

**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: New Fire Fighting Training Academy

DATE: April 21, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance amends a professional services agreement, authorizes payment to O'Neill Conrad Oppelt, Architects, Inc., a non-MBE firm, in the amount of \$39,488.93 for additional design services, in connection with the New Fire Training Academy, located on Callaghan Road in Council District 6. This ordinance also authorizes the transfer of \$39,488.93 from the New Fire Training Academy Construction Contingency account to the Design Fees account.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

This ordinance will amend the professional services agreement and provide additional compensation in the amount of \$39,488.93 to O'Neill Conrad Oppelt, Architects, Inc., for additional professional services including design modification of utility water plan as per SAWS requirement, additional materials testing services and the design of a memorial area to be located in the front of the facility. The consultant's proposal is included herein as Attachment 2. This ordinance also authorizes the transfer of \$39,488.93 from the New Fire Training Academy Construction Contingency account to the Design Fees account. The transfer of these funds should not negatively impact the ability to meet construction cost since the current construction contingency balance is \$520,672 and the project is approximately 75% complete. Construction completion is anticipated by August 2005.

This project includes the design of a new 45,600 sq. ft. facility, outdoor fire training props, and site development improvements to the new Fire Training Academy. The facility is being built on 50 acres located at the City owned Southwest Business and Technology Center (previously know as the Van de Walle Property). The total budget for this project is \$9,580,000.00.

A previously executed professional service contract in the original amount of \$63,335.00 with O'Neill Conrad Oppelt, Architects, Inc., was approved by City Council on September 14, 2000, through Ordinance No. 92485. Subsequent amendments made to this contract on April 25, 2002 through Ordinance No. 95650 and on February 5, 2004 through Ordinance No. 98785 have increased the contract amount to \$864,835.00. This Ordinance will increase the total amount approved for this contract to \$904,323.93.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to participate in the development and construction of 1999 – 2004 General Obligation Public Safety Improvement Bonds issued for this Capital Improvement Project.

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget. This project is not included in the FY 05-10 Capital Program Budget since it was fully appropriated during the 2004 fiscal year. Funds in the amount of \$39,488.93 are available from the project construction contingency account and are payable to O'Neill Conrad Oppelt Architects, Inc.

COORDINATION

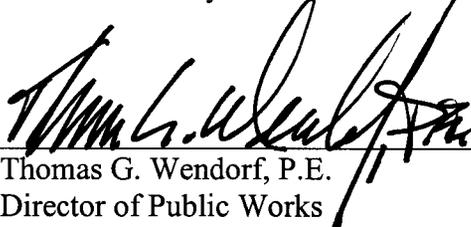
This request for Ordinance approval has been coordinated with the Fire Department, the Office of Management and Budget, the Finance Department, Asset Management, the Public Works Department and the City Attorney's Office.

SUPPLEMENTARY COMMENTS

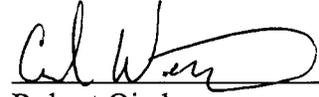
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is included herein.

ATTACHMENTS

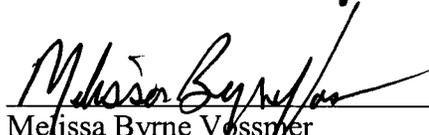
1. Project Map
2. Proposal for Modifications to Water Plans
3. Proposal for Additional Materials Testing
4. Proposal for Redesign of Front Entry
5. Discretionary Contracts Disclosure Form



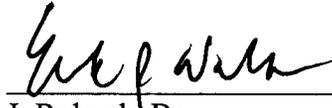
Thomas G. Wendorf, P.E.
Director of Public Works

 FOR ROBERT OJEDA

Robert Ojeda
Fire Chief

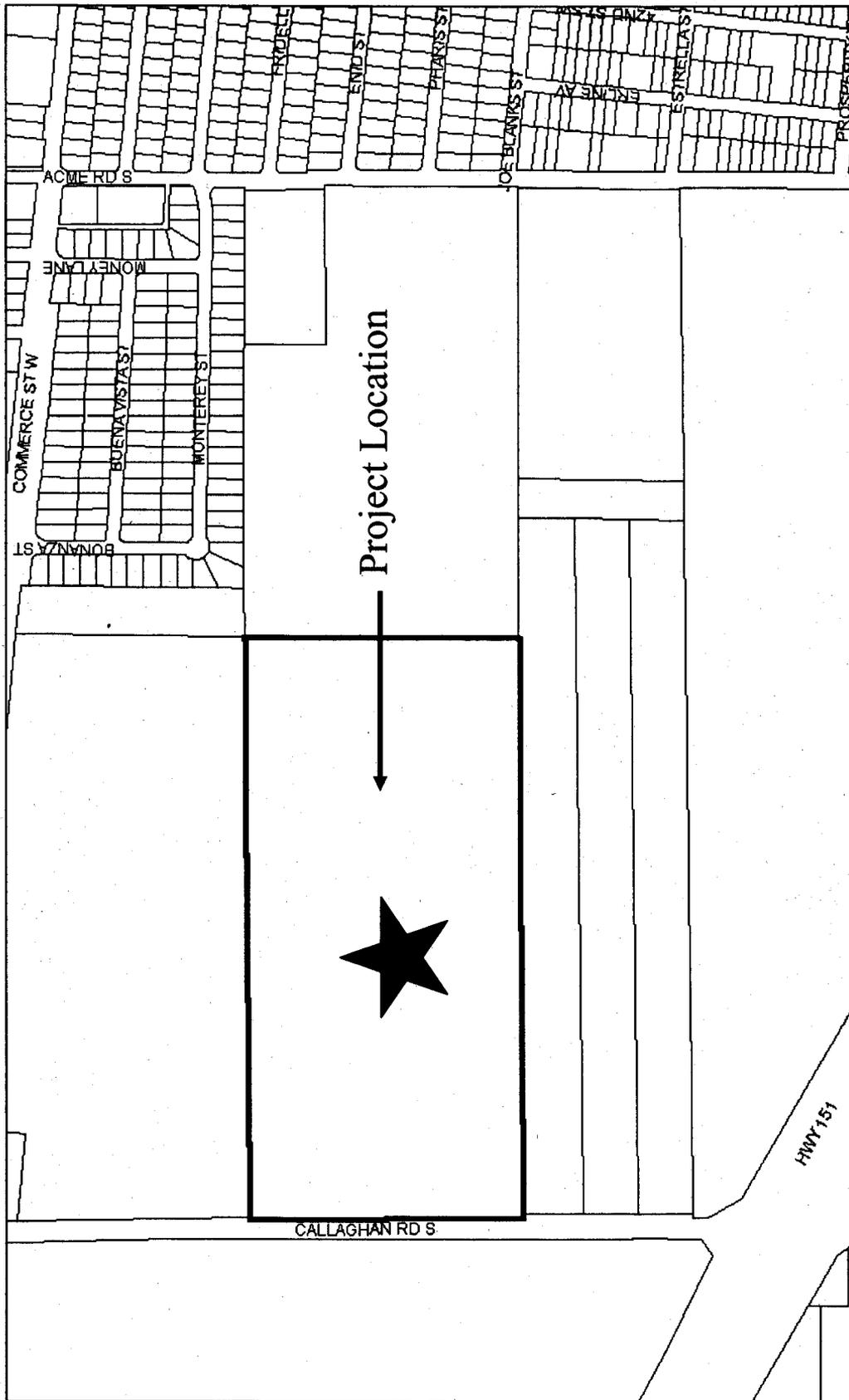


Melissa Byrne Vossmer
Assistant City Manager



↓
J. Rolando Bono
Interim City Manager

G.I.S. Location Map



NORTH

Fire Training Academy
Callaghan Road
Council District No. 6

G.I.S. Location Map

Via Mail

Attachment # 2
Page 1 of 1

August 19, 2004

Mr. Jesse Fernandez
City of San Antonio
Department of Public Works
PO Box 839966
San Antonio, TX 78283-3966

**RE: FIRE FIGHTING TRAINING ACADEMY - REQUEST FOR AMENDMENT NO. 4 TO
OWNER/ARCHITECT AGREEMENT**

Dear Jesse:

It was brought to my attention that I have not yet requested an amendment from you for an item of work designed by Pape-Dawson to modify the water mains on the site due to the City's decision to not dedicate the on-site water mains to SAWS. As you recall, it was the Fire Department's and City's desire to have all the on-site water mains dedicated to SAWS so that SAWS would be responsible for maintaining the pipe and water hydrants and would eliminate the need for the double-detector check backflow preventers on the two 12-inch water mains. Civil plans were prepared as such.

At the end of the design process, it was determined that SAWS did not want to have ownership of the on-site mains, thus we had to remove the easements from the plat and redesign the water layout to include some rerouting, add meters and the double detector checks. The history of SAWS rejecting the idea of public on-site water and sewer mains is documented in my letter to Carl Wedige dated July 1, 2003, along with attached letters between SAWS and Pape-Dawson, which you were copied.

This additional service was also requested in my letter to you dated June 3, 2003 (copy enclosed), Item #9, which includes Pape-Dawson's cost to modify the water plans if in fact SAWS decided not to accept the on-site public mains. Therefore, we are requesting \$1,958.00 in fees for this modification to the water plans.

If you have any questions, please do not hesitate to call.

Sincerely,



Mickey Conrad

/jw

Enclosure

PRINCIPALS
LARRY O'NEILL, AIA
MICKEY CONRAD, AIA
MARK OPPELT, AIA

ASSOCIATES
LOWELL TACKER, AIA
CARLOS CONSTANTINO

**O'NEILL CONRAD OPPELT
ARCHITECTS, INC.**
4039 BROADWAY
SAN ANTONIO, TEXAS
78209

TEL 210.829.1737
FAX 210.829.1730
www.ocoarchitects.com

AGREEMENT FOR PROFESSIONAL SERVICES
Fugro Consultants LP

11009 Osgood
San Antonio, TX 78233
Phone: (210) 655-9516 Fax: (210) 655-8189



CLIENT and FUGRO CONSULTANTS LP agree to the following professional assignment:

PROJECT NAME: City of San Antonio Fire Training Academy **DATE:** September 28, 2004
Addendum #2
FUGRO PROJECT NO.: 1002-4941

CLIENT CONTACT: Mr. Mickey Conrad **PHONE NO.:** (210) 829-1737
CLIENT: City of San Antonio **FAX NO.:** (210) 829-1730
c/o O'Neill Conrad Oppelt Architects, Inc.
ADDRESS: 4039 Broadway
San Antonio, Texas 78209

PROJECT LOCATION: Callaghan Road, San Antonio, Texas

PROJECT DESCRIPTION & SCOPE OF SERVICES: As outlined in the project's plans and specifications, Fugro will provide the following construction materials engineering and testing services:

- Perform density tests on subgrade placed in the pavement areas,
- Test structural and pavement concrete during placement. Tests will include slump, air content, temperature, and casting concrete cylinders for strength verification. The following day, cylinders will be transported to our San Antonio laboratory, stored, and tested for compressive strength at specified dates,
- Concrete masonry unit mortar testing and prism sampling and testing, and
- Inspection of structural steel.

FEES: A fee estimate of \$ 16,488.00 was developed for the scope of services described above to complete this project. This estimate is based on estimated concrete placements and durations, quantity of steel inspections, and quantity of density tests on the paving subgrade provided by Mr. Kelly Kuehler, with Yates Construction, on September 16, 2004, and our unit rates for materials testing services. See the attachment for a breakdown of the fee estimate. All additional services will be invoiced at the unit rates on the fee schedule submitted on the original proposal dated October 24, 2003. **Please note that the final fee depends on the actual man-hours and number of tests performed during construction.**

SPECIAL CONDITIONS: Our technician will report results of field observations directly to the Project Superintendent and/or owner's representative. We will assist the Superintendent in identification and correction of any non-compliance with project specifications. In no case will our technician direct the contractor's operations, waive specifications, or make final acceptance of the contractor's work. *Fugro's scope of work does not include the investigation, detection, or design related to the presence of any Biological Pollutants. The term "Biological Pollutants" includes, but is not limited to, mold, fungi, spores, bacteria, and viruses, and the by products of any such biological organisms.*

TERMS AND CONDITIONS: Schedule 40.01 (Mar 04). **This proposal is good for 60-days from the date on the proposal. Authorization after this date may require a renegotiation of fees.**

AUTHORIZATION: To provide written authorization of this Agreement for Professional Services, please have the signature block below signed by a duly authorized person in the spaces provided and return the attached copy to us for our files. Whoever signs this proposal is identified as our Client as used throughout Schedule 40.01.

Consultant: Fugro Consultants LP	Client: City of San Antonio
_____	_____
Fugro Consultants GP LLC, Its sole general partner	c/o O'Neill Conrad Oppelt-Architects, Inc.
_____	_____
By: _____	By: _____
Name: Frank M. Jaster, P.E.	Name: Mickey Conrad
_____	_____
Title: Construction Materials Manager	Title: _____
_____	_____
Date: September 28, 2004	Date: _____
_____	_____

Fee Estimate CMT

**SCOPE OF SERVICES/FEE ESTIMATE
CONSTRUCTION MATERIALS TESTING SERVICES
CITY OF SAN ANTONIO FIRE TRAINING ACADEMY
ADDENDUM #2
SAN ANTONIO, TEXAS**

1.	<u>Field Testing – Soils</u>	
1.1	Soil Density Tests – Subgrade Under the Concrete Paving 28 tests @ \$10.00/ea	\$ 280.00
1.2	Soil Technician On-Site- Based on 5-4 Hour Trips 20 hours @ \$33.00/hr.....	\$ 660.00
	Sub-Total	\$ 940.00
2.	<u>Concrete and Masonry Observation</u>	
2.1	Technician On-Site Concrete Control (25, 6-Hour Pours for the Paving, 14, 6-Hour pours for the tower and 39, 2- Hour pick up's and placement of cylinders the following days) 312 hours @ \$33.00/hr.....	\$ 10,296.00
2.2	Cylinder Compression Tests (39 Sets of 4 Cylinders Each) 156 cylinders @ \$15.00/ea.....	\$ 2,340.00
2.3	Technician On-Site Masonry Testing and Sampling Prism Based on 5 Trips at 4 Hours per Trip, 2 hour pick up 30 hours @ \$33.00/hr.....	\$ 990.00
2.4	Compressive Strength Tests – Mortar, 5 sets of 4 each 20 specimen @ \$15.00/ea.....	\$ 300.00
2.5	Prism Compressive Strength 1 specimen @ \$230.00/ea.....	\$ 230.00
	Sub-Total	\$ 14,156.00
3.	<u>Structural Steel and Welding Inspection</u>	
3.1	Technician On-Site (4 Trips @ 6 Hours per Trip) 24 hour(s) @ \$58.00/hr	\$ 1,392.00
	Sub-Total	\$ 1,392.00

COST STIMATE SUMMATION	\$ 16,488.00
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Via Facsimile & Mail

January 10, 2005



Mr. Jesse Fernandez
City of San Antonio
Department of Public Works
PO Box 839966
San Antonio, TX 78283-3966

**RE: FIRE FIGHTING TRAINING ACADEMY - REQUEST FOR AMENDMENT TO
OWNER-ARCHITECT AGREEMENT - FIRE FIGHTERS' MEMORIAL**

Dear Jesse:

In accordance with Mike Branecky's request, we are submitting a fee proposal to redesign the front entry landscaping and flat work to accommodate a Fire Fighters' Memorial as outlined in a sketch prepared by Mike Branecky. This work will entail a redesign of the front sidewalks, landscape planting, irrigation and lighting to accommodate assembly around this memorial.

Attached are copies of the fee proposals by Bender Wells Clark Design (BWC), the project landscape architect, and Barron Engineering. BWC has included time to meet with the fire chief on the design as well as submitting materials and presentations to the HDRC.

Please issue an amendment to our contract in the amount as follows:

Bender Clark Wells Design	\$6,500.00
Barron Engineering	\$ 510.00
OCO 15% Service Charge:	\$1,051.50
OCO Principal (5 hrs. @ \$140/hr)	\$ 700.00
TOTAL:	\$8,761.50

Please note that we have allowed five hours of OCO Principal time for in-house management and meetings as necessary. If time required to accomplish this work exceeds five hours, we will inform you and bill you at the contract hourly rates. We can begin design immediately upon your written authorization to proceed. If you have any questions or need additional information, please call.

Sincerely,


Mickey Conrad

/jw

Enclosures (2)

PRINCIPALS

LARRY O'NEILL, AIA
MICKEY CONRAD, AIA
MARK OPPELT, AIA

ASSOCIATES

LOWELL TACKER, AIA
CARLOS CONSTANTINO

**O'NEILL CONRAD OPPELT
ARCHITECTS, INC.**

4039 BROADWAY
SAN ANTONIO, TEXAS
78209

TEL 210.829.1737
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www.ocoarchitects.com

January 7, 2005

Mr. Mickey Conrad
O'Neill Conrad Oppelt Architects
4309 Broadway
San Antonio, Texas 78209



Dear Mr. Conrad:

Re: Fire Academy Memorial Site Improvements

We are pleased to have the opportunity to present you the following proposal for additional Landscape Architectural services for the above project.

PROPOSED BASIC SERVICES

1. Construction Documents Phase

We will provide Drawings and Specifications setting forth in detail the requirements for installation of the additional monument feature at the front entry of the facility to include an area for assembly that would spill over into the parking lot and lawn, and any further adjustments in the scope or budget of the Project. The product of this phase will be a complete set of Construction Documents, documenting changes to include:

1. Coordination with the Fire Chief and others on the schematic design of the memorial, including paving patterns, pedestal, scale, extent of hardscape and softscape re-design, selection of paving materials and finishes, selection of benches, light fixtures and other appurtenances.
2. Modification of planting plan at a suitable scale, indicating locations, sizes, and materials for trees, shrubs, groundcover, and annual/perennial plantings, turf areas, etc.
3. Planting details
4. Plant schedule indicating quantities, sizes, and plant spacing
5. Modifications to the irrigation plan

Bender Wells Clark Design
830 North Alamo
San Antonio, Texas 78215
(210) 692-9221
Fax (210) 223-8582
www.bwcdesign.com

6. Hardscape plan of memorial area including: paving, benches, and location for future water feature including water and power stub-out
7. Coordination with electrical engineer on recommended feature light fixtures (all electrical design by electrical engineer)
8. Estimate of probable cost based on current volume, area, or other unit costs
9. Final review with Owner

Schedule: Construction Documents Phase to begin upon completion and acceptance of this proposal.

2. Deliverables

Bender Wells Clark Design will provide one set of original plans and specifications in hard copy and electronic form to O'Neill Conrad Oppelt Architects for distribution.

All instruments of professional service prepared by Bender Wells Clark Design, including, but not limited to, drawings and specifications, are the property of Bender Wells Clark Design, and these documents shall not be reused on other projects without Bender Wells Clark Design's written permission. Bender Wells Clark Design retains all rights, including the copyright in its documents. Client or others cannot use Bender Wells Clark Design's documents to complete this Project with others unless Bender Wells Clark Design is found to have materially breached this Agreement.

Bender Wells Clark Design reserves the right to include representations of the Project in its promotional and professional materials.

3. Fee Schedule

Based upon our current understanding of the Project scope, and Project schedule, our fee for the work described above will be as follows:

Fee for Construction Documents will be a maximum of \$6,500.00, including reimbursable expenses based on our hourly rate of \$100 per hour.

Additional Services and Fees

Additional Services will be provided, if requested and authorized by the Owner (for example, preparation of record drawings), will be billed at our standard hourly rate of \$100.00 per hour. We do not anticipate that additional service requests will be

Bender Wells Clark Design
830 North Alamo
San Antonio, Texas 78215
(210) 692-9221
Fax (210) 223-8582
www.bwcdesign.com

Fire Academy Memorial Site Improvements

Page 3

necessary on the Project.

4. Limit of Liability

O'Neill Conrad Oppelt Architects agrees to limit **Bender Wells Clark Design's** liability to the Owner on this project such that the total aggregate liability of **Bender Wells Clark Design** shall not exceed \$50,000.00 or the amount of **Bender Wells Clark Design's** fee whichever is less. Texas law requires the following consumer protection statement:

The Texas Board of Architectural Examiners, 8213 Shoal Creed Boulevard, Suite 107, Austin, Texas 78758, 512-485-1363, has jurisdiction over individuals licensed under the Landscape Architects' Registration Law, as amended by SB 435 of the 68th session of the legislature, 1983.

If this proposal meets with your approval, please sign below, and return one copy for our files. We look forward to working with you on this project.

Sincerely,

Bender Wells Clark Design



Lawrence C. Clark, ASLA
Vice-President

LCC:mh

Accepted: O'Neill Conrad Oppelt Architects

By

Title

Date

Bender Wells Clark Design
830 North Alamo
San Antonio, Texas 78215
(210) 692-9221
Fax (210) 223-8582
www.bwcdesign.com



BARRON ENGINEERING INC.

CONSULTING ENGINEERS
4415 PIEDRAS DRIVE WEST
SAN ANTONIO, TEXAS
FAX
EMAIL

(210) 733-3111
SUITE 255
78228
(210) 733-5551
beinc@sbcglobal.net

January 3, 2005

Mickey Conrad, A.I.A.
O'Neill Conrad Oppelt Architects
4039 Broadway
San Antonio, Texas 78209

Re: New Fire Fighting Training Academy: 0222
Fire Fighter Memorial Lighting

Dear Mickey,

We have reviewed the scope of work provided for this change order to the above project and propose to provide Electrical design services to include:

1. Selection and sizing of lighting fixtures to be installed on existing poles.
2. Electrical drawings.

At a Proposed Fee of: \$510.00

If there has been any misunderstandings on our part on the scope of work, please call our office.

Sincerely,

Robert Schneider, P.E.
Barron Engineering, Inc.

City of San Antonio Discretionary Contracts Disclosure

For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)
Attach additional sheets if space provided is not sufficient.
State "Not Applicable" for questions that do not apply.

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:

and /or

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

ONEILL CONRAD OPPELT ARCHITECTS, 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;

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.

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 individual or an entity include, but are not limited to, contributions made by the officers, owners, attorneys, or registered lobbyists of the individual or the entity.

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
NONE		NONE	NONE

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 2-43 of the City Code (Ethics Code), by participating in official action relating to the discretionary contract.

NONE

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, whichever occurs first.

Signature: 	Title: PRINCIPAL	Date: 3/22/05
	Company: OWEN CONRAD APPELT ARCH. INC.	

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.