

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

**ORDINANCE**

**AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT NOT TO EXCEED \$214,113.00 TO THE \$2,166,426.00 PROFESSIONAL SERVICES AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR CONSTRUCTION AND CLOSE-OUT SERVICES RELATED TO THE UPPER LEON CREEK RSWF - CULEBRA CREEK PROJECT INCLUDING CONSTRUCTION MANAGEMENT SERVICES FOR THE CULEBRA CREEK HIKE & BIKE TRAIL. FUNDS ARE AVAILABLE FROM 2007 GENERAL OBLIGATION BOND, STORM WATER REGIONAL FACILITIES AND PROPOSITION 2 PARKS DEVELOPMENT AND EXPANSION VENUE FUNDS AND INCLUDED IN THE FY 2021 - FY 2026 CAPITAL IMPROVEMENT PROGRAM.**

\* \* \* \* \*

**WHEREAS**, as part of the 2007 Bond Program, funds in the amount of \$3,156,000.00 were approved for the Upper Leon Creek Regional Storm Water Facility (RSWF) project initially anticipated to be located within the Government Canyon State Natural Area. As part of this project, a Due Diligence and Feasibility Study for Government Canyon Creek RSWF was completed to analyze several potential detention sites within Government Canyon; and

**WHEREAS**, due to changes in baseline floodplain conditions from recent floodplain Letters of Map Revision (LOMR) and updated topographic data, it was determined neither size of detention site options were cost-effective solutions for the flood reduction risk associated with this project. As a result, three alternative projects within the Upper Leon Creek Watershed were studied and shown to be more cost-effective options, including the Helotes Creek RSWF, Culebra Creek Natural Waterway Conveyance (NWWC) and Leon Creek NWWC. Of these projects, Culebra Creek NWWC included the appropriate available funding for the City to execute; and

**WHEREAS**, the Upper Leon Creek RSWF - Culebra Creek NWWC project will improve water drainage conveyance and 100-year flood reduction benefits for several adjacent properties; and

**WHEREAS**, project improvements will include an earthen channel upstream and downstream of Culebra Road Bridge and Timber Path Bridge, the armoring of bridge columns for both Culebra Road and Timber Path Bridges, the installation of a concrete retaining wall with riprap to stabilize side slopes behind a commercial property, CPS gas line adjustments will also be included as part of the project, and in collaboration with the Parks and Recreation Department incorporating the Culebra Creek Hike and Bike Trail (Cathedral Rock Park to Grissom Road); and

**WHEREAS**, the Culebra Creek Hike and Bike Trail (Cathedral Rock Park to Grissom Road) project is part of a growing network of interconnected hike and bike trails on 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; and

**WHEREAS**, these project locations overlap, the City coordinated the flood control and trail designs for both projects by joint bid utilizing the same contractor; and

**WHEREAS**, construction of these improvements is anticipated to begin in October 2021 and is estimated to be completed by June 2022; and

**WHEREAS**, a previously executed contract with Turner Collie and Braden (TCB), now doing business as AECOM Technical Services, Inc., in the amount of \$137,755.00 for the Upper Leon Creek RSWF project was approved by City Council on August 18, 2005 through Ordinance 101235, where previously approved amendments in the total amount of \$2,028,671.00 have increased the agreement amount to \$2,166,426.00; and

**WHEREAS**, this amendment will increase the agreement in an amount not to exceed \$214,113.00 to a revised amount of \$2,380,539.00; and

**WHEREAS**, the following table illustrates the previously authorized amendments since the execution of this contract; and

Item	Amount
Original Contract Value	\$137,755.00
Previous Amendments	\$2,028,671.00
Proposed Amendment	\$214,113.00
Revised Contract Value	\$2,380,539.00

**WHEREAS**, this amendment will compensate AECOM Technical Services, Inc. for construction and close-out phase services in relation to the Upper Leon Creek RSWF - Culebra Creek project and will also increase the scope of work for construction management services related to the Culebra Creek Hike and Bike Trail project; **NOW THEREFORE:**

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

**SECTION 1.** The City Manager, or designee, is authorized and directed to execute an amendment to the professional services agreement with AECOM Technical Services, Inc., Inc. in an amount not to exceed \$214,113.00 to a revised amount of \$2,380,539.00 for construction and close-out phase services in relation to the Upper Leon Creek RSWF - Culebra Creek project and increase the scope of work for construction management services related to the Culebra Creek Hike and Bike Trail project. A copy of the amendment in substantially final form is attached as **Exhibit I**.

**SECTION 2.** Payment is authorized to be encumbered and made payable to AECOM Technical Services, Inc. in an amount not to exceed \$214,113.00 for an increase to the existing Professional Services Agreement of \$2,166,426.00.

Payment of \$125,426.00 is in support of the Upper Leon Creek Regional RSWF Project, using Fund 48099000, with the WBS Element 23-03730-01-02 and GL Account 5201170. Funding is provided by GO Bonds, Revenue Bonds, and the Drainage Detention Project Fund and is in the FY2021-FY2026 CIP Budget.

Payment of \$88,687.00 is in support of the Culebra Creek Greenway (Cathedral Rock Park) Project, using Fund 4005000, with the WBS Element 26-00624-01-19-04 and GL Account 5201040. Funding is provided by Parks Acquisitions and Development Fund and the Linear Parks 2015 Fund and is in the FY2021-FY2026 CIP Budget.

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

**SECTION 3.** 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 4.** 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 \_\_\_\_\_ day of June, 2021.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Tina J. Flores, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

**Exhibit I**  
**Amendment to PSA**

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