

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

AN ORDINANCE

AUTHORIZING THE EXECUTION OF FOUR (4) ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC., PAPE-DAWSON ENGINEERS, PREWITT AND ASSOCIATES, INC., AND THE UNIVERSITY OF TEXAS AT SAN ANTONIO CENTER FOR ARCHEOLOGICAL RESEARCH, EACH IN AN AMOUNT NOT TO EXCEED \$325,000.00 PER CONTRACT YEAR, FOR AS-NEEDED SERVICES TO SUPPLEMENT THE CITY'S CULTURAL RESOURCES CONSULTING SERVICES RELATED TO FEDERAL TRANSPORTATION PROJECTS, CAPITAL IMPROVEMENT BOND PROJECTS AND OTHER CITY PROJECTS, LOCATED CITYWIDE. EACH AGREEMENT IS FOR A TERM OF ONE YEAR WITH AN OPTION TO RENEW EACH FOR TWO (2) ADDITIONAL ONE (1)-YEAR EXTENSIONS AT AN ADDITIONAL AMOUNT NOT TO EXCEED \$325,000.00 PER CONTRACT YEAR AT CITY'S SOLE DISCRETION.

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WHEREAS, the Transportation and Capital Improvements Department (TCI), Environmental Management Division (EMD) is responsible for determining potential environmental impacts and obtaining clearances from the federal and state regulatory agencies for all bond projects, federally funded projects and capital improvement projects prior to construction advertisement; and

WHEREAS, EMD is also responsible for assessing all archeological and above-ground historical resources referred to as "cultural resources" and determines the impact to those resources related to transportation and drainage improvement projects; and

WHEREAS, the assessment of cultural resources can be a lengthy process which can include working with several agencies at the local, state, and federal levels; and

WHEREAS, TCI has managed cultural resources consultant services through the National Environmental Protection Act (NEPA) On-Call contract; however, most of the NEPA firms subconsult with specialty cultural resources firms. With this contract, TCI can go directly to the cultural resources consultant and avoid pass-through costs associated with the prime firms' management; and

WHEREAS, maintaining both a NEPA on-call contract as well as this new cultural resources contract will allow TCI and EMD to ensure the most suitable consultants are always available to provide both NEPA and cultural resources services, ensuring projects are not delayed; and

WHEREAS, these on-call cultural resources consulting services will be utilized on an as-needed basis to assist with the research and preparation of cultural resources documents for

transportation and drainage improvement projects in accordance with local, state and federal requirements; and

WHEREAS, the cultural resources consulting services to be provided by these firms will primarily pertain to Section 106 and Texas Antiquities Code services including, but not limited to, the following:

Cultural Resources (Archeology)

- Conduct Texas Archeological Resource Laboratory (TARL) and Texas Historic Sites Atlas Search/Background Reviews/Constraints Analysis and produce associated reports.
- Perform archeological surveys and produce associated technical reports as required based on project needs
- Perform additional testing, documentation and research of archeological resources and produce technical reports as required based on project needs
- Maintaining compliance with the Texas Antiquities Code (Title 9, Chapter 191, Texas Natural Resources Code) and Section 106 of the National Historic Preservation Act, as Amended (16 U.S.C. §470) as well as those listed above
- Conduct Archeological Mitigation as required by agencies or project scope in order to maintain compliance
- Conduct Geo-archeological Investigation
- Conduct other types of specialized surveys such as Remote Sensing i.e. Ground Penetrating Radar et al.
- Provide Photo Documentation as necessary
- Maintain Native American Grave Protection Repatriation Act Compliance (NAGPRA)
- Write historic contexts with the evolution of resource-types, cultural and ethnic features, and cultural landscape features provided to help evaluate historic resources
- Provide Archeological monitoring during construction, including backhoe trenching
- Use OHP database for survey documentation and provide this information, per OHP requirements and guidelines, to OHP and TCI
- Perform Curation of artifacts found
- Obtain necessary permits for the THC for investigation efforts, monitoring, etc.

Cultural Resources (Standing Structures)

- Perform non-archeological surveys and produce associated technical reports
- Perform additional above-ground documentation and research of cultural resources
- Maintain compliance with the Texas Antiquities Code (Title 9, Chapter 191, Texas Natural Resources Code) and Section 106 of the National Historic Preservation Act, as Amended (16 U.S.C. §470)
- Conduct Cultural Resources Mitigation as required by agencies or project scope in order to maintain compliance
- Conduct THC Search/Background Reviews/Constraints Analysis
- Conduct various levels of Above-Ground Historic Survey, as required based on project needs
- Provide photo documentation of buildings, structures, objects, or sites, as necessary

- Conduct Above Ground Historical Resources Surveys at the windshield, reconnaissance, or intensive levels, as necessary, in order to maintain compliance
- Write historic contexts with the evolution of resource-types, cultural and ethnic features, and cultural landscape features provided to help evaluate historic resources
- Provide Above Ground Resources monitoring during construction
- Use OHP database for survey documentation and provide this information, per OHP requirements and guidelines, to OHP and TCI, as requested; and

WHEREAS, this Ordinance authorizes the execution of four (4) on-call professional services agreements with Burns & McDonnell Engineering Company, Inc., Pape-Dawson Engineers, Prewitt and Associates, Inc., and The University of Texas at San Antonio Center for Archeological Research, each in an amount not to exceed \$325,000.00 per contract year, for as-needed services to supplement the City's cultural resources consulting resources related to federal transportation projects, capital improvement bond projects and other City projects, located citywide, for a term of one year, with an option to renew each two (2) additional one (1)-year extensions at an additional amount not to exceed \$325,000.00 per contract year at City's sole discretion; and

WHEREAS, no funds are appropriated by this action as funds for this contract shall be allocated from specific project funds at the time the work is required and the amounts will be transferred from available funding sources identified within the scope and source, as the projects are assigned by various City departments. The City will make no minimum guarantee pertaining to the volume of work that may be expected from each consultant; **NOW THEREFORE**,

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

SECTION 1. Burns & McDonnell Engineering Company, Inc., Pape-Dawson Engineers, Prewitt and Associates, Inc., and The University of Texas at San Antonio Center for Archeological Research are selected for negotiation and execution of four On-Call Professional Services Agreements on as-needed basis to assess all archeological and above-ground historical resources referred to as "cultural resources" and determine the impact to those resources related to transportation and drainage improvement projects.

SECTION 2. The City Manager or her designee is authorized to negotiate and execute four On-Call Professional Services Agreements, each in the amount not to exceed \$325,000.00 per year, for a term of one year, with an option to renew each of the agreements for two (2) additional one-year extensions at an additional amount not to exceed \$325,000.00 per contract year at City's sole discretion.

SECTION 3. 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.

The following financial adjustments are hereby approved:

- a) Payment not to exceed \$325,000.00 per annual contract, is authorized to be encumbered with a purchase order and made payable to **Burns & McDonnell Engineering Company, Inc.** for assessment services of all archeological and above-ground cultural resources throughout the City.
- b) Payment not to exceed \$325,000.00 per annual contract, is authorized to be encumbered with a purchase order and made payable to **Pape-Dawson Engineers** for assessment services of all archeological and above-ground cultural resources throughout the City.
- c) Payment not to exceed \$325,000.00 per annual contract, is authorized to be encumbered with a purchase order and made payable to **Prewitt and Associates, Inc.** for assessment services of all archeological and above-ground cultural resources throughout the City.
- d) Payment not to exceed \$325,000.00 per annual contract, is authorized to be encumbered with a purchase order and made payable to **The University of Texas at San Antonio Center for Archeological Research**, for assessment services of all archeological and above-ground cultural resources throughout the City.

SECTION 4. 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 5. This Ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this 6th day of April, 2017.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney