

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

**AN ORDINANCE**

**AUTHORIZING TWO (2) ON-CALL PROFESSIONAL SERVICES AGREEMENTS: ONE WITH BAIN MEDINA BAIN, INC. IN AN AMOUNT NOT TO EXCEED \$2,000,000.00 AND ONE WITH TERRA DESIGN GROUP, INC. IN AN AMOUNT NOT TO EXCEED \$1,100,000.00 FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE HOWARD W. PEAK GREENWAY TRAILS SYSTEM FOR A PERIOD OF THREE YEARS FROM THE DATE OF EXECUTION, WITH AN OPTION TO EXTEND THE AGREEMENTS FOR AN ADDITIONAL TWO YEARS.**

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**WHEREAS**, the proposed professional services agreements provide architectural and engineering design services, permit preparation, bidding assistance, and construction administration for projects to be included in the Howard W. Peak Greenway Trails System, which has been funded through a portion of a 1/8-cent voter-approved sales tax since its inception in 2000; and

**WHEREAS**, the consultants' scopes of work will also include recommendations for design enhancements and Low Impact Development (LID) water quality features as outlined in the scope of the 2015 Sales Tax Initiative; and

**WHEREAS**, the objectives of the program are to acquire and preserve open space along San Antonio creekways and to develop multi-use hike and bike trails, trailheads, enhancements, signage, and associated amenities for use by San Antonio residents and visitors; and

**WHEREAS**, a Request for Qualifications (RFQ) was released in September 2016; and

**WHEREAS**, this RFQ was advertised in the San Antonio Hart Beat, on the City's website and the Texas Electronic State Business Daily in September 2016 and October 2016; and

**WHEREAS**, responses were due on October 26, 2016; and

**WHEREAS**, nine (9) firms responded to the RFQ; and

**WHEREAS**, the proposals were evaluated and ranked by a selection committee consisting of representatives from the Parks and Recreation, Transportation and Capital Improvements (TCI) and Economic Development (EDD) Departments, and the San Antonio River Authority (SARA); and

**WHEREAS**, scoring was based on the published evaluation criteria, which included: Background and Experience, Experience with Texas Regional Issues, City of San Antonio contracts on similar projects, Understanding of the Project, Proposed Management Plan, and participation in SBE Prime Contract Program and

**WHEREAS**, these agreements will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular agreement in an effort to maximize the amount of small, minority, and women-owned business participation on the contract; and

**WHEREAS**, the Goal Setting Committee applied the Emerging Small Business Enterprise (ESBE) and Minority/ Women-Owned Business Enterprise (M/WBE) Prime Contract Program with twenty (20) evaluation preference points total; and

**WHEREAS**, ten (10) evaluation preference points were awarded to Bain Medina Bain, Inc., as they are a certified M/WBE firm located within the San Antonio Metropolitan Statistical Area (SAMS) and ten (10) evaluation preference points were awarded to Terra Design Group, Inc., as they are a certified ESBE firm located within the SAMS; and

**WHEREAS**, additionally, the Goal Setting Committee set a 16% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 1% African American Business Enterprise (AABE) subcontracting goal; and

**WHEREAS**, Bain Medina Bain, Inc. and Terra Design Group Inc. have committed to 16% M/WBE and 1% AABE subcontractor participation; and

**WHEREAS**, based on the evaluations and rankings made in the selection process, staff recommends selection of Bain Medina Bain, Inc. and Terra Design Group, Inc. to be awarded on-call professional services agreements for design, permit preparation, bidding assistance, and construction administration; and

**WHEREAS**, these agreements were developed utilizing a formal request for qualifications and proposal process; therefore, as required by the Ethics Ordinance, a Contracts Disclosure Form is included herein as an attachment; **NOW THEREFORE:**

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

**SECTION 1.** The City Manager or her designee or the Director of the Parks and Recreation Department or his designee is authorized to execute two (2) on-call professional services agreements: one with Bain Medina Bain, Inc. in an amount not to exceed \$2,000,000.00 and one with Terra Design Group, Inc. in an amount not to exceed \$1,100,000.00 for architectural and engineering design services for the Howard W. Peak Greenway Trails System for a period of three years from the date of execution, with an option to extend the agreements for an additional two years. A copy of each agreement in substantially final form are attached hereto and incorporated herein for all purposes as **Attachment I and II.**

**SECTION 2.** The amounts will be encumbered upon issuance of a purchase order, and payment is authorized to various vendors. All expenditures will be in accordance with the Fiscal Year 2017 and subsequent budgets that fall within the term period of this contract approved by City Council.

**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 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.

**SECTION 4.** 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**  
Ivy R. Taylor

**ATTEST:**

**APPROVED AS TO FORM:**

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

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Andrew Segovia, City Attorney