

AN ORDINANCE                    **9 7 2 6 9**

**SELECTING BAIN, MEDINA, BAIN, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE OGDEN FROM DEWEY TO ASHBY AND E. COURTLAND FROM MAIN TO MCCULLOUGH COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 28<sup>TH</sup> YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$57,694.00; AUTHORIZING \$5,800.00 FOR MISCELLANEOUS PROJECT CONTINGENCY EXPENSES; FOR AN OVERALL TOTAL AMOUNT OF \$63,494.00; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, the City Council has approved the Ogden from Dewey to Ashby Project and E. Courtland from Main to McCullough Project (hereinafter collectively referred to as "Projects") as part of the Community Development Block Grant (CDBG) Program; and

**WHEREAS**, in connection with said Projects, there exists a need for basic engineering services through final design phase, geotechnical services, pavement design, Texas Department of Licensing and Regulation (TDLR) review and bidding phase services; and

**WHEREAS**, the City staff rated all individuals and firms which submitted proposals to be considered for the above-described work, giving consideration to past experience and recognized ability and competence in providing such services; and

**WHEREAS**, the City staff reviewed the ratings and has recommended to the City Council that Bain, Medina, Bain, Inc.'s professional services contract should be accepted for said work, based upon demonstrated ability and qualifications; **NOW THEREFORE:**

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

**SECTION 1.** Bain, Medina, Bain, Inc. is hereby selected to provide engineering services in connection with Ogden from Dewey to Ashby and E. Courtland from Main to McCullough Community Development Block Grant (CDBG) Projects.

**SECTION 2.** The City Manager or her designee, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, or the Director of Public Works is hereby authorized to negotiate and execute a professional services contract in the amount of \$57,694.00 with Bain, Medina, Bain, Inc.

**SECTION 3.** The City Manager or her designee, either the Deputy City Manager, an Assistant City Manager or an Assistant to the City Manager, or the Director of Public Works is hereby authorized to execute such professional services contract without further action of City Council. Should a contract be negotiated which varies from the standard terms, the contract must be subsequently considered by the City Council which must approve its terms and insure that the compensation provided meets the legal requirements as set in V.T.C.A. Government Code, Title 10, Chapter 2254.004, and that other provisions are acceptable.

**SECTION 4.** Fund No. 26-013530, entitled "Ogden from Dewey to Ashby and E. Courtland from Main to McCullough" is hereby designated for use to account for all transactions, and the sum of \$63,494.00 is hereby appropriated in said fund as set out in the detailed budget affixed hereto and incorporated herein for all purposes as Attachment I.

**SECTION 5.** 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 allocations to Specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 6.** The following sums are hereby authorized for encumbrance in and payments from Project No. 26-013530:

\$57,694.00	for engineering expenses payable to Bain, Medina, Bain, Inc., Index No. 726893; and
\$ 5,800.00	for engineering contingency, Index No. 726901.

**SECTION 7.** This Ordinance shall become effective on and after the tenth (10th) day after passage hereof.

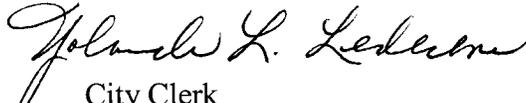
**PASSED AND APPROVED** this 6<sup>th</sup> day of March, 2003.



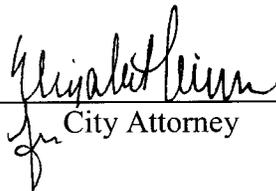
M A Y O R

**EDWARD D. GARZA**

**ATTEST:**



City Clerk

**APPROVED AS TO FORM:**   
City Attorney