

AN ORDINANCE 2006-06-29-0755

AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH VICKREY & ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$49,064.00, TO PROVIDE ADDITIONAL ENGINEERING AND SURVEYING SERVICES IN CONNECTION WITH THE SKY PLACE BOULEVARD RE-ALIGNMENT PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT, APPROPRIATING FUNDS AND REVISING THE BUDGET.

* * * * *

WHEREAS, in October 2003, as authorized by Ordinance No. 98347, dated October 23, 2003, the City entered into a Professional Services Agreement with Vickery & Associates, Inc., to provide Engineering Services in connection with the Sky Place Boulevard Realignment and the Sky Place Boulevard Drainage Projects at the San Antonio International Airport (“Original Agreement”); and

WHEREAS, both projects have been bid, awarded and constructed concurrently and in connection with this concurrent work effort, the consultant’s fee during the bid process and construction administration was to have been evenly distributed over the two projects; and

WHEREAS, as a result of the acceleration of the street realignment project to the expansion of Sino Swearingen and the relocation of Valero, the fees associated with the two phases of work cannot be shared as anticipated; and

WHEREAS, in order to provide suitable building sites for future tenants along Sky Place Boulevard, this area must also be re-platted; and

WHEREAS, Vickery has submitted a proposal for the re-platting and the bidding and construction and administration costs; and

WHEREAS, it is necessary to amend the Original Agreement to expand the scope and appropriate additional funds to cover increased costs of bidding and construction administration as well as platting costs; **NOW THEREFORE:**

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

SECTION 1. The City Manager or her designee is authorized to execute an amendment of the Original Agreement with Vickery & Associates, Inc., to provide additional re-platting services and additional bidding and construction and administration costs in connection with the Sky Place Boulevard Realignment Project at the San Antonio International Airport, in an amount not to exceed \$49,064.00. A copy of the proposed Amendment and associated budget is attached hereto and incorporated herein by reference for all purposes as Attachment 1.

SECTION 2. The amount of \$49,064.00 is appropriated in Fund 51013000, "Airport Capital Improvement Fund", and General Ledger account 6102100 entitled "Interfund Transfers Out". The amount of \$49,064.00 is authorized to be transferred from Fund 51013000, "Airport Capital Improvement Fund" to Fund 51099000 entitled "Airport Capital Projects".

SECTION 3. The budget in Fund 51099000 entitled "Airport Capital Projects" Project Definition 33-00110 entitled "Sky Place Boulevard Realignment" shall be revised by increasing WBS Element 33-00110-90-01, entitled "TRF FR AV-00006-01-01-86", GL account 6101100 - "Interfund Transfer In", by the amount of \$49,064.00.

SECTION 4. The amount of \$49,064.00 is appropriated in Fund 51099000, Project Definition 33-00110, Sky Place Boulevard Re-Alignment, WBS element 33-00110-01-02, General Ledger 5201170 is authorized to be encumbered and made payable to Vickery & Associates, Inc. for Engineering Services.

SECTION 5. 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 6. This Ordinance shall be effective on and after the tenth (10th) day after passage.

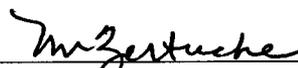
PASSED AND APPROVED this 29th day of June 2006.



M A Y O R

PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

ATTACHMENT 1

**AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
FOR ENGINEERING SERVICES**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This Amendment To Professional Services Agreement ("Amendment") is entered into by and between the City of San Antonio, a Texas Municipal Corporation (hereinafter referred to as "City") acting by and through its City Manager, and **VICKERY & ASSOCIATES, INC.** (hereinafter referred to as "Consultant" or "Vickery"), both of which may be referred to herein collectively as the "Parties".

WHEREAS, In October of 2003, as authorized by Ordinance No. 98347, dated October 23, 2003 the City entered into a Professional Services Agreement with Vickery to provide Engineering Services in connection with the Sky Place Boulevard Realignment and the Sky Place Boulevard Drainage Projects at the San Antonio International Airport ("Original Agreement"); and

WHEREAS, and in order to provide suitable building sites for future tenants along Sky Place Boulevard, this area must be re-platted; and

WHEREAS, Vickery has submitted a proposal for the replatting; and

WHEREAS, it is necessary to amend the Original Agreement to expand the scope to include the replatting and provide for additional compensation; **NOW THEREFORE**,

In consideration of the terms, covenants, agreements and demises herein contained, and in consideration of other good and valuable consideration, each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Original Agreement by and between the Parties is amended as follows:

1. **Amended Scope of Work:** The Scope of Work set out in Attachment "A" of the Original Agreement is amended to include the platting services described in the document attached hereto as Exhibit A. Amended Scope of Work.

2. **Revised Fee for Services.** On Attachment "C" of the Original Agreement, an additional Paragraph 1.2 will be added to read as follows:

1.2 The total fee for the Amended Scope of Work as defined by this amendment to Attachment "A" is to be in the amount not to exceed \$49,064.00, and it is agreed and understood that this amount will constitute full compensation to Vickery for the work defined in Exhibit A attached hereto. This amount has been approved and appropriated by the San Antonio City Council for expenditure under this contract. Unless and until the City sees fit to make further appropriations, the obligation of the City to the Consultant for a the revised fee for all services in connection with this Amended Scope of Work cannot and will not exceed \$49,064.00 without further amendment to this Agreement.

5. All provisions of the Original Agreement that are not modified by this Amendment remain in full force and effect.

EXECUTED and **AGREED** to this the _____ day of _____, 2006.

CITY:
CITY OF SAN ANTONIO

CONSULTANT:
VICKERY & ASSOCIATES, INC.

Sheryl Sculley,
City Manager

By:
Its:
Federal Tax ID#: _____

Approved:

City Attorney