

AN ORDINANCE      **99772**

ACCEPTING THE PROPOSAL AND AMENDING A CURRENT CONSULTANT AGREEMENT WITH 2TEN ARCHITECTS, INC. (DBE/SBE/MBE) TO PROVIDE ARCHITECT SERVICES IN CONNECTION WITH THE FARMERS MARKET BUILDING REHABILITATION PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$23,508.00; AUTHORIZING \$2,300.00 FOR CONTINGENCY EXPENSES; AUTHORIZING \$3,400.00 FOR MANDATORY PROJECT FEES; APPROPRIATING \$97,400.00 FOR CONSTRUCTION EXPENSES, FOR A TOTAL AMOUNT OF \$126,608.00 FROM THE MARKET SQUARE PARKING IMPROVEMENTS TRUST FUND; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \* \*

**WHEREAS**, the Farmer's Market in Market Square has been an important market place in San Antonio's history; and

**WHEREAS**, a professional services agreement was approved through Ordinance 99300 on June 3, 2004 with 2TEN Architects, Inc. for architect services associated with the Farmers Market Building Rehabilitation Project in City Council District 1; and

**WHEREAS**, the existing project includes indoor and outdoor lighting, roof repair/replacement, HVAC replacement, ADA modifications and other general improvements in the Farmers Market Building in Market Square; and

**WHEREAS**, the Market Square Parking Improvements Fund has funding available for renovations to Market Square; and

**WHEREAS**, the proposed amendment adds production of bid documents for the El Mercado Building lower roof replacement and replacement of up to seven HVAC units mounted on the lower roof; and

**WHEREAS**, the consultant 2TEN Architects, Inc. has submitted a proposal to add these services to its existing agreement for architect services and will expedite the project to be completed at the same time; and

**WHEREAS**, it is now necessary to accept the proposal from 2TEN Architects, Inc., authorize an amendment and to appropriate funds into the project's budget and to provide for payment; **NOW THEREFORE:**

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

**Section 1.** 2TEN Architects, Inc. are hereby selected to provide additional architectural, construction plan and construction administration services in connection with the Farmers Market Building Rehabilitation Project.

**Section 2.** The City Manager, or her designee is hereby authorized to amend an existing contract with said firm to reach an agreement on a contract amendment for the fair and reasonable amount up to a total of \$23,508.00 for professional architect and engineering services. Upon execution, copies of said contract shall be filed with the Department of Public Works and the Department of Parks and Recreation. The agreement shall remain in force for a period which may reasonably be required for the design, award of the contract, and construction of the project, including any extra work and any required extensions thereto unless discontinued as provided for in the contract.

**Section 3.** If a contract can be negotiated corresponding in form and content to the standard contract used by the City of San Antonio for such services, and for the amount stated herein, then the City Manager, or her designee is hereby authorized to execute such contract without further City Council action.

**Section 4.** The budget in fund 29-008000, Capital Improvements Reserve Fund, shall be revised by reducing index code 925982, entitled "Trf To Market Square Parking Impr Fd 40" by the amount of \$126,608.00.

**Section 5.** The amount of \$126,608.00 is appropriated in 29-008000, Capital Improvements Reserve Fund, in index code 942953, entitled Transfer to 45-094026 Market Square. The amount of \$126,608.00 is authorized to be transferred from fund 29-008000 to fund 45-094026.

**Section 6.** The budget in fund 45-094026, General Obligation Capital Projects, shall be revised by increasing index code 148809, entitled Trf Fr 29-008000, by the amount of \$126,608.00.

**Section 7.** The amount of \$23,508.00 is appropriated in fund 45-094026, General Obligation Capital Projects, in index code 799668, entitled Architect Fees, and is authorized to be encumbered and made payable to 2Ten Architects, Inc. for architect services in connection with the Market Square: Farmer's Market Rehabilitation project.

**Section 8.** The amount of \$2,300.00 is appropriated in fund 45-094026, General Obligation Capital Projects, in index code 799676, entitled Architect Contingency, and is authorized to be encumbered and made payable for consultant contingencies including code requirements, unknown hidden existing conditions and project betterment in connection with the Market Square: Farmer's Market Rehabilitation project.

**Section 9.** The amount of \$3,400.00 is appropriated in fund 45-094026, General Obligation Capital Projects, in index code 799692, entitled Mandatory Project Fees, and is authorized to be encumbered and made payable for mandatory project fees including code requirements, asbestos and lead surveys, drainage fees, etc., in connection with the Market Square: Farmer's Market Rehabilitation project.

**Section 10.** The amount of \$97,400.00 is appropriated in fund 45-094026, General Obligation Capital Projects, in index code 466425, entitled Construction, in connection with the Market Square: Farmer's Market Rehabilitation project.

**Section 11.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance 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 12.** Staff is authorized to establish additional expenditure codes or to transfer funds within the project budget to accomplish the project, in accordance with established financial procedures.

**Section 13.** This shall become effective on and after October 3, 2004.

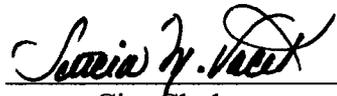
PASSED AND APPROVED this 23rd day of September 2004.



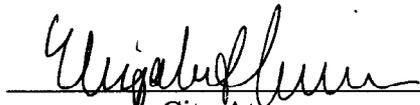
M A Y O R

EDWARD D. GARZA

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

# Agenda Voting Results

**Name:** 10. 99778

**Date:** 09/23/04

**Time:** 01:53:41 PM

**Vote Type:** Multiple selection

**Description:** 10. An Ordinance accepting the proposal and amending a current consultant agreement with 2TEN Architects, Inc. (DBE/SBE/MBE) to provide architect services in connection with the Farmers Market Building Rehabilitation Project, located in Council District 1; authorizing the execution of an amendment to the professional services contract in an amount not to exceed \$23,508.00; authorizing \$2,300.00 for contingency expenses; authorizing \$3,400.00 for mandatory project fees; appropriating \$97,400.00 for construction expenses, for a total amount of \$126,608.00 from the Market Square Parking Improvements Trust Fund; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

**Notes:** Motioned: RICHARD PEREZ    Seconded: RON H. SEGOVIA    Notes:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9	Not present			
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		