

AN ORDINANCE **9 6 6 2 2**

SELECTING TURNER COLLIE AND BRADEN, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 2002 FLOOD BUYOUT PROGRAM; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$36,000.00 FROM STORMWATER OPERATING FUNDS; AUTHORIZING \$3,600.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, Turner, Collie, and Braden, Inc. submitted a proposal to provide the necessary professional engineering services in connection with the Federal Emergency Management Agency (FEMA) 2002 Flood Buyout Program; and

WHEREAS, the contract provides for related assessment of 90 residential properties within the Woodlawn Lake area and services required by the FEMA deadline of November 8, 2002; and

WHEREAS, four proposals were received, of which two failed to meet the City's insurance and indemnification requirements, and of which one could only commit one inspector to the project, which would not be sufficient to complete the assessments within the FEMA deadline; and

WHEREAS, it is now necessary to ratify the selection of the firm of **Turner, Collie, and Braden, Inc.**, authorize the negotiation of a professional services contract in an amount not to exceed \$36,000.00 and provide for payment of said contract, as well as, payment in the amount of \$3,600.00 for miscellaneous engineering contingency expenses; and

WHEREAS, approval of this ordinance will be a continuation of City policy to mitigate potential harm to property and life in flood prone areas, **NOW THEREFORE;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The selection of **Turner, Collie and Braden, Inc.** is hereby ratified for the purpose of providing professional engineering and design services in connection with the Federal Emergency Management Agency (FEMA) 2002 Flood Buyout Program.

SECTION 2. City staff is authorized and directed to commence negotiations with said firm to reach an agreement on a contract for such work at a fair and reasonable price not to exceed \$36,000.00.

SECTION 3. If a contract can be negotiated in accordance with the terms of the standard-form contract for engineering services, and in accordance with the price provisions contained herein, the City Manager, the Assistant City Manager, or an Assistant to the City Manager is authorized to execute such an agreement without further City Council action. A copy of such standard form contract appears in substantially the same form as **Attachment I** and is incorporated by reference

herein. Should a contract be negotiated which varies from the standard terms, the contract must be considered through a subsequent ordinance. If so, City Council must approve the contract terms and insure that the compensation provided meets the legal requirements set out in Section 2254.004 of the Texas Government Code.

SECTION 4. This Ordinance is also a declaration of the City's official intent to reimburse itself from the proceed derived from the sale of General Obligation Bonds for any authorized expenditures previously incurred from any lawfully available fund of the City.

SECTION 5. The following appropriations are contingent upon the sale of General Obligation Bonds for improvements pertaining to Public Safety.

SECTION 6. Funds will be appropriated and encumbered in Fund No. 29-023000 (Miscellaneous Special Revenue Stormwater Operating Fund in Index Code 669887 entitled "2002 Flood Damage Assessment" for \$36,000.00 and made payable to **Turner Collie & Braden, Inc.**

SECTION 7. Funds will be appropriated and encumbered in Fund No. 29-023000 (Miscellaneous Special Revenue Stormwater Operating Fund in Index Code 669887 entitled "2002 Flood Damage Assessment" for \$3,600.00 and made payable to **Turner Collie & Braden, Inc.** for engineering contingency.

SECTION 8. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 9. This ordinance shall take effect on the 3rd day of November, 2002.

PASSED AND APPROVED this 24th day of October, 2002.

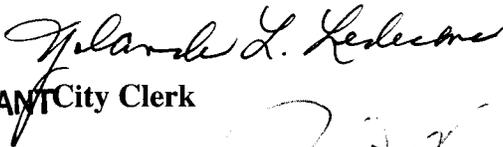


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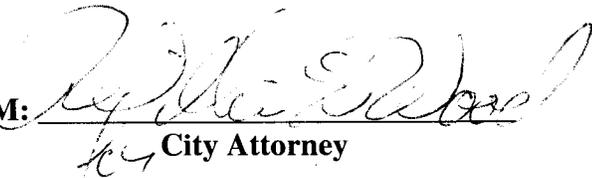


EDWARD D. GARZA

ATTEST:


ASSISTANT City Clerk

APPROVED AS TO FORM:


City Attorney