

CONSENT AGENDA  
ITEM NO. 33

**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:** Prue Road Low Water Crossing

**DATE:** December 15, 2005

**SUMMARY AND RECOMMENDATIONS**

This ordinance accepts a proposal, appropriates funds, and authorizes a professional services agreement in the amount of \$58,520.96 for professional engineering services payable to Civil Engineering Consultants, Inc., authorizes \$5,852.10 for Project Contingency, and \$4,506.11 for Capital Administrative Costs, for a total ordinance amount of \$68,879.17, in connection with the Prue Road Low Water Crossing Project, an authorized 2003 Storm Water Revenue Bond funded project, located in Council District 8.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

This project provides for the installation of a cross drainage structure on Prue Road at Huebner Creek to eliminate the low water crossing and the reconstruction of Prue Road, which is necessary to accommodate the drainage structure. The roadway through the length of the improvements will remain a 2-lane roadway with no curbs or sidewalks, but the culvert length will be set to allow for a future 5-lane section. Right of way easements will need to be acquired both upstream and downstream to accommodate the drainage and future roadway improvements. The project is currently in the conceptual phase of design and is not scheduled for construction.

This ordinance authorizes compensation in the amount of \$58,520.96 payable to Civil Engineering Consultants, Inc. for professional engineering services necessary to complete Section 404 permitting and to provide bidding and construction phase consulting services. The Professional Services Agreement is included herein as Attachment 3. This ordinance also authorizes \$5,852.10 for project contingency, and \$4,506.11 for capital administrative costs.

The initial design of the Prue Road Low Water Crossing project was completed by DeZavala Capital Associates through a professional services agreement authorized by City Council on October 10, 1992, through Ordinance No. 96517. DeZavala Capital and Associates utilized the services of Civil Engineering Consultants, Inc. to perform the project design. The 1992 agreement did not include the cost of engineering services typically performed during the bidding and construction phase and therefore a subsequent agreement with Civil Engineering Consultants, Inc. for these services is now required.

## **POLICY ANALYSIS**

Approval of this ordinance will be a continuation of City Council policy to complete 2003-2007 Storm Water Revenue Bond funded projects.

## **FISCAL IMPACT**

This is a one-time capital improvement expenditure within budget and included in the FY 06-11 Capital Improvement Program Budget. Funds in the amount of \$68,879.17 are available from 2003-2007 Storm Water Revenue Bond funds to be appropriated and payable as follows:

\$58,520.96	payable to Civil Engineering Consultants, Inc. for professional engineering services
\$ 5,852.10	for project contingency
\$ 4,506.11	for capital administrative costs

## **COORDINATION**

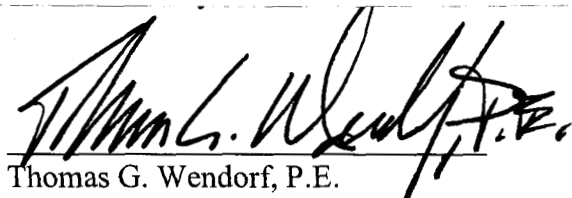
This request has been coordinated with the Office of Budget and Management and the Finance Department.

## **SUPPLEMENTARY COMMENTS**

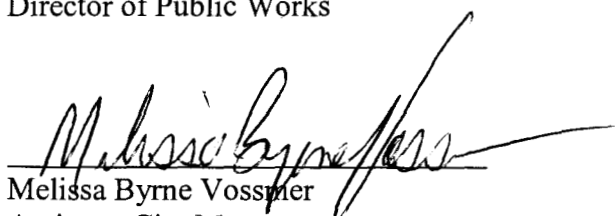
The Discretionary Contracts Disclosure form required by the Ethics Ordinance is attached.

## **ATTACHMENTS**

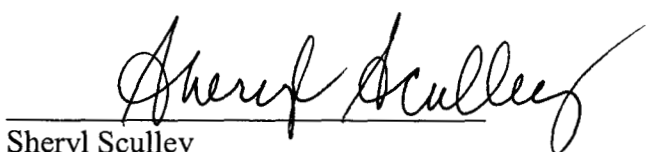
1. Project Map



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



Melissa Byrne Vossmer  
Assistant City Manager



Sheryl Sculley  
City Manager



CITY OF SAN ANTONIO  
Department of Public Works  
Capital Programs Division

## ***Prue Road Low Water Crossing***

Scale: None  
12/10/03  
DEH



## 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<sup>1</sup> that is a **party** to the discretionary contract:

Don Durden, P.E., R.P.L.S., 83.604% Ownership, President  
Ken Thomas, P.E., R.P.L.S., 4.5% Ownership, Principal – Public Works Division Manager  
Chester Varner, R.P.L.S., 2.75% Ownership, Principal – Senior Project Surveyor  
Alan Lindskog, P.E., R.P.L.S., 2.50% Ownership, Principal- Senior Project Manager  
Ken Koch, P.E., 2.15% Ownership, Principal-V.P./Director of Business Development  
Joe Nix, P.E., R.P.L.S., P.T.O.E., 1.25% Ownership, Principal – Senior Project Engineer  
Garland Galm, P.E., 1.22% Ownership, Principal-Transportation Division Manager  
Mike Haberer, R.P.L.S., 0.78% Ownership, Principal-Survey Division Manager  
Matt Van Wicklen, P.E., 0.25% Ownership, Principal – Vice President Employee Benefits

(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):

☒ No partner, parent or subsidiary; or

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

(3) Identify any individual or business entity that would be a **subcontractor** on the discretionary contract.

☒ No subcontractor(s); or

List subcontractors:

(4) Identify any **lobbyist** or **public relations firm** employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☒ No lobbyist or public relations firm employed; or

List lobbyists or public relations firms:

### (5) Political Contributions

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

<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. A sole proprietor should list the name of the individual and the d/b/a, if any.

☐ No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
Donald J. Durden	Carroll Schubert	\$1,000	2/19/04
Donald J. Durden	Ron Segovia	\$200	7/22/04
Donald J. Durden	Joel Williams	\$150	7/22/04
Donald J. Durden	Friends of Chip Haas	\$150	8/27/04
Donald J. Durden	Friends of Richard Perez	\$150	8/27/04
Donald J. Durden	Roger Flores	\$150	10/14/04
Donald J. Durden	Art Hall	\$250	12/01/04
Donald J. Durden	Kevin Wolff	\$150	12/01/04
Donald J. Durden	Patty Radle	\$150	12/22/04
Donald J. Durden	Carroll Schubert	\$500	1/18/05
Donald J. Durden	Carroll Schubert	\$500	2/10/05
Kenneth W. Thomas	Kevin Wolff	\$100	5/27/05
Donald J. Durden	Kevin Wolff	\$100	5/27/05
Donald J. Durden	Phil Hardberger	\$1,000	5/27/05
Donald J. Durden	Ray Lopez Campaign	\$500	5/27/05
Donald J. Durden	Noel Suniga campaign	\$500	5/27/05
Donald J. Durden	Roland Gutierrez	\$150	10/31/05
Donald J. Durden	Delicia Herrera	\$150	11/1/05

**(6) Disclosures in Proposals**

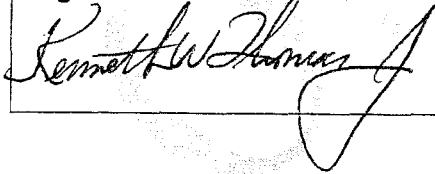
Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by 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:

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: Principal  
Company or D/B/A: Don  
Durden, Inc. dba Civil  
Engineering Consultants

Date:

11/09/05