CITY OF SAN ANTONIO AVIATION DEPARTMENT CITY COUNCIL AGENDA MEMORANDUM

CONSENT AGENDA
WENNO. - 54

TO:

Mayor and City Council

FROM:

Mark H. Webb, Interim Aviation Director

SUBJECT:

Extension of Concession Management Contract

DATE:

December 1, 2005

SUMMARY AND RECOMMENDATIONS

An ordinance authorizing the extension of the term of the San Antonio International Airport Concession Management Contract with Westfield Concession Management, Inc., for a period of sixty-two (62) days, beginning December 1, 2005 and continuing until January 31, 2006, and, at the discretion of the Interim Aviation Director, to be further extended on a month to month basis, not to exceed an additional 3 months, under the same terms and conditions.

Staff recommends the approval of this extension.

BACKGROUND INFORMATION

The San Antonio International Airport Concession Management Agreement ("Concession Management Agreement") with Westfield Concession Management, Inc. ("Westfield") commenced on October 1, 1999 and expired on September 30, 2005. It was continued through November 30, 2005 by mutual agreement of the parties, pending the completion of the Request for Proposal (RFP) process to select a concession management company for a new contract period. There has been a procedural delay in the selection process and the City of San Antonio, in order to assure seamless service to the traveling public and in consideration of Westfield's planning needs, desires to extend the Contract for a specified period until the completion of the new RFP process. It is anticipated the Request for Proposal process should be completed during this extension time frame. However, should the process require additional time, the contract may be extended on a month to month basis, not to exceed an additional 3 months, by the Interim Aviation Director.

This action would continue the contract under the same terms and conditions as exist under the current contract.

POLICY ANALYSIS

This action is consistent with the City's policy to extend contracts as needed to maintain services to its citizens.

FISCAL IMPACT

The action continues the financial obligations of the City through the end of the extended term under the same terms and conditions as the existing Contract, which is a payment of 20% of collected airport concession revenue. This expenditure is part of the approved operating budget.

COORDINATION

This item has been coordinated with the City Attorney's Office.

SUPPLEMENTARY COMMENTS

A Discretionary Contracts Disclosure form is attached.

Mark H. Webb

Interim Aviation Director

Roland A. Lozano

Assistant to the City Manager

Sheryl Sculley

City Manager

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)

| (1) Identify any individual or business entity that is a party to the discretionary contract: |
|---|
| Westfield Concession Management |
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| |
| (2) Identify any individual or business entity which is a partner, parent or subsidiary business |
| entity, of any individual or business entity identified above in Box (1): |
| |
| X No partner, parent or subsidiary; or |
| |
| List partner, parent or subsidiary of each party to the contract and identify the corresponding |
| party: |
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| |
| (2) Identify any individual or hydrogen antity that would be a subcontractor on the discretionary |
| (3) Identify any individual or business entity that would be a <i>subcontractor</i> on the discretionary |
| contract. |
| |
| No subcontractor(s); or |
| |
| List subcontractors: |
| Alfaro Consulting Company |
| DSS Services, Inc. |
| Customer Service Experts |
| |
| (4) Identify any <i>lobbyist</i> or <i>public relations firm</i> employed by any party to the discretionary |
| |
| contract for purposes related to seeking the discretionary contract. |
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| No lobbyist or public relations firm employed; or |
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| List lobbyists or public relations firms: |
| William Kaufman and Associates |
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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. A sole proprietor should list the name of the individual and the d/b/a, if any.

| (5) Political Contributions List all political contributions tot four (24) months made to any of Council, or to any political acti individual or business entity w above, or by the officers, owner | current or form on committee hose identity r | <i>er member</i> of City that contributes to nust be disclosed | Council, any City Council under Box (| candidate for City elections, by any 1), (2), (3) or (4) |
|---|--|--|---|--|
| X No contributions made; If cor | ntributions mad | e, list below: | | |
| By Whom Made: | To Whom Ma | ıde: | Amount: | Date of Contribution: |
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| (6) Disclosures in Proposals Any individual or business entity known facts which, reasonably employee would violate Section participating in official action rel X Party not aware of facts which the City Code; or Party aware of the following facts | understood, ra 1 2-43 of the C ating to the dis 1 would raise a | aise a question ² a ity Code (Ethics C cretionary contrac | s to whether <u>Code),</u> ("conflict. | any city official or cts of interest") by |
| This form is required to be supplement contract is the subject of council act information is required to be filed, which Signature: | ion, and no later ever occurs first. | | | change about which |

Company or D/B/A:

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 Section 2-59 through 2-61 of the City Code (Ethics Code)

| (1) Identify any individual or business entity ¹ that is a party to the discretionary contract: |
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| |
| DSS SERVICES, INC |
| 000 30,000 |
| |
| (2) Identify any individual or business entity which is a <i>partner</i> , <i>parent</i> or <i>subsidiary</i> business |
| entity, of any individual or business entity identified above in Box (1): |
| |
| No partner, parent or subsidiary; <i>or</i> |
| |
| List partner, parent or subsidiary of each party to the contract and identify the corresponding |
| party: |
| WILLIAM SPURLOCK |
| |
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| |
| (3) Identify any individual or business entity that would be a <i>subcontractor</i> on the discretionary |
| contract. |
| |
| No subcontractor(s); or |
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| List subcontractors: |
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| (4) Identify any <i>lobbyist</i> or <i>public relations firm</i> employed by any party to the discretionary |
| contract for purposes related to seeking the discretionary contract. |
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| imes No lobbyist or public relations firm employed; or |
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| List lobbyists or public relations firms: |
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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. A sole proprietor should list the name of the individual and the d/b/a, if any.

| | e; If contributions made, list belo | | Date of |
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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 Section 2-59 through 2-61 of the City Code (Ethics Code)

| (1) Identify any individual or business entity that is a party to the discretionary contract: | |
|---|---------|
| Customer Service Experts, Inc | |
| | |
| (2) Identify any individual or business entity which is a <i>partner</i> , <i>parent</i> or <i>subsidiary</i> buentity, of any individual or business entity identified above in Box (1): | ısiness |
| No partner, parent or subsidiary; <i>or</i> | |
| List partner, parent or subsidiary of each party to the contract and identify the correspondin party: | g |
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| (3) Identify any individual or business entity that would be a <i>subcontractor</i> on the discre | tionary |
| No subcontractor(s); or | |
| List subcontractors: | |
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| (4) Identify any <i>lobbyist</i> or <i>public relations firm</i> employed by any party to the discretion contract for purposes related to seeking the discretionary contract. | nary |
| No lobbyist or public relations firm employed; <i>or</i> | |
| List lobbyists or public relations firms: | |
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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. A sole proprietor should list the name of the individual and the d/b/a, if any.

| individual or business ent above, or by the officers, o | any current or former member of City I action committee that contributes to ity whose identity must be disclosed owners of any business entity listed in its in the contributions made, list below: | o City Council d under Box (| l elections, by any 1), (2), (3) or (4 r (3): |
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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 Section 2-59 through 2-61 of the City Code (Ethics Code)

| (1) Identify any individual or business | s entity ¹ that is a party to the discretionary contract: |
|---|--|
| Alfaro Consulting Company 16911 Hidden Oak Woods San Antonio, Texas 78248 | Contact: Jose A. Alfaro, owner 210-414-1870 |
| (2) Identify any individual or hygina | on ontity which is a portror, perent or subsidiany business |
| entity, of any individual or business e | ss entity which is a partner , parent or subsidiary busines entity identified above in Box (1): |
| | |
| No partner, parent or subsidiary; | or |
| List partner, parent or subsidiary of eaparty: | ach party to the contract and identify the corresponding |
| NO PARTNERS | |
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| (3) Identify any individual or business contract. | s entity that would be a <i>subcontractor</i> on the discretional |
| No subcontractor(s); or | |
| List subcontractors: NO SUBCONTF | RACTORS |
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| contract for purposes related to seek | elations firm employed by any party to the discretionary ing the discretionary contract. |
| No lobbyist or public relations fire | m employed; o <i>r</i> |
| List lobbyists or public relations firms | s: NO LOBBYISTS |
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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. A sole proprietor should list the name of the individual and the d/b/a, if any.

(5) Political Contributions

List all political contributions totaling one hundred dollars (\$100) or more within the past twentyfour (24) months made 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 Box (1), (2), (3) or (4) above, or by the officers, owners of any business entity listed in Box (1), (2) or (3):

| By Whom Made: | To Whom Made: | Amount: | Date of Contribution |
|---------------|-----------------|---------|----------------------|
| Jose A Alfaro | Phil Hardberger | 100.00 | 02/21/05 |
| " | Phil Hardberger | 50.00 | 05/31/05 |
| 66 | Sheila McNeil | 150.00 | 11/10/04 |
| 46 | Sheila McNeil | 50.00 | 03/07/05 |
| 66 | Art Hall | 500.00 | 05/07/04 |
| 66 | Art Hall | 200.00 | 11/09/04 |
| 66 | Kevin Wolfe | 250.00 | 09/20/05 |

(6) Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city must 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), ("conflicts of interest") by participating in official action relating to the discretionary contract.

Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the City Code; or

Party aware of the following facts: NONE

This form is required to be supplemented in the event there is any change in the information 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: Owner

Date:

Company or D/B/A:

Alfaro Consulting Company

October 20, 2005

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 Section 2-59 through 2-61 of the City Code (Ethics Code)

Attach additional sheets if space provided is not sufficient.

| (1) Identify any individual or business entity ¹ that is a party to the discretionary contract: |
|--|
| N/A |
| IVA |
| |
| (2) Identify any individual or business entity which is a <i>partner</i> , <i>parent</i> or <i>subsidiary</i> business |
| entity, of any individual or business entity identified above in Box (1): |
| No partner, parent or subsidiary; or |
| List partner, parent or subsidiary of each party to the contract and identify the corresponding party: |
| Westfield Concession Management, Inc. |
| |
| |
| (3) Identify any individual or business entity that would be a subcontractor on the discretionary contract. |
| No subcontractor(s); or |
| List subcontractors: |
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| (4) Identify any <i>lobbyist</i> or <i>public relations firm</i> employed by any party to the discretionary contract for purposes related to seeking the discretionary contract. |
| |
| No lobbyist or public relations firm employed; <i>or</i> |
| List lobbyists or public relations firms: |
| Kaufman & Associates, Inc. |
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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. A sole proprietor should list the name of the individual and the d/b/a, if any.

| Council, or to any political action individual or business entity w | current or former member of City on committee that contributes to hose identity must be disclosed is of any business entity listed in I | City Council under Box (| elections, by any 1), (2), (3) or (4) |
|---|---|--------------------------------------|---|
| No contributions made; If c | ontributions made, list below: | | |
| By Whom Made: | To Whom Made: | Amount: | Date of Contribution: |
| See Attached | | | |
| known facts which, reasonably employee would violate Section participating in official action rel | y seeking a discretionary contract understood, raise a question ² a n 2-43 of the City Code (Ethics C ating to the discretionary contract ch would raise a "conflicts-of-inter s: | s to whether Code), ("conflict. | any city official or cts of interest") by |
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| Signature: | Title: PRESIDENT | Date: | |
| Server 7 Benga | Company or D/B/A: | 11-1-0 | 5 |
| WILLIAM T. KAUFMAN | KAUFMAN & ASSICIAT | ES INC. | |

(5) Political Contributions
List all political contributions totaling one hundred dollars (\$100) or more within the past twenty-

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.

LAW OFFICES OF

KAUFMAN & ASSOCIATES, INC.

1250 Frost Bank Tower 100 West Houston Street

SAN ANTONIO, TEXAS 78205-1457 TELE: (210) 227-2000 FAX: (210) 227-2001

www.kaufmanassoc.com

Political contributions of more than \$100 made during the previous twenty-four months to Council members and political action committees.

William T. Kaufman

| August 2004 August 2004 December 2004 January 2005 February 2005 March 2005 March 2005 April 2005 May 2005 May 2005 May 2005 June 2005 June 2005 June 2005 June 2005 | Ron Segovia Campaign Kevin Wolff For Dist. 9 Art Hall Campaign Carroll Schubert for Mayor Ray Lopez Campaign Chip Haass Campaign Joel Williams Campaign Roger Flores Campaign Phil Hardberger Campaign Ray Lopez Campaign Noel Suniga Campaign Ohip Haass Campaign Sheila McNeil Campaign Art Hall Campaign | \$600 \$1000 \$500 \$1000 \$500 \$500 \$500 \$500 |
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