

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

TO: Sheryl Sculley, City Manager

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

SUBJECT: Jones Maltsberger – (U.S. 281 to U.P.R.R.)

DATE: April 6, 2006

SUMMARY AND RECOMMENDATIONS

This ordinance accepts a fee proposal and amends an existing professional services agreement in the amount of \$12,010.00, payable to Bain Medina Bain, Inc., from Certificates of Obligation for revisions to the railroad permit exhibits and associated field and review meetings, in connection with the Jones Maltsberger – (U.S. 281 to U.P.R.R.) project, an authorized Metropolitan Planning Organization (MPO) funded project, located in Council District 9.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This project provides for the reconstruction of the existing 2-lane roadway to 4-lanes with curbs and 6-foot sidewalks against the curb and drainage. This project is currently under design. The additional professional services for this project include revisions to the railroad permit exhibits and associated field and review meetings between the Texas Department of Transportation (TxDOT) and the UPRR. The revisions include updating the railroad exhibit, modifying the cross sections and plan sheets to revise the right turn lane onto Jones Maltsberger from the south bound frontage road, and modifying the Traffic Control Plans to include a detour. These revisions are necessary to meet the requirements of the UPRR.

This ordinance authorizes additional compensation in the amount of \$12,010.00 payable to Bain Medina Bain, Inc., for additional professional services necessary to provide revisions to the railroad permit exhibits and associated field and review meetings.

A previously executed professional service agreement with Bain Medina Bain, Inc., was approved by Ordinance No. 89387 on March 11, 1999, and initially authorized \$56,775.00 for professional services related to this project. Subsequent action has increased the contract amount to \$98,081.18. This ordinance will increase the total amount approved for this contract to \$110,091.18.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved Metropolitan Planning Organization (MPO) funded capital improvement 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 \$12,010.00 are available from Certificates of Obligations and are authorized to be appropriated and payable to Bain Medina Bain, Inc.

COORDINATION

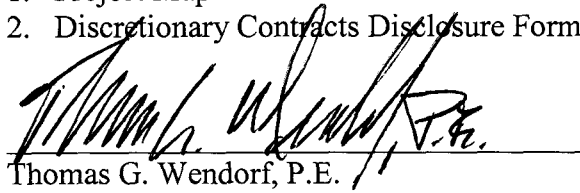
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

SUPPLEMENTARY COMMENTS

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

ATTACHMENTS

1. Project Map
2. Discretionary Contracts Disclosure Form

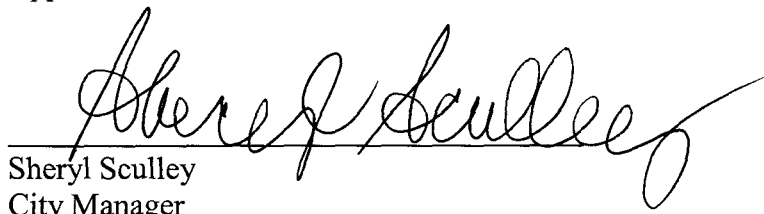


Thomas G. Wendorf, P.E.
Director of Public Works



Jelynn LeBlanc Burley
Deputy City Manager

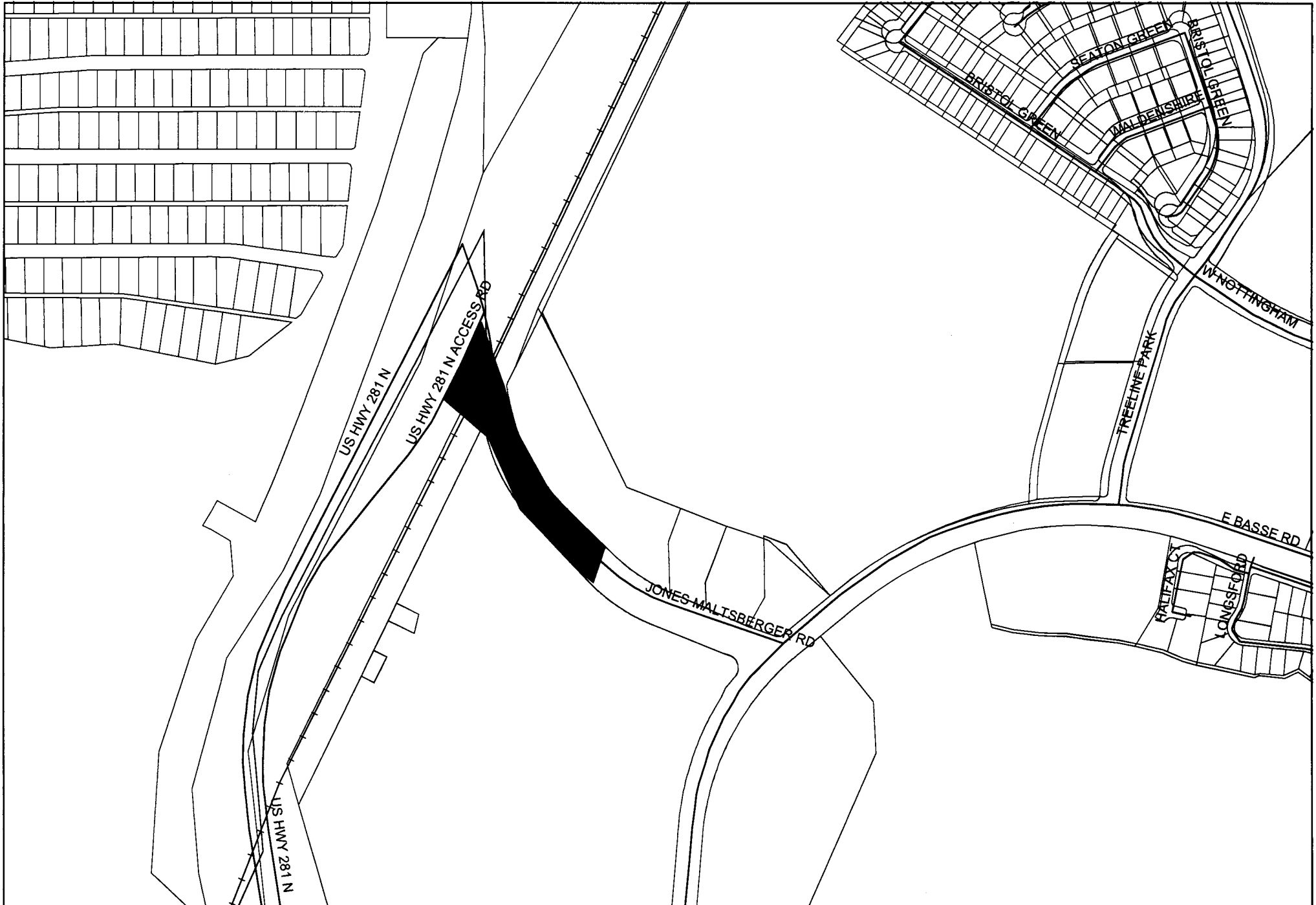
Approved for Council Consideration:



Sheryl Sculley
City Manager



JONES MALTSBERGER: US 281 TO E. OF UPRR TRACKS



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 entity¹ that is a **party** to the discretionary contract:

☐ **Bain Medina Bain, Inc.**

(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;**

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

(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;**

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 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):

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


By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
Pamela Bain Pamela Bain	Richard Perez Delicia Herrera	\$500.00 \$250.00	August 2005 November 2005

(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

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: Company or D/B/A: Bain Medina Bain, Inc.	Date: February 27, 2006
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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.