

Agenda item #42

**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: San Antonio River Improvement Project – Link from Alamo to Eagleland: Hike and Bike Phase

DATE: June 29, 2006

SUMMARY AND RECOMMENDATIONS

An ordinance amending a professional services agreement, appropriating funds and authorizing payment to Civil Engineering Consultants (CEC) in the amount of \$198,085.96 for additional engineering services, authorizing \$5,628.87 for Project Contingency and \$14,259.90 for Capital Administrative Costs for a total ordinance amount of \$217,974.73, in connection with the San Antonio River Improvement Project – Link from Alamo to Eagleland: Hike and Bike Phase, located in Council District 5. This ordinance appropriates funds in the amount of \$217,974.73 from the CPS Lease-Back Proceeds.

The professional services agreement to be utilized for the Hike and Bike Phase of this project was approved by City Council on March 30, 1995 through Ordinance No. 81976 and authorized \$485,000.00 for professional engineering services in connection with the San Antonio River Improvement Project – Link from Alamo to Eagleland: Hike and Bike Phase. Subsequent amendments have increased the amount of this agreement to \$521,844.82. This ordinance will increase the total agreement amount to \$719,930.78. This item represents a portion of a total estimated project cost of \$2,700,000.00.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This project provides for the design of a 4,000 foot hike and bike path and pedestrian walkway across, along, and in some cases within the San Antonio River Flood Control Channel. This facility extends from Eagleland Drive to the southern terminus of the San Antonio River Walk, just upstream from the Guenther Street Bridge. This project is being constructed in two phases: the Hike and Bike phase, which is City funded and the Pedestrian phase funded with MPO funds.

The Eagleland Project – Link from Alamo to Eagleland: Hike and Bike Phase provides for the design of a 2,400 foot hike and bike path across and along the San Antonio River. This facility extends from Eagleland Drive to Alamo Street. Construction on this project began in May 2006 and is anticipated to be completed by December 2006.

This ordinance authorizes payment in the amount of \$198,085.96 to Civil Engineering Consultants for additional professional engineering services. These services include design modifications of storm inlets along adjacent properties, coordination and preparation of exhibits for San Antonio River Oversight Committee meetings, preparation and execution of bid documents and construction phase services required to complete the project.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously authorized capital projects.

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget and is included in the FY 06-11 Capital Improvement Program Budget. Funds in the amount of \$217,974.73 are available from CPS Lease-Back Proceeds (within the Revitalization Fund) and are appropriated and payable as follows:

\$ 198,085.96	to CEC for professional engineering services
\$ 14,259.90	for Capital Administrative Costs
\$ 5,628.87	for Project Contingency

COORDINATION

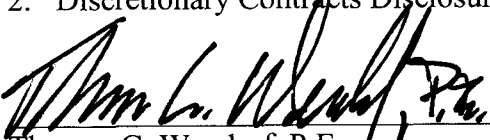
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

SUPPLEMENTARY COMMENTS


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

ATTACHMENTS

1. Project Maps
2. Discretionary Contracts Disclosure Forms




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

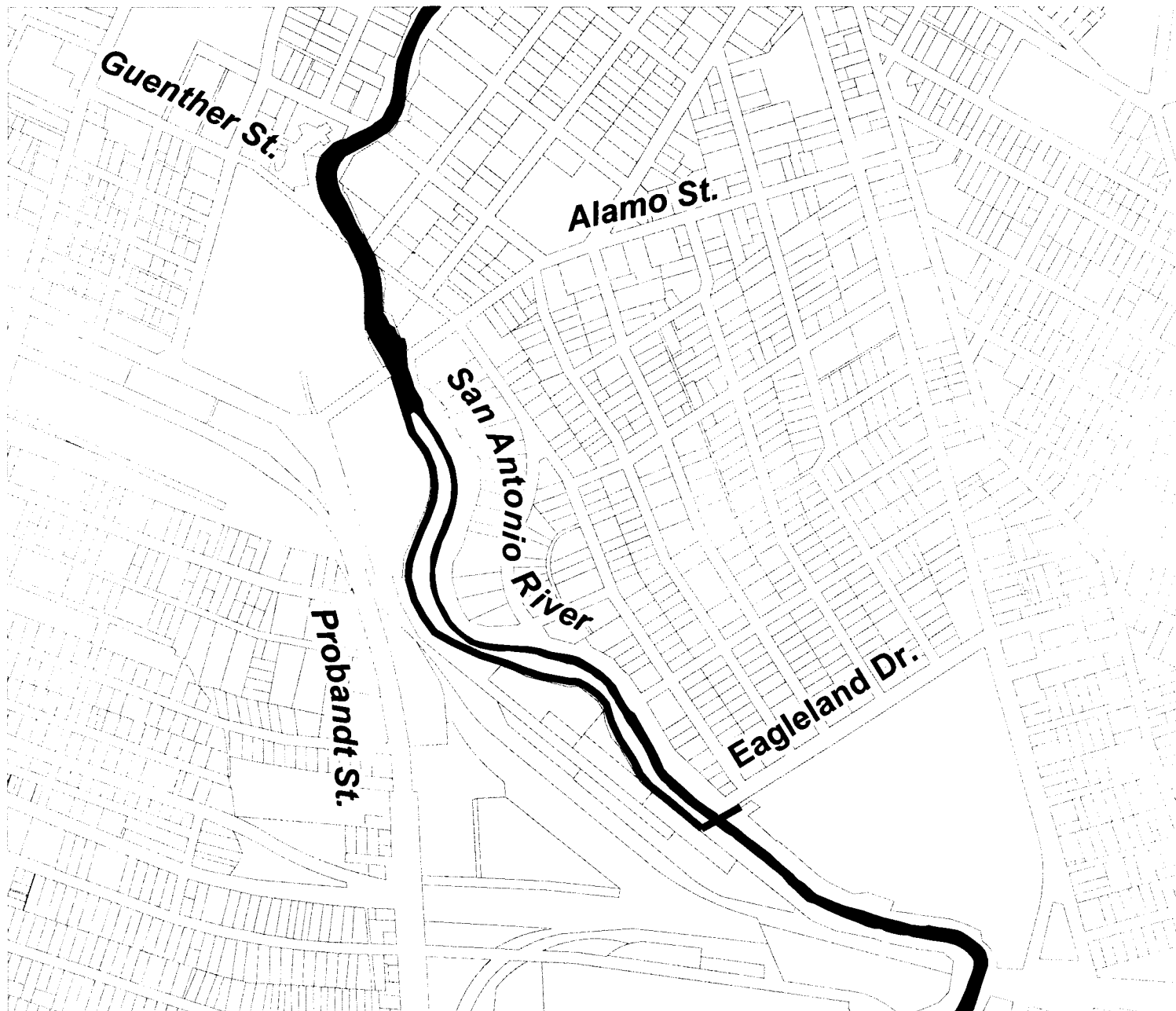


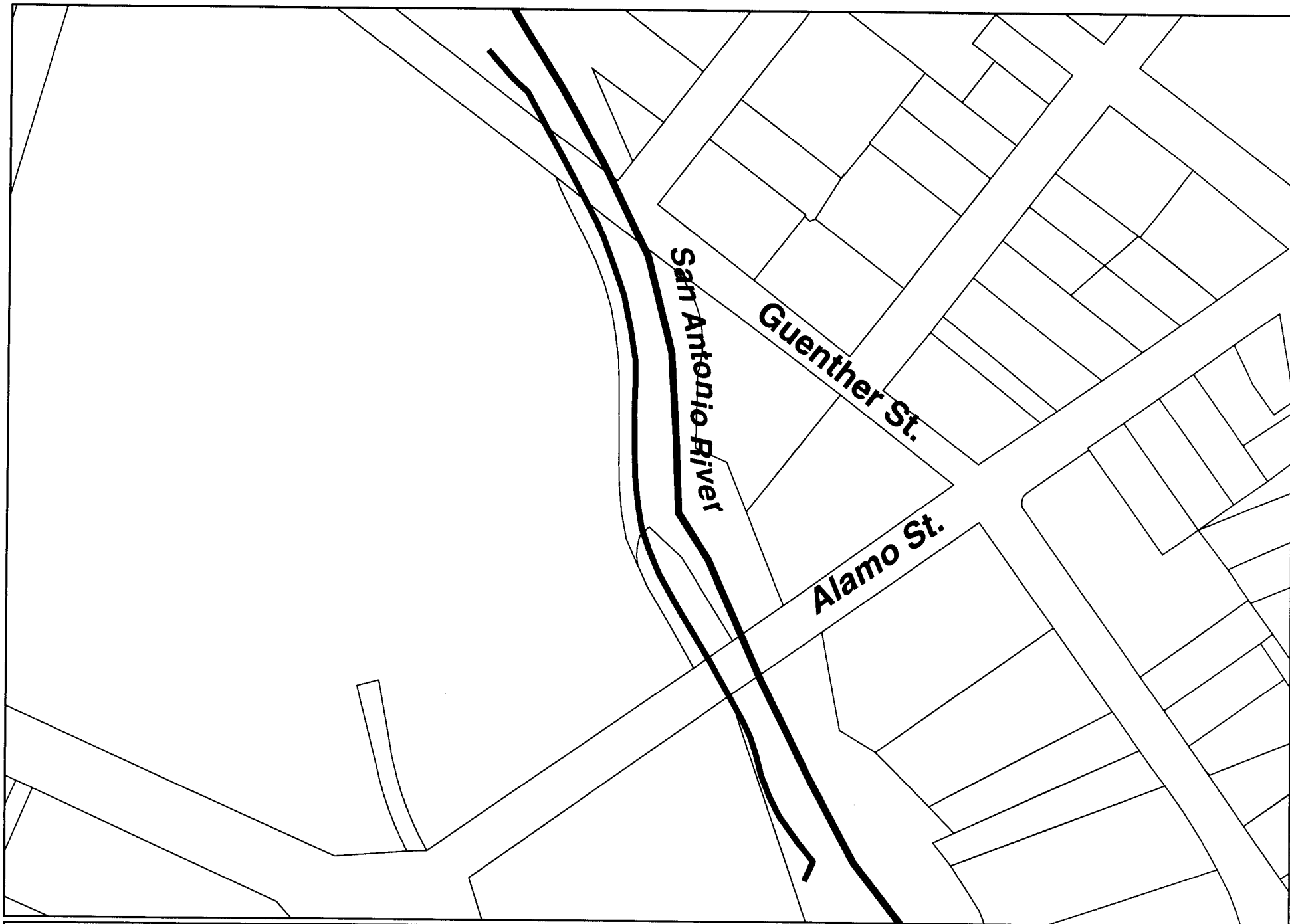
For Jelynn LeBlanc Burley
Deputy City Manager

Approved for Council Consideration:



Sheryl Sculley
City Manager





CITY OF SAN ANTONIO
Department of Public Works
Capital Programs Division

Eagleland River Walk Link/Pedestrian Phase

Scale: None
2/22/06
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 entity¹ that is a **party** to the discretionary contract:

See attached

(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:

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:
See attached			


(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:

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: PRESIDENT Company or D/B/A: CEL	Date: 6/14/06
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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.



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

MUNICIPAL • DEVELOPMENT
SURVEYING • TRANSPORTATION

(1) Identify any individual or business entity 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 / V.P. of Strategic Marketing

Ken Koch, P.E., 5% Ownership, Principal / V.P. of Business Growth & Management

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

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 Traffic Engineer

Matt Van Wicklen, P.E., 0.25% Ownership, Principal / Vice President

(5) Political Contributions

DATE	CONTRIBUTION TO:	AMOUNT
2/01/2005	CEPAC	\$100
2/10/2005	Carroll Schubert	\$500.00
2/10/2005	Joe Strauss	\$250.00
4/19/2005	Chico Rodriguez	\$200.00
5/27/2005	Kevin Wolfe	\$100.00
	Phil Hardberger	\$1,000.00
	Ray Lopez Campaign	\$500.00
	Noel Suniga Campaign	\$500.00
5/27/2005	Kevin Wolfe	\$100.00
6/16/2005	Tom DeLay	\$1,000.00
8/31/2005	Carlos Uresti Campaign	\$500.00
	Carter Casteel Campaign	\$500.00
10/4/2005	Frank Madla	\$1,000.00
11/15/2005	Richard Perez	\$150.00
	Jose Menendez	\$150.00
	Delicia Herrera	\$150.00
	Roland Gutierrez	\$500.00
12/6/2005	ACE PAC	\$2,500.00
12/6/2005	David Dewhurst	\$500.00
01/10/2006	Frank Madla Campaign	\$500.00
	Texans for Henry Cuellar	\$1,000.00
02/13/2006	CEPAC	\$500.00
03/09/2006	Kay Bailey Hutchinson	\$500.00
05/08/2006	Charlie Connor	\$400.00
	Art Hall	\$100.00
05/11/2006	Charlie Connor	\$250.00

