

AN ORDINANCE **2016-10-13-0788**

**AUTHORIZING AN AMENDMENT IN AN AMOUNT NOT TO EXCEED \$2,050,573.00 TO A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES FOR CONSTRUCTION ADMINISTRATION, RESIDENT PROJECT REPRESENTATION, PROJECT MANAGEMENT AND INSPECTION SERVICES, AND ADDITIONAL DESIGN SERVICES FOR PACKAGE 4 OF THE RUNWAY 12R REHABILITATION AND TERMINAL AREA TAXIWAYS IMPROVEMENTS AND TAXIWAY E RECONSTRUCTION PROJECTS AT SAN ANTONIO INTERNATIONAL AIRPORT.**

\* \* \* \* \*

**WHEREAS**, in January 2013, the City executed a Professional Services Agreement with Kimley-Horn and Associates (Kimley-Horn) for Design & Planning Services for Runway & Taxiway Improvements (2012) at the San Antonio International Airport at San Antonio International Airport in the amount not to exceed \$5,191,606.00; and

**WHEREAS**, this Ordinance will provide for construction administration services, resident project representation, project management services, and inspection services for Package 4 of the Runway 12R Rehabilitation and Terminal Area Taxiways project, as well as additional construction phase services for the Terminal Area Taxiway Improvements Package 2 project due to an extended construction duration, and for additional design services supporting Package 4 to repackage the 95% design submittal due to limited FAA funding; and

**WHEREAS**, it is now necessary to authorize the execution of an amendment in an amount not to exceed \$2,050,573.00 to the Professional Services Agreement with Kimley-Horn for such additional services; **NOW THEREFORE**,

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

**SECTION 1.** The terms and conditions of an amendment to the Professional Services Agreement with Kimley-Horn in an amount not to exceed \$2,050,573.00 for construction administration, resident project representation, project management and inspection services, and additional design services for Package 4 of The Runway 12R Rehabilitation and Terminal Area Taxiways Improvements and Taxiway E Reconstruction Projects at San Antonio International Airport, are hereby approved. The City Manager or her designee is authorized to execute the amendment, a copy of which in substantially final form is attached as **Exhibit I**.

**SECTION 2.** The amount of \$143,106.67 is appropriated in SAP Fund 51013000, Capital Improvement and Contingency Fund, SAP WBS AV-00006-01-02-57, SAP GL account 6102100 - Interfund Transfer out entitled Transfer to 33-00194-90-11-01. The amount of \$143,106.67 is authorized to be transferred from SAP Fund 51099000.

**SECTION 3.** The budget in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00194, Taxiway E Reconstruction, shall be **revised by increasing** SAP WBS element 33-00194-90-11-01 entitled Transfer from AV-00006-01-02-57, SAP GL account 6101100, by the amount of \$143,106.67.

**SECTION 4.** The amount of \$143,106.67 is appropriated in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00194, Taxiway E Reconstruction, the budget shall be revised by increasing the SAP WBS Elements as follows:

| WBS NO.        | WBS NAME | G/L     | G/L NAME     | PLAN VERSION 0<br>REVISION/<br>Appropriation |
|----------------|----------|---------|--------------|--|
| 33-00194-01-02 | Design   | 5201040 | Fees to Pro. | \$ 43,106.67                                 |
| 33-00194-01-04 | FAA      | 5201040 | Fees to Pro. | 100,000.00                                   |
| <b>TOTALS</b>  |          |         |              | <b>\$ 143,106.67</b>                         |

**SECTION 5.** Payment in the amount not to exceed \$43,106.67 in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00194, Taxiway E Reconstruction, is authorized to be encumbered and made payable to Kimley-Horn, for construction administration, resident project representation, project management and inspection services, and additional design services. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with Operating and/or Capital Budgets for current and future fiscal years.

**SECTION 6.** A Payment in an amount not to exceed \$497,819.21 in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00178, Runway 12R Rehabilitation, is authorized to be encumbered and made payable to Kimley-Horn, for construction administration, resident project representation, project management and inspection services, and additional design services. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with Operating and/or Capital Budgets for current and future fiscal years.

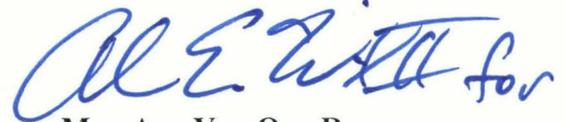
**SECTION 7.** A Payment in an amount not to exceed \$1,509,647.12 in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00193, Terminal Area Taxiways, is authorized to be encumbered and made payable to Kimley-Horn., for construction administration, resident project representation, project management and inspection services, and additional design services, and additional construction services. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with Operating and/or Capital Budgets for current and future fiscal years.

**SECTION 8.** 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.

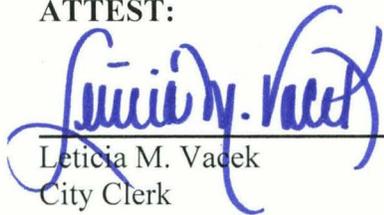
KRH  
10/13/16  
Item No. 7C

**SECTION 9.** This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED and APPROVED** this 13<sup>th</sup> day of October, 2016.

  
**M A Y O R**  
Ivy R. Taylor

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney

|                     |   |                    |            |            |                |               |               |
|---------------------|---|--------------------|------------|------------|----------------|---------------|---------------|
| <b>Agenda Item:</b> | 7C ( in consent vote: 4, 5, 6, 7A, 7B, 7C, 8A, 8B, 8C, 8D, 9, 10, 11A, 11B, 12, 14, 15, 16, 20, 22, 23, 24, 25, 26 )  |                    |            |            |                |               |               |
| <b>Date:</b>        | 10/13/2016  |                    |            |            |                |               |               |
| <b>Time:</b>        | 09:20:49 AM   |                    |            |            |                |               |               |
| <b>Vote Type:</b>   | Motion to Approve   |                    |            |            |                |               |               |
| <b>Description:</b> | An Ordinance authorizing an amendment with Kimley-Horn and Associates, Inc in an amount not to exceed \$2,050,573.00 for construction administration, resident project representation, project management, inspection services and additional design services for Runway 12R Rehabilitation, Terminal Area Taxiways Improvements and Taxiway E Reconstruction projects. |                    |            |            |                |               |               |
| <b>Result:</b>      | Passed  |                    |            |            |                |               |               |
| <b>Voter</b>        | <b>Group</b>  | <b>Not Present</b> | <b>Yea</b> | <b>Nay</b> | <b>Abstain</b> | <b>Motion</b> | <b>Second</b> |
| Ivy R. Taylor       | Mayor   | x                  |            |            |                |               |               |
| Roberto C. Treviño  | District 1  |                    | x          |            |                |               |               |
| Alan Warrick        | District 2  |                    | x          |            |                |               |               |
| Rebecca Viagran     | District 3  |                    | x          |            |                |               |               |
| Rey Saldaña         | District 4  | x                  |            |            |                |               |               |
| Shirley Gonzales    | District 5  |                    | x          |            |                |               |               |
| Ray Lopez           | District 6  |                    | x          |            |                |               |               |
| Cris Medina         | District 7  |                    | x          |            |                |               |               |
| Ron Nirenberg       | District 8  |                    | x          |            |                |               | x             |
| Joe Krier           | District 9  |                    | x          |            |                | x             |               |
| Michael Gallagher   | District 10   |                    | x          |            |                |               |               |

# **EXHIBIT I**

**AMENDMENT NO. 5  
TO  
PROFESSIONAL SERVICES AGREEMENT  
FOR  
DESIGN & PLANNING SERVICES FOR  
RUNWAY & TAXIWAY IMPROVEMENTS AT THE  
SAN ANTONIO INTERNATIONAL AIRPORT**

This Amendment (hereinafter called the "Amendment") to the Professional Services Agreement for Design & Planning Services for Runway & Taxiway Improvements at the San Antonio International Airport is entered into by and between the City of San Antonio (herein called the "City"), a Texas municipal corporation, acting by and through its City Manager, and Kimley-Horn and Associates, Inc. (hereinafter called "Consultant"), acting by and through its duly authorized corporate representative, as set out below. WITNESSETH:

**WHEREAS**, on January 31, 2013, the City and Consultant entered into a Professional Services Agreement for Design & Planning Services for Runway & Taxiway Improvements (2012) at the San Antonio International Airport. (hereinafter called the "Agreement") pursuant to Ordinance No. 2013-01-31-0065; and

**WHEREAS**, City desires to add \$2,050,573.00 in contract capacity to the Agreement for Consultant to provide additional construction administration, resident project representative services, and design services as set out in the Agreement; and

**WHEREAS**, it is now necessary to amend the Agreement to increase the compensation to Consultant for these additional services; and

**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 Agreement entered into by and between the City and the Consultant is amended as follows:

- 1. Article 6.2.** The first sentence of Article 6.2 of the Agreement is hereby deleted and replaced in its entirety with the following, increasing the not to exceed contract sum by \$2,050,573.00:

"The total compensation for all work to be performed by Consultant as fully defined in the Scope of Services, to include all travel and other expenses, shall not exceed THIRTEEN MILLION FIVE HUNDRED FIFTEEN THOUSAND THREE HUNDRED SIXTY-ONE AND 77/100 DOLLARS (\$13,515,361.77)."

- 2. Exhibit 2 Fee Schedule.** \$ 215,533.36 is hereby added to the task set out as Part 4 - Design and Engineering and \$1,835,039.64 is hereby added to the task set out as Part 6 - Construction Administration/Observation of the "Fee Breakdown by Work Phase" of Exhibit 2, Fee Schedule as depicted in Exhibit A Additional Fee hereto.

Except as amended hereby, all other provisions of the Agreement are hereby retained in their entirety and remain unchanged.

**EXECUTED AND AGREED TO** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF SAN ANTONIO**

**KIMLEY-HORN AND ASSOCIATES,  
INC.**

By: \_\_\_\_\_  
Sheryl L. Sculley  
City Manager

By: Michael G. S. [Signature]  
Signature

Michael G. S. [Signature] Executive VP  
Printed Name & Title

APPROVED:

By: \_\_\_\_\_  
City Attorney

**EXHIBIT A  
ADDITIONAL FEE**

| <u>PART</u>  | <u>Not to Exceed Amount</u> |
|--------------|-----------------------------|
| 4.2          | \$ 215,533.36               |
| 6.0          | \$1,835,039.64              |
| <b>Total</b> | <b>\$2,050,573.00</b>       |