments. Beyond this level of service, various consultants have strengths in the fields described above.

³ All of the consultants perform asbestos surveys and air monitoring services only. Contract is for two years only.

Revised 2/7/05

MBE - Minority owned business, SBE - Small business enterprise, DBE - Disadvantaged business enterprise, WBE - Woman owned business enterprise

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