

AN ORDINANCE 100179

AUTHORIZING THE EXECUTION OF AN ADDENDUM AND AMENDMENT AS MAY BE NECESSARY, TO THE EXISTING PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES CONTRACT WITH ZEPHYR ENVIRONMENTAL CORPORATION EXTENDING THE CONTRACT FOR THE PERIOD DECEMBER 24, 2004, THROUGH DECEMBER 23, 2007, FOR AN AMOUNT NOT TO EXCEED \$180,000.00 TO EVALUATE REMEDIATION CONDUCTED BY THE UNITED STATES AIR FORCE FOR THE KELLY AIR FORCE BASE PLUME (ZONE 4 CORRECTIVE ACTIONS), STAND-BY INVESTIGATIONS AND EVALUATION OF OTHER ENVIRONMENTAL CONCERNS TO RESIDENTS THROUGHOUT THE CITY AND THE METROPOLITAN HEALTH DISTRICT; AND PROVIDING FOR PAYMENT.

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WHEREAS, the San Antonio Metropolitan Health District (SAMHD) provides comprehensive public health services to protect the health of all residents within the jurisdiction of the SAMHD; and

WHEREAS, residents of the communities surrounding the former Kelly Air Force Base (KAFB) live within the jurisdiction of SAMHD and have expressed health concerns regarding potential exposure related to the release of hazardous substances at the former base; and

WHEREAS, the Public Center for Environmental Health (PCEH) was created for the purposes of addressing the environmental concerns of community residents, and developing strategies for evaluating adverse health outcomes potentially related to past practices at the former KAFB; and

WHEREAS, the PCEH has utilized the City's current contract with Zephyr Environmental Corporation (Zephyr) to provide such assistance in the evaluation of plans for environmental restoration of the former KAFB; and

WHEREAS, the current contract with Zephyr, which was approved and passed on December 13, 2001, through Ordinance No. 95048, will expire December 23, 2004; and

WHEREAS, PCEH now desires to renew and extend the current contract in all its terms and conditions, for a three year period, to continue consultation services necessary to oversight of United States Air Force corrective actions at Kelly Air Force Base and within the Metropolitan Health District's Jurisdiction associated with the Kelly Plume (Zone 4 Corrective Actions); and also to add an addendum or amendment enabling Zephyr to conduct additional investigations and perform evaluations of the community's other environmental concerns; all in consideration for approximately \$60,000.00 per year, not to exceed a total of \$180,000.00 during the three year period, on a stand-by and fee-for-service basis; and

WHEREAS, it is now necessary to authorize the execution of an addendum and /or amendment with Zephyr and authorize payments for contractual services; **NOW THEREFORE:**

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

SECTION 1. The Interim City Manager, or his designee, is authorized to execute an addendum and / or amendment with Zephyr Environmental Corporation, a Texas Corporation, to extend the existing contract in all its terms and conditions, for the period December 24, 2004, through December 23, 2007, in consideration for an amount not to exceed a total of \$180,000.00 for professional environmental consulting services necessary to oversight and evaluation of United States Air Force remediation efforts at Kelly Air Force Base and military corrective actions pertaining to the Kelly subsurface Plume (Zone 4 corrective measures); and to enlarge the agreement's scope to provide investigation and environmental study; oversight and evaluation of environmental corrective actions, as may be required, for various community concerns within the City's jurisdiction and the jurisdiction of the Metropolitan Health District. A copy of the Proposal to Provide Environmental Consulting Assistance, Zephyr Proposal No. P4256, is attached hereto and incorporated herein for all purposes as Attachment I. A copy of the addendum / amendment with Zephyr, in substantially correct form, is attached as Attachment II.

SECTION 2. Funds in an amount not to exceed \$60,000.00 are authorized to be appropriated and encumbered in SAP Fund No. 26032000, Internal Order 136000000245, SAP GL Number 5201040, "Fees to Professional Contractors - PROJECTS".

SECTION 3. Payments in an aggregate amount not to exceed \$60,000.00 are authorized to be paid from SAP Fund No. 26032000, Internal Order 136000000245, SAP GL Number 5201040, "Fees to Professional Contractors - PROJECTS" when a purchase order is issued, and made payable to Zephyr Environmental Corporation on a fee-for-service basis.

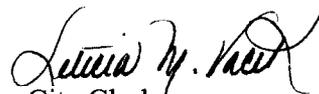
SECTION 4. The Director of Finance may, subject to concurrence by the Interim City Manager or the Interim City Manager's designee, correct allocation to specific internal order numbers, account numbers and fund numbers as necessary to carry out the purpose of this ordinance.

SECTION 5. If an agreement, as first reviewed and approved by the City Attorney, is not signed by both 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 6. This ordinance shall be effective on and after December 26, 2004.

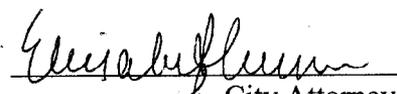
PASSED AND APPROVED this 14th day of December, 2004.

ATTEST:


City Clerk


M A Y O R
EDWARD D. GARZA

APPROVED AS TO FORM:


City Attorney

Agenda Voting Results

Name: 39.

Date: 12/16/04

Time: 02:14:29 PM

Vote Type: Multiple selection

Description: An Ordinance authorizing the execution of an addendum and amendment as may be necessary, to the existing professional environmental engineering services contract with Zephyr Environmental Corporation extending the contract for the period December 24, 2004, through December 23, 2007, for an amount not to exceed \$180,000.00 to evaluate remediation conducted by the United States Air Force for the Kelly Air Force Base Plume (Zone 4 Corrective Actions), stand-by investigations and evaluation of other environmental concerns to residents throughout the city and the Metropolitan Health District; and providing for payment. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		