

AN ORDINANCE 2006-06-01-0639

AUTHORIZING A TOTAL OF \$36,217.50, TO INCLUDE A \$32,925.00 AMENDMENT TO A \$236,262.00 PROFESSIONAL ENGINEERING SERVICES AGREEMENT, AS AMENDED, WITH POZNECKI – CAMARILLO, INC. FOR ADDITIONAL DESIGN ENHANCEMENTS TO INCLUDE INTERSECTION BRICK PAVERS, TRASH CAN HOLDERS, AND TREE GRATES IN CONNECTION WITH THE COMMERCE STREET – RAILROAD TO S. PALMETTO PROJECT, A 2003 BOND PROPOSITION 1 STREET PROJECT LOCATED IN DISTRICT 2; AND APPROPRIATING FUNDS FROM 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS.

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WHEREAS, on March 11, 2004, Ordinance No. 98956 authorized the execution of a professional services contract with **Poznecki-Camarillo, Inc.** in the amount of \$211,507.00 for engineering services in connection to the Commerce Street – Railroad to S. Palmetto Project; and

WHEREAS, the project provides for the restoration of pavement and construction of curbs for Commerce Street from the Railroad to S. Palmetto, as well as, sidewalks, and streetscape enhancements; and

WHEREAS, this Ordinance amends the contract with **Poznecki-Camarillo, Inc.** in an amount not to exceed \$32,925.00 for additional engineering services and artist's fees that incorporate additional design enhancements for the 2003 Bond Proposition 1 Street Project to include brick pavers at seven street intersections, trash can holders, and tree grates; and

WHEREAS, this Ordinance also authorizes \$3,292.50 for project contingency, and

WHEREAS, approval of this Ordinance will be a continuation of Council policy to participate in the design of previously approved 2003-2007 General Obligation Street Improvement 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 **Poznecki-Camarillo, Inc.** which was originally authorized by Ordinance 98956 dated March 11, 2004 is hereby amended to provide additional engineering services and artist's fees in the amount of \$32,925.00 and \$3,292.50 for project contingency in connection with the Commerce Street – Railroad to S. Palmetto Project.

SECTION 2. The following financial adjustments are hereby approved:

- a) The amount of \$36,217.50 is appropriated in fund 45801000, 2003 General Obligation Street Bonds, WBS GO-00094-01-01-47 GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00134-90-04. The amount of \$36,217.50 is authorized to be transferred to fund 45099000.

- b) The budget in fund 45099000, Project Definition 23-00134, Commerce Street (UPRR to S. Palmetto), shall be revised by increasing WBS element 23-0134-90-04 entitled Trf Fr GO-00094-01-01-47, GL account 6101100 – Interfund Transfer In, by the amount of \$36,217.50.
- c) The amount of \$32,925.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00134, Commerce Street (UPRR to S. Palmetto), WBS element 23-00134-01-02, entitled Design, G/L Account 5201170, and is authorized to be encumbered and made payable to **Poznecki-Camarillo, Inc.** for professional engineering services.
- d) The amount of \$3,292.50 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00134, Commerce Street (UPRR to S. Palmetto), WBS element 23-00134-05-06, entitled Project Contingency, G/L Account 5201140, and is authorized to be encumbered and made payable for project contingencies.

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 June 11, 2006.

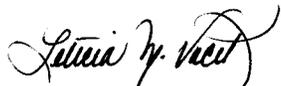
PASSED AND APPROVED this 1st day of June, 2006.



M A Y O R

PHIL HARDBERGER

ATTEST:



City Clerk

APPROVED AS TO FORM:



for City Attorney

Agenda item #15

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

TO: Sheryl Sculley, City Manager
FROM: Thomas G. Wendorf, P.E., Director of Public Works
SUBJECT: Commerce Street – Railroad to S. Palmetto
DATE: June 1, 2006

SUMMARY AND RECOMMENDATIONS

An ordinance appropriating funds and amending a professional services agreement with Poznecki – Camarillo, Inc., an MBE firm, for additional engineering services and artist's fees, for an additional \$32,925.00, and \$3,292.50 for project contingency for a total ordinance amount for \$36,217.50 in connection with the Commerce Street – Railroad to S. Palmetto, a 2003-2007 General Obligation Street Improvement Bond funded project, located in Council District 2.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

This project provides for the restoration of pavement and construction of curbs for Commerce Street – Railroad to S. Palmetto as well as, sidewalks and streetscape enhancements. Project construction is scheduled to begin in February 2007 and is scheduled to be completed by March of 2008.

This ordinance authorizes funding in the amount of \$32,925.00 payable to Poznecki-Camarillo, Inc. for additional professional engineering services and artist's fees, which will include incorporating additional design enhancements for the 2003 Bond Proposition 1 street project; these enhancements will include brick pavers at seven street intersections, trash can holders, and tree grates.

The professional service agreement for the Commerce Street – Railroad to S. Palmetto project was approved by City Council on March 11, 2004 through Ordinance No. 98956 and authorized \$211,507.00 for professional engineering services. Subsequent council action has increased the amount approved for this agreement to \$236,262.00. This ordinance will increase the total agreement amount to \$269,187.50.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to participate in the design of previously approved 2003-2007 General Obligation Street Improvement 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 \$36,217.50 are available from 2003-2007 General Obligation Street Improvement Bond funds and are appropriated and payable as follows:

\$ 32,925.00 payable to Poznecki-Camarillo, Inc. for professional engineering services

\$ 3,292.50 for project contingency

COORDINATION

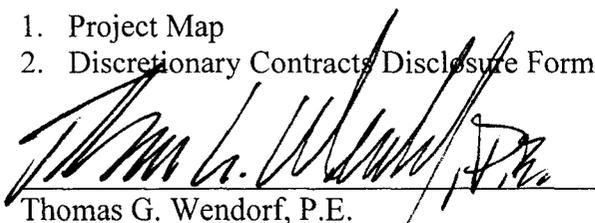
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

SUPPLEMENTARY COMMENTS

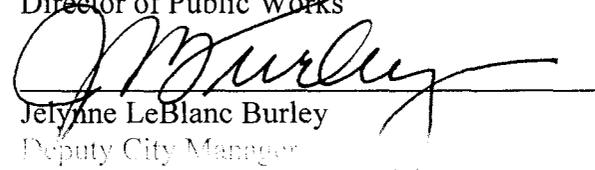
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.

ATTACHMENTS

- 1. Project Map
- 2. Discretionary Contracts Disclosure Form

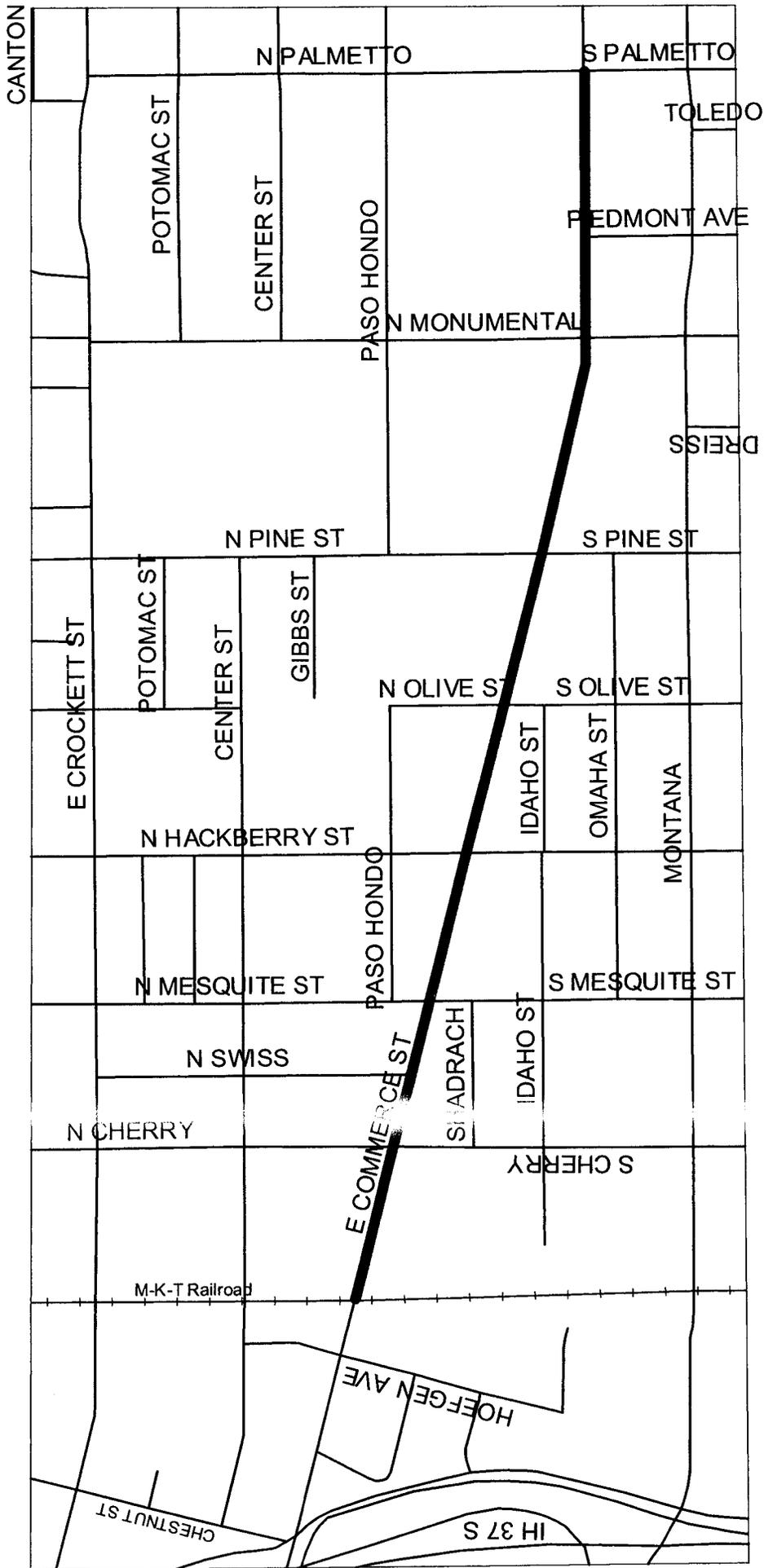


Thomas G. Wendorf, P.E.
Director of Public Works



Jelyne LeBlanc Burley
Deputy City Manager

COMMERCE: RAILROAD TO PALMETTO



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.*

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

Adalberto Camarillo / Poznecki-Camarillo and Assoc., Inc.

(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:

Andrew W. Poznecki, Jr.

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

No subcontractor(s); or

List subcontractors:

(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.

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.*

(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:
Adalberto Camarillo	Richard Perez	\$500.00	9-13-05

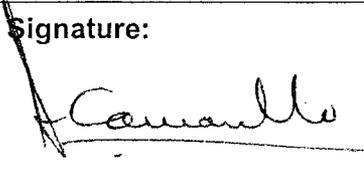
(6) Disclosures in Proposals

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: Poznecki-Camarillo and Assoc., Inc.	Date: 2-21-06
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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.