

AN ORDINANCE

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SELECTING SW TEXAS ENVIRONMENTAL CONTRACTORS, INC. AND JGG INTEGRATED CONSTRUCTION, LLC (SBE/MBE) TO PROVIDE STANDBY LEAD HAZARD CONTROL WORK IN CONNECTION WITH VARIOUS NEIGHBORHOOD ACTION DEPARTMENT HOUSING PROGRAMS FOR AN AMOUNT NOT TO EXCEED \$500,000.00 FOR EACH CONTRACT, FOR A TOTAL AMOUNT OF \$1,000,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT LEAD GRANT FUNDS; AUTHORIZING THE NEGOTIATION AND EXECUTION OF THE ENVIRONMENTAL SERVICE CONTRACTS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, the City of San Antonio's Neighborhood Action Department (NAD) is required to conduct lead hazard control work through NAD's housing programs in housing units receiving federal assistance and also pursuant to terms of the Lead Grant recently awarded to the City by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the City of San Antonio has Fiscal Year 2004-2005 Community Development Block Grant (CDBG) Funds available for NAD's housing programs and has \$2,000,000.00 in said Lead Grant funds from HUD, of which \$1,700,000.00 is available, for utilization in connection with the aforesaid environmental remediation construction necessary to lead hazard control; and

WHEREAS, lead hazard control work includes the performance of both lead abatement, which is the removal, replacement, enclosure or encapsulation of lead-based paint, and interim controls, which includes, but is not limited to, paint stabilization; and

WHEREAS, it is the City's desire to engage the services of licensed lead abatement contractors to perform said services to address lead hazards; and

WHEREAS, pursuant to Section 252.022(a)(2) of the Texas Local Government Code, the requirements for competitive bidding imposed by Section 252.021 of the Texas Local Government Code do not apply to the City's expenditures for procurement of the described licensed environmental contractors because this procurement is necessary to preserve or protect the public health or safety of the City's residents; and

WHEREAS, the ability to utilize lead abatement contractors for the City's various housing programs on a standby basis will improve the time it takes to complete the required work and

thereby further the goal of efficiently addressing lead hazards, since it will reduce the weeks spent to select qualified and certified lead hazard control contractors on a project by project basis; and

WHEREAS, the City solicited responses pursuant to a request for qualifications from firms and individuals interested in performing said lead hazard control work, requiring, among other things, that they be rehabilitation contractors licensed by the City of San Antonio; and

WHEREAS, the City staff rated all individuals and firms which submitted proposals to be considered for the above-described lead hazard control 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 standby environmental remediation service contracts with SW Texas Environmental Contractors, Inc. and JGG Integrated Construction, LLC be authorized for said lead based paint hazard control work, based upon demonstrated ability and qualifications; **NOW THEREFORE:**

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

SECTION 1. The firms of SW Texas Environmental Contractors, Inc. and JGG Integrated Construction, LLC are hereby selected to provide standby environmental remediation services in the form of lead hazard control work in connection with various Neighborhood Action Department housing programs.

SECTION 2. The Interim City Manager or the Interim City Manager's designee, or the Director of the Neighborhood Action Department is hereby authorized to negotiate and execute an environmental remediation services contract with SW Texas Environmental Contractors, Inc. and with JGG Integrated Construction, LLC, on a standby service basis, with each contract providing for the terms, scope and fee structure of the standby service for a one-year term, each for an amount not to exceed \$500,000.00. Two (2) one-year renewal options for each said contracts are hereby approved and authorized to be executed, contingent upon funding availability.

SECTION 3. If said contracts, as first reviewed and approved by the City Attorney, are not signed by all parties within sixty (60) days from the effective date of this ordinance, it becomes null and void, and any further signed documents must be considered by the City Council.

SECTION 4. Funds for standby services performed by SW Texas Environmental Contractors, Inc. and JGG Integrated Construction, LLC pursuant to the aforementioned standby environmental remediation construction service contracts, and not exceeding \$500,000.00 for the contract term and authorized renewals for each contract, are hereby authorized to be paid to each contractor in accordance with the terms of their respective standby environmental remediation services contract from the CDBG 29th Year Lead Grant, Fund No. 28029000, Internal Order 131000000888, the newly awarded CDBG 30th Year Lead Grant, which has a Fund No. and Internal Order number yet to be assigned by the City's Finance Department, and from additional

funding available through the HUD Lead Based Paint Grant, Fund No. 26054000, Internal Order 161000000046.

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 Interim City Manager or the Interim City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, Internal Orders and SAP WBS Elements as necessary to carry out the purpose of this Ordinance.

SECTION 6. This ordinance shall become effective on and after the 14th day of November, 2004.

PASSED AND APPROVED this 4th day of November, 2004.

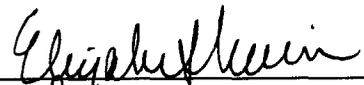


MAYOR

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM: 
City Attorney