

THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.

ORDINANCE

APPROVING FIVE ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH COX MCLAIN ENVIRONMENTAL CONSULTING, INC., PALEOWEST, LLC, PAPE-DAWSON ENGINEERS, INC., CENTER FOR ARCHAEOLOGICAL RESEARCH-UTSA, AND HICKS & COMPANY, ENVIRONMENTAL/ARCHEOLOGY CONSULTANTS, EACH IN AN AMOUNT NOT TO EXCEED \$600,000.00 PER CONTRACT YEAR, FOR AS-NEEDED PROFESSIONAL CULTURAL RESOURCES (HISTORIC ABOVE-GROUND AND ARCHAEOLOGICAL RESOURCES) CONSULTING SERVICES RELATED TO FEDERAL TRANSPORTATION PROJECTS, CAPITAL IMPROVEMENT BOND PROJECTS, AND OTHER CITY PROJECTS. EACH AGREEMENT IS FOR A TERM OF ONE YEAR WITH OPTIONS TO RENEW AT AN ADDITIONAL AMOUNT NOT TO EXCEED \$600,000.00 PER CONTRACT YEAR AT CITY'S DISCRETION, FOR A TOTAL AMOUNT NOT TO EXCEED \$3,000,000.00 PER CONTRACT.

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WHEREAS, the Public Work Department's Environmental Management Division (EMD) is responsible for assessing all environmental impacts related to transportation and drainage improvement projects, determining potential environmental impacts and obtaining environmental clearances from the federal and state regulatory agencies for all Bond, federally funded, and capital improvement projects prior to construction advertisement, including impacts to cultural resources; EMD will utilize these on-call cultural resource consulting services on an as-needed basis to assist with the research and preparation of environmental documents in accordance with local, state, and federal cultural resources requirements; and

WHEREAS, on January 22, 2020 the City issued a Request for Qualifications ("RFQ") for On-Call Professional Cultural Resources Consulting Services (RFQ 012220DR); nine firms responded and a selection committee of City staff and the San Antonio Conservation Society evaluated and scored the respondents based on the published evaluation criteria; the selection committee recommended contracts be awarded to the top ranking five firms: Cox McLain Environmental Consulting, Inc., PaleoWest, LLC, Pape-Dawson Engineers, Inc., Center for Archaeological Research-UTSA, and Hicks & Company, Environmental/Archeology Consultants; and

WHEREAS, each of the agreements shall have a value not to exceed \$600,000.00 annually; no funds are appropriated by this action; funds for the contracts shall be allocated from specific project funds at the time the work is required; and the City will make no minimum guarantee pertaining to the volume of work that may be expected from each consultant; and

WHEREAS, this Ordinance authorizes the execution of five on-call professional services agreements with Cox McLain Environmental Consulting, Inc., PaleoWest, LLC, Pape-Dawson Engineers, Inc., Center for Archaeological Research-UTSA, and Hicks & Company, Environmental/Archeology Consultants, each in an amount not to exceed \$600,000.00 per contract year, for as-needed cultural resources consulting services related to federal transportation projects, capital improvement bond projects, and other City projects. Each agreement is for a term of one year with an option to renew each for up to four additional one-year extensions, under the same terms and conditions, at an additional amount not to exceed \$600,000.00 per contract year at City's sole discretion, for a total amount not to exceed \$3,000,000.00 per contract; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director, Public Works Department or designee, is authorized to negotiate and execute five on-call professional services agreements with Cox McLain Environmental Consulting, Inc., PaleoWest, LLC, Pape-Dawson Engineers, Inc., Center for Archaeological Research-UTSA, and Hicks & Company, Environmental/Archeology Consultants, each in an amount not to exceed \$600,000.00 per contract year, for as-needed cultural resources consulting services related to federal transportation projects, capital improvement bond projects, and other City projects. Each agreement is for a term of one year with an option to renew each for up to four additional one-year extensions, under the same terms and conditions without further Council action, at an additional amount not to exceed \$600,000.00 per contract year at City's sole discretion, for a total amount not to exceed \$3,000,000.00 per contract. The agreement template, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**. The execution authority granted by this ordinance shall expire 60 days after the effective date.

SECTION 2. Funding for this ordinance will be identified when work orders are issued. If funding for any work orders is not previously appropriated, funding will be identified and appropriated through subsequent City Council action. Payment is limited to the amounts budgeted in the Operating, Grants, and/or Capital Budget funding sources identified. All expenditures will comply with Operating, Grants, and/or Capital Budgets for current and future fiscal years.

SECTION 3. Payment not to exceed \$600,000.00 is authorized to be encumbered with a purchase order and made payable to Cox McLain Environmental Consulting, Inc. for as-needed cultural resources consulting services for City projects.

SECTION 4. Payment not to exceed \$600,000.00 is authorized to be encumbered with a purchase order and made payable to PaleoWest, LLC for as-needed cultural resources consulting services for City projects.

SECTION 5. Payment not to exceed \$600,000.00 is authorized to be encumbered with a purchase order and made payable to Pape-Dawson Engineers, Inc. for as-needed cultural resources consulting services for City projects.

SECTION 6. Payment not to exceed \$600,000.00 is authorized to be encumbered with a purchase order and made payable to Center for Archaeological Research-UTSA for as-needed cultural resources consulting services for City projects.

SECTION 7. Payment not to exceed \$600,000.00 is authorized to be encumbered with a purchase order and made payable to Hicks & Company, Environmental/Archeology Consultants for as-needed cultural resources consulting services for City projects.

SECTION 8. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

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

PASSED AND APPROVED this ____ day of _____.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney