

**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:** Clark (Fair to Southcross)  
**DATE:** March 30, 2006

**SUMMARY AND RECOMMENDATIONS**

An ordinance selecting Civil Engineering Consultants, Inc. (CEC) to provide additional engineering services in connection with the Clark Avenue from Fair to Southcross Project, an authorized 1999 General Obligation Street Improvement Bond, Housing Urban Development (HUD) 108 Loan Program and Metropolitan Planning Organization (MPO) funded project, located in District 3; appropriating a total ordinance amount of \$20,582.20 from Housing and Urban Development (HUD) 108 Loan Program funds; and providing for payment.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

This project provides for improvements to Clark Avenue from Fair to Southcross which consists of reconstruction of the existing 2-lane roadway to 2 lanes with a center turn lane and will include curbs, 6-foot sidewalks at the curb in commercial sections, driveway approaches and an underground storm drain system. Project construction is scheduled to begin in July 2006 and to be completed by October 2007.

This ordinance authorizes funding in the amount of \$17,487.00 payable to CEC for additional professional engineering services which include the preparation of the proposal packets and bid documents, management of the bid documents, and the analysis of the bid documents. These additional services are necessary in order to proceed with the advertising phase of this project.

The professional service agreement for the Clark Avenue – Fair to Southcross project was approved by City Council on September 28, 2000 through Ordinance No.92571 and authorized \$60,235.00 for professional engineering services. Subsequent council action has increased the amount approved for this agreement to \$344,996.64.00. This ordinance will increase the total authorized for this professional services agreement to \$362,483.64.00.

## **POLICY ANALYSIS**

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 1999 General Obligation Street Improvement Bond, Housing and Urban Development 108 Loan Program and Metropolitan Planning Organization 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 \$20,582.20 are available from Housing and Urban Development (HUD) 108 Loan Program funds and are appropriated and payable as follows:

\$ 17,487.00	payable to Civil Engineering Consultants, Inc. for professional engineering services
\$ 1,748.70	for project contingency
\$ 1,346.50	for capital administrative costs

## **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.

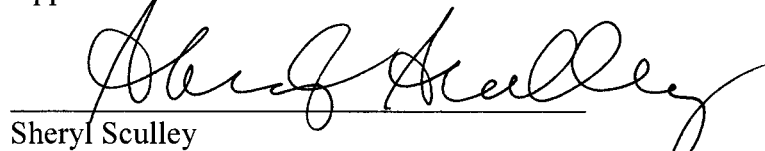
## **ATTACHMENTS**

1. Project Map
2. Discretionary Contracts Disclosure Form

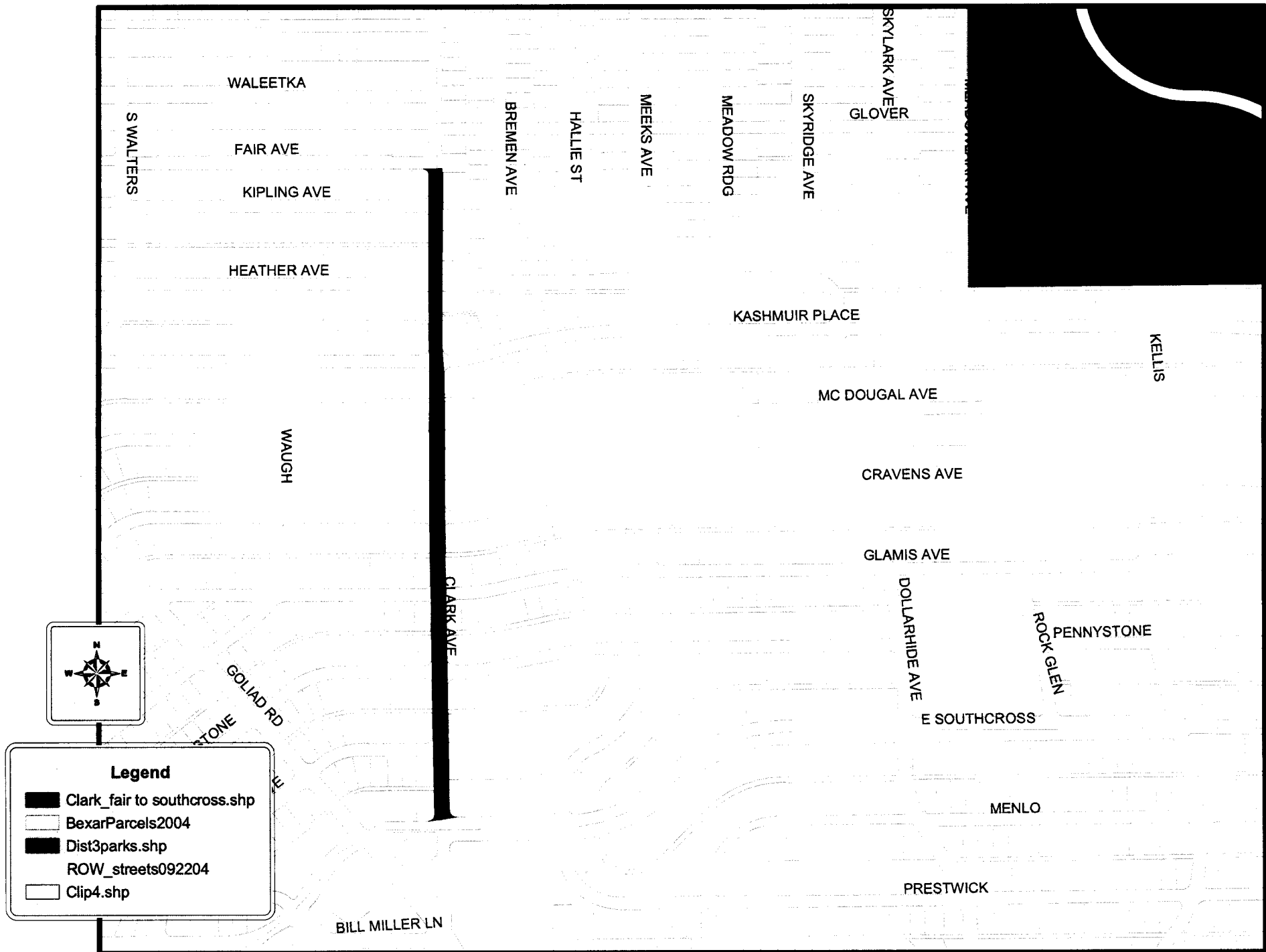
  
Thomas G. Wendorf, P.E.  
Director of Public Works

  
Jelynn LeBlanc Burley  
Deputy City Manager

Approved for Council Consideration:

  
Sheryl Sculley  
City Manager

# Clark: Fair to Southcross



**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., 74.81% Ownership, President  
Ken Thomas, P.E., R.P.L.S., 5% Ownership, Principal – Public Works Division Manager  
Ken Koch, P.E., 5% Ownership, Principal–V.P./Director of Business Development  
Garland Galm, P.E., 3.33% Ownership, Principal-Transportation Division Manager  
Mike Haberer, R.P.L.S., 3.11% Ownership, Principal-Survey 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- Development Division Manager  
Terry Conn, P.E., 2% Ownership, Principal – Senior Project Manager  
Joe Nix, P.E., R.P.L.S., P.T.O.E., 1.25% Ownership, Principal – Senior Project Engineer  
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:

<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.

**(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:
	Carroll Schubert	\$500	02/16/04
	Ron Segovia	\$200	07/01/04
	Joel Williams	\$150	07/12/04
	Friends of Chip Haas	\$150	08/11/04
	Friends of Richard Perez	\$150	08/18/04
	Roger Flores	\$150	08/31/04
	Kevin Wolff	\$150	11/08/04
	Art Hall	\$250	11/23/04
	Patty Radle	\$150	12/13/04
	Carroll Schubert	\$500	01/17/05
	CEPAC	\$100	02/01/05
	Kevin Wolff	\$100	04/27/05
	Phil Hardberger	\$1,000	05/20/05
	Ray Lopez Campaign	\$500	05/24/05
	Noel Suniga campaign	\$500	05/24/05
	Roland Gutierrez	\$150	10/31/05
	Delicia Herrera	\$150	11/01/05
	Richard Perez	\$150	11/22/05

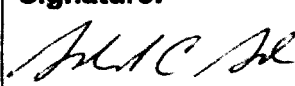
**(6) Disclosures in Proposals**

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: <i>Transportation Division Manager</i> Company or D/B/A: Don Durden, Inc. DBA Civil Engineering Consultants	Date: <i>2/16/2006</i>
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<sup>2</sup> 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.