

AN ORDINANCE 101359

AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL AND ENGINEERING SERVICES WITH MARMON MOK, L.L.P. IN ORDER TO PROVIDE FOR THE COMPLETION OF SEVERAL ARCHITECTURAL AND ENGINEERING PROJECTS AT THE ALAMODOME; INCREASING FEES IN AN AMOUNT NOT TO EXCEED \$464,430.29 AND ESTABLISHING A CONTINGENCY ACCOUNT OF \$46,835.00 FOR UNANTICIPATED EXPENSES, FOR TOTAL FEES TO DATE OF \$669,265.29 UNDER THIS AGREEMENT; AND PROVIDING FOR PAYMENT FROM REVENUE BONDS AND THE COMMUNITY AND VISITOR FACILITIES FUND; AND APPROPRIATING FUNDS AS NECESSARY.

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WHEREAS, Marmon Mok, L.L.P. ("Marmon Mok") served as the architect of record for the original design and construction of the Alamodome and therefore has a comprehensive historical familiarity with the facility and a complete understanding of the unique roof structure and its performance qualities;

WHEREAS, a Professional Services Agreement for Architectural and Engineering Services with Marmon Mok was authorized by Ordinance No. 92076 on June 29, 2000 and was intended to provide a contracting vehicle for various on-going maintenance and improvement projects for the Alamodome; and

WHEREAS, as of September 7, 2005, \$154,077.29 has been expended from the second Indefinite Delivery Contract, for various projects including an analysis and conceptual study for NFL and a review of the weight capacity and structural ability of the Alamodome floor for the circus; and

WHEREAS, the proposed First Amendment to the Professional Services Agreement for Architectural and Engineering Services ("Amendment") is needed to complete several previously initiated projects, all of which are a necessary part of the ongoing effort to maintain the facility, address architectural and engineering issues related to future events and increase the marketability of the Alamodome; and

WHEREAS, the projects included in the proposed Amendment are unique in that they required extensive testing and analysis services prior to beginning design to establish recommendations for implementation, involve highly technical construction and, as a result will require significantly greater construction inspection and coordination services than typical building projects; and

WHEREAS, the testing, analysis and initial design work on these projects was completed several years ago by Marmon Mok and the proposed Amendment includes updating documents to reflect the present condition of the facility and current codes and standards; and

WHEREAS, Marmon Mok previously planned and developed the details of the logistics and processes that will be used for the structural examination under a prior Professional Services Agreement authorized by Ordinance No. 87169 on January 8, 1998 and the proposed Amendment also provides for the completion of these structural examination services; **NOW THEREFORE:**

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

SECTION 1. The terms and conditions of the First Amendment to the Professional Services Agreement for Architectural and Engineering Services are authorized and approved.

SECTION 2. The City Manager or designee is authorized, for a sixty (60)-day period following the effective date of this Ordinance, to execute the First Amendment to the Professional Services Agreement for Architectural and Engineering Services with Marmon Mok, L.L.P. A copy of the First Amendment to the Professional Services Agreement for Architectural and Engineering Services, previously executed by Marmon Mok, is attached to this Ordinance as Exhibit I.

SECTION 3. In exchange for the additional funds provided for in the First Amendment, Marmon Mok shall provide the services set forth in the Proposals attached to this Ordinance as Exhibit II.

SECTION 4. The amount of \$288,531.29 is appropriated in SAP fund 47002000, 2004 Hotel/Motel Occupancy Tax Revenue Bonds, WBS RB-00076-01-01-24, SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer to 23-03007-90-02. The amount of \$288,531.29 is authorized to be transferred to SAP fund 40099000.

SECTION 5. The budget in SAP fund 40099000, Project Definition 23-03007, Alamodome Indefinite Delivery Professional Services Agreement, shall be revised by increasing WBS element 23-03007-90-02, entitled TRF FR WBS RB-00076-01-01-24, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$288,531.29.

SECTION 6. The amount of \$80,318.00 is appropriated in SAP fund 4500100, 2004 NCAA State Sales Tax Refund Fund, WBS, SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer to 23-03007-90-03. The amount of \$80,318.00 is authorized to be transferred to SAP fund 40099000.

SECTION 7. The budget in SAP fund 40099000, Project Definition 23-03007, Alamodome Indefinite Delivery Professional Services Agreement, shall be revised by increasing WBS element 23-03007-90-03, entitled TRF FR WBS, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$80,318.00.

SECTION 8. The amount of \$113,465.00 is appropriated in SAP fund 29017000, Alamodome Renewal & Improvements Fund, Internal Order #311000000408, SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer to 23-03007-90-04. The amount of \$113,465.00 is authorized to be transferred to SAP fund 40099000.

SECTION 9. The budget in SAP fund 40099000, Project Definition 23-03007, Alamodome Indefinite Delivery Professional Services Agreement, shall be revised by increasing WBS element 23-03007-90-04, entitled TRF FR WBS Internal Order #311000000408, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$113,465.00

SECTION 10. The amount of \$951.00 is appropriated in SAP fund 29018000, Alamodome Improvements & Contingency Fund, Internal Order #311000000409, SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer to 23-03007-90-05. The amount of \$951.00 is authorized to be transferred to SAP fund 40099000.

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SECTION 11. The budget in SAP fund 40099000, Project Definition 23-03007, Alamodome Indefinite Delivery Professional Services Agreement, shall be revised by increasing WBS element 23-03007-90-05, entitled TRF FR Internal Order #311000000409, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$951.00

SECTION 12. The amount of \$28,000.00 is appropriated in SAP fund 29006000, Pan Am Games Funds, SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer to 23-03007-90-06. The amount of \$28,000.00 is authorized to be transferred to SAP fund 4009900.

SECTION 13. The budget in SAP fund 40099000, Project Definition 23-03007, Pan Alamodome Indefinite Delivery Professional Services Agreement, shall be revised by increasing WBS element 23-03007-90-06, entitled TRF FR Internal Order, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$28,000.00.

SECTION 14. The amount of \$3,922.71 is appropriated in SAP fund 4003000, Indefinite Delivery Contract Funds, SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer to 23-03007-90-07. The amount of \$3,922.71 is authorized to be transferred to SAP fund 40099000.

SECTION 15. The budget in SAP fund 40099000, Project Definition 4003000, Alamodome Indefinite Delivery Professional Services Agreement, shall be revised by increasing WBS element 23-03007-90-07, entitled TRF FR Internal Order, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$3,922.71.

SECTION 16. The amount of \$288,531.29 is appropriated in Fund 40099000 Project Definition 23-03007, Alamodome Indefinite Delivery Professional Services Agreement, WBS element 23-03007-01-02 and is authorized to be encumbered and made payable to Marmon Mok, L.L.P., when a purchase order is issued.

SECTION 17. The amount of \$80,318.00 is appropriated in Fund 40099000 Project Definition 23-03007, Alamodome Indefinite Delivery Professional Services Agreement, WBS element 23-03007-01-02 and is authorized to be encumbered and made payable to Marmon Mok, L.L.P., when a purchase order is issued.

SECTION 18. The amount of \$99,503.71 is appropriated in Fund 40099000 Project Definition 23-03007, Alamodome Indefinite Delivery Professional Services Agreement, WBS element 23-03007-01-02 and is authorized to be encumbered and made payable to Marmon Mok, L.L.P., when a purchase order is issued.

SECTION 19. The amount of \$14,912.29 is appropriated in Fund 40099000 Project Definition 26 23-03007, Alamodome Indefinite Delivery Professional Services Agreement, WBS element 23-03007-01-03 entitled Consultant Contingency, and is authorized to be encumbered and made payable for Consultant Contingency when a purchase order is issued.

SECTION 20. The amount of \$31,922.71 is appropriated in Fund 40099000 Project Definition 26 23-03007, Alamodome Indefinite Delivery Professional Services Agreement, WBS element 23-03007-01-03 entitled Consultant Contingency, and is authorized to be encumbered and made payable for Consultant Contingency when a purchase order is issued.

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SECTION 21. 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 allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 22. This Ordinance shall be effective on and after the tenth day after passage.

PASSED AND APPROVED this 8th day of September, 2005.

ATTEST:

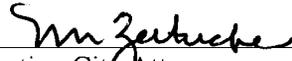

City Clerk



M A Y O R

PHIL HARDBERGER

APPROVED AS TO FORM:


for Acting City Attorney