

AN ORDINANCE 2006 - 0 1 - 1 9 - 0 0 8 0

AMENDING A PROFESSIONAL SERVICES AGREEMENT WITH GIVLER ENGINEERING, INC., FOR PROFESSIONAL ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$1,054,875.00, IN CONNECTION WITH THE DAM REPAIRS PROJECT, AN AUTHORIZED 2003-2007 STORM WATER REVENUE BOND FUNDED PROJECT LOCATED IN DISTRICTS 5 AND 9; ACCEPTING A PROPOSAL AND APPROPRIATING FUNDS; AND AUTHORIZING \$105,488.00 FOR PROJECT CONTINGENCY AND \$81,225.00 FOR CAPITAL ADMINISTRATIVE COSTS, FOR A TOTAL AMOUNT OF \$1,241,588.00.

* * * * *

WHEREAS, on March 25, 2004, Ordinance No. 98985 authorized the execution of a professional services contract with Givler Engineering, Inc. in the amount of \$337,953.00 for engineering services in connection to the 2003-2007 Storm Water Revenue Bond Funded Project; and

WHEREAS, this project consists of providing structural and hydraulic analysis, design, and repairs to the 19th Street Dam and Olmos Dam, as well as, analysis of dam failure impacts to downstream areas during a probable maximum flood event; and

WHEREAS, this Ordinance amends the contract with Givler Engineering, Inc. in an amount not to exceed \$1,054,875.00 for additional services that are necessary to complete a stability inspection of the Olmos Dam, including analyzing the existing tendons to confirm that it can sustain an adequate load, analyzing the relief wells to determine if any calcification and debris have accumulated and verifying the structural conditions of the existing piping to determine whether any maintenance is required; and

WHEREAS, this Ordinance also authorizes \$105,488.00 for project contingency and \$81,225.00 for capital administrative costs and increases the total cost of the contract to \$1,579,541.00; and

WHEREAS, approval of this Ordinance will be a continuation of Council policy to complete previously approved 2003-2007 Strom Water Revenue Bond Funded Capital Improvement Projects;
NOW THEREFORE,

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

SECTION 1. The professional services contract between the City of San Antonio and Givler Engineering, Inc. which was originally authorized by Ordinance 98985 dated March 25, 2004 is hereby amended to provide additional engineering services necessary to complete a stability inspection of the Olmos Dam in an amount not to exceed \$1,054,875.00 for professional engineering services, \$105,488.00 for project contingency and \$81,225.00 for capital administrative costs in connection with the Dam Repairs. A copy of the proposal for amendment is attached hereto as **Attachment I**.

SECTION 2. The following financial adjustments are hereby approved:

- a) The amount of \$226,000.00 is appropriated in fund 48003000, 2003 Stormwater Revenue Bonds, WBS RB-00078-01-01-26 GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00117-90-04. The amount of \$226,000.00 is authorized to be transferred to fund 48099000.

The budget in fund 48099000, Project Definition 23-00117, Dam Repairs, shall be revised by increasing WBS element 23-00117-90-04, entitled TRF FR WBS RB-00078-01-01-26, GL account 6101100 – Interfund Transfer In, by the amount of \$226,000.00.

- b) The amount of \$1,015,588.41 is appropriated in Fund 29071000, Drain Detention Project, GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00117. The amount of \$1,015,588.41 is authorized to be transferred to fund 48099000.
- c) The amount of \$1,054,875.00 is appropriated in Fund 48099000, Project Definition 23-00117 Dam Repairs, WBS element 23-00117-01-02 is authorized to be encumbered and made payable to **Givler Engineering, Inc.**
- d) The amount of \$105,488.00 is appropriated in Fund 48099000, Project Definition 23-00117, Dam Repairs, WBS element 23-00117-05-06 is authorized to be encumbered and made payable for Project Contingency.
- e) The amount of \$81,225.41 is appropriated in Fund 48099000, Project Definition 23-00117, Dam Repairs, WBS element 23-00117-04-04 is authorized to be encumbered and made payable for Capital Administrative Costs.

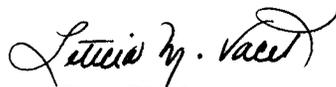
SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager’s designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, 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 4. This ordinance shall take effect on the January 29, 2006.

PASSED AND APPROVED this 19th day of January, 2006.


M A Y O R
PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

Agenda Voting Results

Name: 8.

Date: 01/19/06

Time: 02:48:35 PM

Vote Type: Multiple selection

Description: An Ordinance amending a professional services agreement with Givler Engineering, Inc., for professional engineering services in an amount not to exceed \$1,054,875.00, in connection with the Dam Repairs Project, an authorized 2003-2007 Storm Water Revenue Bond funded project located in Districts 5 and 9; accepting a proposal and appropriating funds; and authorizing \$105,488.00 for project contingency and \$81,225.00 for capital administrative costs, for a total amount of \$1,241,588.00. [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Notes: Motioned: RICHARD PEREZ Seconded: CHIP HAASS Notes:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2	Not present			
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

Givler Engineering, Inc.
2161 NW Military Highway, Suite 114
San Antonio, Texas 78213

October 28, 2005

Mr. Dean Bayer, PE, Project Manager
The City of San Antonio
Department of Public Works
Capital Improvement Projects
P.O. Box 839966
San Antonio, Texas 78283

Re: Olmos Dam
Proposed Scope of Work for Tendon & Anchor Testing
Project No. COSA-004A

Dear Mr. Bayer:

Our firm recently completed an Engineering Study of Olmos Dam and the 19th Street Dam. The study identified several items that require attention. However, our first priority recommendation is that the items affecting the stability of Olmos Dam be tested and/or studied.

The proper, safe operation of Olmos Dam requires that the existing tendons hold adequate loads. It has been noted in the past that the tendons should be checked at least every 10 years. But some have not been tested in at least 13 years and their current condition is not known. Therefore, testing should be done in order to evaluate the dam's ability to resist overturning and sliding.

The relief wells are another very important consideration. The wells prevent water pressure from building up under the dam and from causing related instability. Research of the records suggests that no one has cleaned or observed the inside of the wells since they were constructed about 1927. Therefore, we also propose to send cameras down the wells to observe their conditions and to determine if calcification and debris accumulation may warrant maintenance.

Three sanitary sewer lines pass under the dam. Subsidence has been observed adjacent to some of the manholes a number of times. While video equipment is on the site, we will open the sanitary sewer manholes immediately upstream of the dam and observe the structural conditions of the manholes and pipes.

Some of the work will be in the middle of Olmos Drive. It will be necessary to shut down traffic completely at times. At other times, lane closures may be required. At all work times, general signage indicating the limits of the work area will be required. Coordination with three cities will also be required on a continuing basis. We also propose to provide the required traffic control.

Scope of Work

Givler Engineering, Inc. (Consultant) proposes to perform the following services in association with Dywidag Systems International, Tech Services, Ltd., and Flasher Equipment Co.:

Phone: (210) 342-3991

Web Page: www.givlerengineering.com

Fax: (210) 342-6065

Attachment I

To Ordinance No. _____
Approved on January 19, 2006

Tendon Testing Scope

1. **Project Setup and Mobilization** – engineer and fabricate special equipment for performing lift-off tests on tendons that have been clipped too short. Mobilize equipment and laborers to site.
2. **Testing** – coordinate access with the City of San Antonio (CoSA). Remove and replace grout caps. Provide temporary covers. Perform lift-off tests on as many as 114 bar tendons and 3 multi-strand tendons. Use special equipment for testing when tails are too short for normal equipment. Provide scaffolding, jackhammers, air compressors, grout, and lift-off test equipment. Document test results and provide a weekly status report to CoSA. Evaluate conditions as they become apparent. Provide interim recommendations regarding the feasibility of continuing testing. Provide recommendations to modify testing procedures and schedules as field conditions become clearer.
3. **Video Observation** – provide limited video observation of the inside of the tendon holes where the tendon is malfunctioning and there is adequate access for a camera.
4. **Report** – develop report of test findings and incidental observations. The report discussion will include documenting how many tested tendons are functioning properly and if replacement tendons are required based on the targets established in earlier studies by others. It will also provide updated tendon layout plans showing the locations of functional and non-functional tendons. The report will provide general recommendations on how to proceed with analyses and repairs.
5. **Rain Days and Force Majeure** – the tendon testing crew and equipment is from out of town. For short project delays beyond Consultant's control, it will be necessary to keep the crew and equipment in town. Since the crew will not be working, the daily rate will be reduced for the nonproductive period during which the crew is in town.
6. **Remobilization** – in the event of a long work interruption due to rain or Force Majeure, it may be prudent to send the crew home. A fee will be charged for transporting the crew home and back and for getting the project set up again.

CoSA shall allow Consultant to store project equipment securely in Gate House each night. CoSA will provide access to the Gate House restroom facilities for Consultant and his team.

The Scope of Work does not include:

1. **Retensioning** – if tendons are identified to be holding partial load, they will not be retensioned to hold a greater load. Such work should be performed later by a contractor under a separate construction contract.
2. **Installation of New Tendons** – if replacement tendons are required, they will not be provided under this Scope of Work. Such work should be performed later by a contractor under a separate construction contract.
3. **Replacement of Broken Parts** – if the replacement of broken tendons or accessories is required, the work will not be performed under this Scope of Work. Such work should be performed later by a contractor under a separate construction contract. Some tendon breakage is expected and this agreement relieves Consultant of the responsibility of repair and replacement.
4. **Additional analysis** such as design repairs, improved tailwater calculations, and updated stability calculations.

Relief Well and Sanitary Sewer Study Scope

1. **Project Setup and Mobilization** – acquire equipment and personnel and transport to site. Set up power supplies, confined space equipment, and discharge piping.
2. **Well Observations** – insert camera into wells to develop videotape documentation on the internal conditions. Look for debris accumulation and calcification. Coordinate with the City on site to determine how many wells to observe. Pump out relief wells as required to remove water and to provide clear view for cameras.
3. **Sanitary Sewer Observations** – lift the lids of 3 or 4 manholes immediately upstream of the dam and observe the structural conditions of the manholes and pipes. The observations will be only cursory and will be achieved by the unaided eye and by inserting a camera only into dry and easily accessible areas. The Scope does not include stopping or diverting flow or visiting the site late at night.
4. **Report** – develop a report summarizing the findings and conditions of the relief wells and sanitary sewer. Provide recommendations on whether to clean out the wells and whether to make further observations of the sewer. Provide videotapes and logs.

CoSA shall allow Consultant to store project equipment securely in Gate House each night. CoSA will provide access to the Gate House restroom facilities for Consultant and his team.

Traffic Control

1. **Project Setup and Mobilization** – develop a traffic plan and obtain traffic control devices and barriers.
2. **Street Shutdown** – provide street closure and detour devices when project work requires the street to be shutdown. Communicate on a continuing basis with Olmos Park, CoSA, and Alamo Heights regarding traffic control plans.
3. **Lane Closure** – provide 2 off-duty policemen and traffic control devices when project work requires closure of only one lane of street. Communicate on a continuing basis with Olmos Park, CoSA, and Alamo Heights regarding traffic control plans.

CoSA shall allow Consultant to store extra signs and barricades in secure area on top of dam at the northeast end.

Fee

105 to 117 tendons are expected to be tested and/or observed. Up to 180 relief wells will be observed. The work will be performed at the following rates for an amount not to exceed \$1,054,875.00:

1. Tendon Testing		\$342,625 to \$839,350
1.1. Setup & Mobilization	Lump Sum	\$35,000
1.2. Testing	\$8,075/workday	\$222,625 to \$629,850
1.3. Video Observation	\$330/hour	\$40,000 to \$75,000
1.4. Report	Lump Sum	\$45,000
1.5. Rain Days/Force Majeure	\$3,100/nonworkday	\$0 to 46,500
1.6. Remobilization for Force Majeure	\$4,000/occurrence	\$0 to \$8,000
2. Relief Well & Sanitary Sewer Study		\$96,500 to \$130,000
2.1. Setup & Mobilization	Lump Sum	\$25,000
2.2. Well Observation with pumping	\$430/hour	\$21,500 to \$55,000
2.3. Sanitary Sewer Observation	Lump Sum	\$5,000
2.4. Report	Lump Sum	\$45,000
3. Traffic Control		\$62,200 to \$85,525
3.1. Setup & Mobilization	Lump Sum	\$22,000
3.2. Street Shutdown	\$255/day	\$3,825 to \$7,650
3.3. Lane Closure	\$1,300/day	\$19,500 to \$39,000
3.4. Minimum Configuration	\$75/day	\$16,875
Fee Total		\$501,325 to \$1,054,875

There is a possibility that not all of the tendons and wells can be tested and observed within the specified budget. Work will be stopped prior to reaching the maximum amount unless prior approval is granted by CoSA. Fees do not include federal, state or local taxes or permit fees.

Tentative Schedule

Mobilization	1.0 month
Testing & Observation	7.5 months
<u>Report</u>	<u>1.5 months</u>
Total Time Required	10.0 months

Testing and observation will typically occur 8 hours a day, 5 days per week. Occasionally, crews may work Saturdays and/or 10 hours per day.

Thank you for considering our proposal. Please do not hesitate to contact me if you have any questions.

Sincerely,

L. David Givler, MSCE, PE
President of Givler Engineering, Inc.

CITY OF SAN ANTONIO

Fiscal Impact Attachment for Request for Ordinance/Resolution

Project Name: DAM REPAIRS PROJECT

Project No.: 23-00117

WBS Element: 23-00117-01-02 -Design Costs \$1,054,875.00

GL No: 5201170 –Engineering fees

WBS Element: 23-00117-05-06 -Project Contingency \$105,488.00

GL No: 5201140 –Construction Costs

WBS Element: 23-03728-01-04 – Design Capital Administration Cost \$81,225.41

GL No.: 5402010 – Capital Program Admin Cost

Update Version 0 and Version 60

Budget Information:

This is a one-time capital improvement expenditure.

Funds in the amount of \$1,241,588.41 are included in the FY06-FY11 Capital Improvement Program Budget.

Funds in the amount of \$226,000.00 are available from 2003 Storm Water Revenue Bonds and \$1,015,588.41 from Storm Water Facilities Fund.

This item is within budget.

This item increases the professional services contract from \$337,953.00 to \$1,392,828.00.

This item represents a portion of the total estimated City project cost of \$3,101,302.00.

2003 Storm Water Revenue Bonds Original Budget \$ 620,000.00

Subsequent budget approvals \$2,481,302.00

Total approved budget-to-date \$3,101,302.00

**CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Thomas G. Wendorf, P.E., Director of Public Works

SUBJECT: Dam Repairs

DATE: January 19, 2006

SUMMARY AND RECOMMENDATIONS

This ordinance accepts a proposal, appropriates funds, and amends a professional services agreement with Givler Engineering, Inc., for professional engineering services in an amount not to exceed \$1,054,875.00, authorizes \$105,488.00 for Project Contingency, and \$81,225.00 for Capital Administrative Costs, for a total ordinance amount of \$1,241,588.00 in connection with the Dam Repairs Project, an authorized 2003-2007 Storm Water Revenue Bond funded project, located in Council Districts 5 and 9.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This project provides for the structural and hydraulic analysis, design, and repairs to the 19th Street Dam and Olmos Dam. This project also provides for the analysis of dam failure impacts to downstream areas during a Probable Maximum Flood (PMF) event. This project is currently in the preliminary phase of design and is not scheduled for construction.

A previously executed professional service agreement with Givler Engineering, Inc. in an amount not to exceed \$337,953.00 for professional engineering services was approved by City Council on March 25, 2004 through ordinance no. 98985. This ordinance provided a detailed hydraulic analysis of potential flood conditions. This analysis determined that a significant amount of physical testing and investigation is needed before the nature of potential repairs or modifications to the dam can be designed.

This ordinance authorizes funding in an amount not to exceed \$1,054,875.00 payable to Givler Engineering, Inc. for additional professional engineering services necessary to complete a stability inspection of the Olmos Dam. This inspection includes analyzing the existing tendons to see if they hold the adequate load, analyzing the relief wells to determine if any calcification and debris has accumulated and verifying the structural conditions of the existing piping to determine whether any maintenance is required. This ordinance will increase the total agreement amount to \$1,392,828.00.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 2003-2007 Storm Water Revenue Bond funded capital improvement projects.

FISCAL IMPACT

This is a one-time capital improvement expenditure and is included in the FY 06-11 Capital Improvement Program Budget. Funds in the amount of \$226,000.00 are available from 2003-2007 Storm Water Revenue Bond funds \$1,015,588.00 are available from the Storm Water Facilities Fund, and are appropriated and payable as follows:

\$1,054,875.00	to Givler Engineering, Inc. for professional engineering services
\$ 105,488.00	for project contingency
\$ 81,225.00	for capital administrative costs

COORDINATION

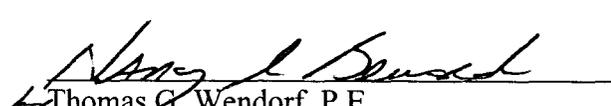
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

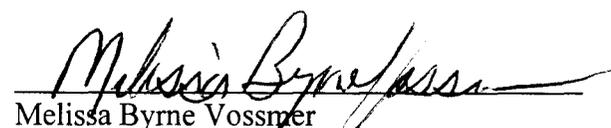
SUPPLEMENTARY COMMENTS

The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.

ATTACHMENTS

1. Project Map
2. Discretionary Contracts Disclosure Form

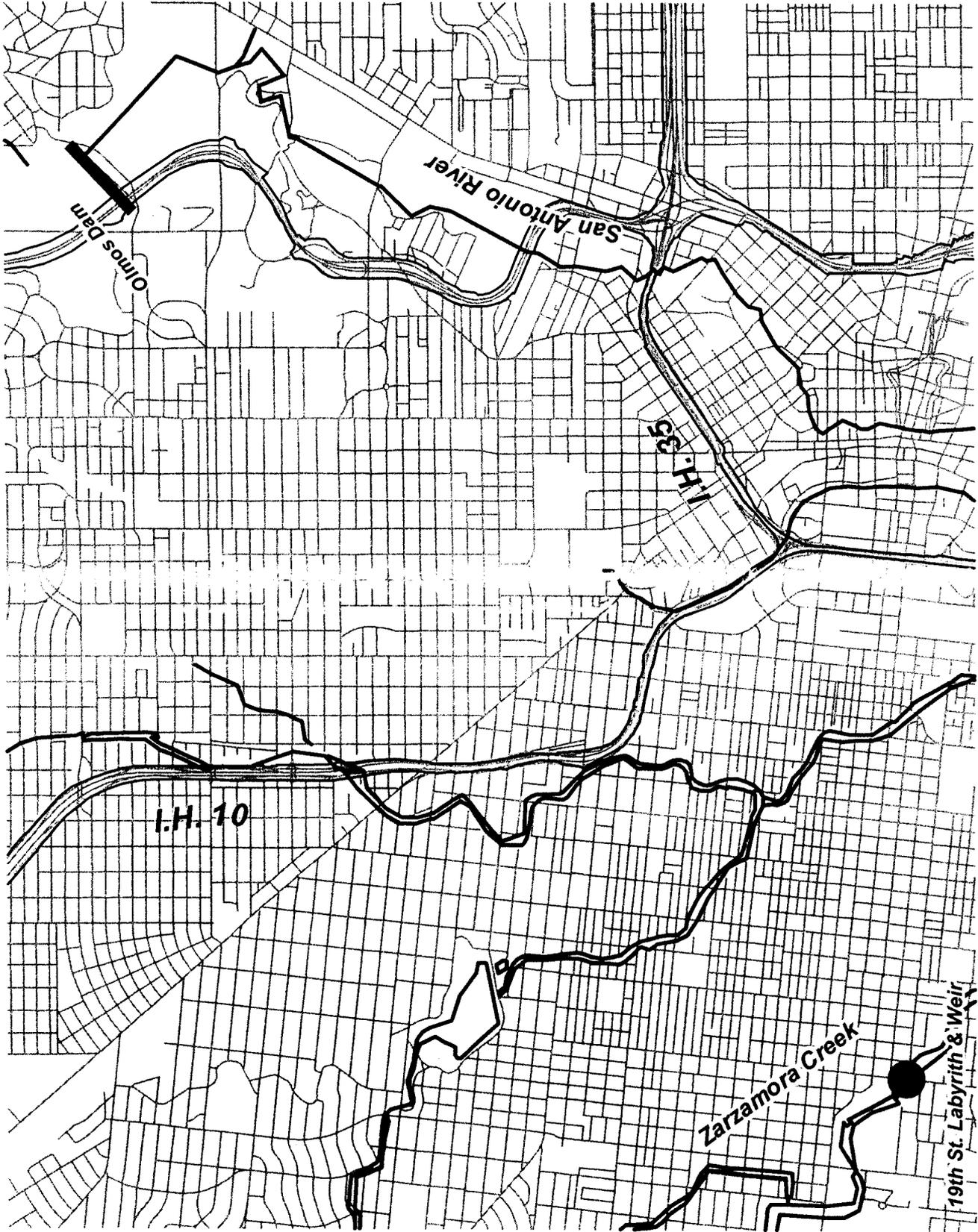

Thomas G. Wendorf, P.E.
Director of Public Works


Melissa Byrne Vossmer
Assistant City Manager

Sheryl Sculley
City Manager



Scale: None
01/13/05
DEH



Dam Repairs

CITY OF SAN ANTONIO
Department of Public Works
Capital Programs Division



City of San Antonio
Discretionary Contracts Disclosure

*For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)
Attach additional sheets if space provided is not sufficient.*

RECEIVED

(1) Identify any individual or business entity¹ that is a **party** to the discretionary contract:

Not applicable.

DEC 06 2005

CITY OF SAN ANTONIO
PUBLIC WORKS, CAPITAL PROGRAMS

(2) Identify any individual or business entity which is a **partner, parent or subsidiary** business entity, of any individual or business entity identified above in Box (1):

No partner, parent or subsidiary; or

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

(3) Identify any individual or business entity that would be a **subcontractor** on the discretionary contract.

No subcontractor(s); or

List subcontractors: Givler Engineering, Inc.

(4) Identify any **lobbyist or public relations firm** employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

No lobbyist or public relations firm employed; or

List lobbyists or public relations firms:

¹ A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law. A sole proprietor should list the name of the individual and the d/b/a, if any.

(5) Political Contributions

List all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made to any *current* or *former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under Box (1), (2), (3) or (4) above, or by the officers, owners of any business entity listed in Box (1), (2) or (3):

No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
None.	None.	\$0.00	Not applicable.

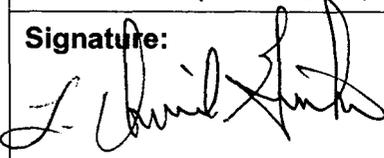
(6) Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.

Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the City Code; or

Party aware of the following facts:

This form is required to be supplemented in the event there is any change in the information before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed, whichever occurs first.

Signature: 	Title: President Company or D/B/A: Givler Engineering, Inc.	Date: 11/28/05
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² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.