



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-3160

**Type:** Misc - Professional Services Agreements

**In control:** City Council A Session

**On agenda:** 6/11/2020

**Title:** 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. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CDF - Cox McLain, 2. CDF - PaleoWest, 3. CDF - Pape-Dawson, 4. CDF - CAR UTSA, 5. CDF - Hicks, 6. Scoring Matrix - Cultural Resource - all consultants, 7. Draft Ordinance, 8. Agreement - Exhibit A, 9. Ordinance 2020-06-11-0406

Date	Ver.	Action By	Action	Result
6/11/2020	1	City Council A Session	approved	Pass

**DEPARTMENT:** Public Works

**DEPARTMENT HEAD:** Razi Hosseini, P.E., R.P.L.S.

**COUNCIL DISTRICT(S) IMPACTED:** City Wide

**SUBJECT:**

Professional Services Agreements: On-Call Cultural Resources Consulting Services

**SUMMARY:**

An ordinance approving the execution of five (5) 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, located citywide. Each

agreement is for a term of one year with an option to renew each agreement for up to four (4) additional one (1) -year extensions 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.

## **BACKGROUND INFORMATION:**

The Public Work Department's Environmental Management Division 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. These environmental impacts include impacts to cultural resources and maintaining compliance under federal, state, and local cultural resources laws, rules, and regulations.

### Procurement of Services

A Request for Qualifications (RFQ) for Professional Cultural Resources Consulting Services was released on January 22, 2020. Nine (9) firms responded and submitted their Statement of Qualifications (SOQ) on March 9, 2020. A selection committee, made up of staff from the Public Works Department, the Office of Historic Preservation, the City Manager's Office, and the San Antonio Conservation Society evaluated and scored the SOQs based on the published evaluation criteria, which included experience, background, and qualifications of the firms, their subconsultants, and key personnel; the firms' project approach and management plan; and teams' experience with San Antonio regional issues. The selection committee recommended contracts be awarded to the top ranking five (5) firms, which are Cox McLain Environmental Consulting, Inc., PaleoWest, LLC, Pape-Dawson Engineers, Inc., Center for Archaeological Research-UTSA, and Hicks & Company, Environmental/Archeology Consultants. The required Discretionary Contracts Disclosure Forms are attached.

Due to the utilization of federal dollars, the Disadvantaged Business Enterprise (DBE) program of the State of Texas was utilized in place of the Small Business Economic Development Advocacy Program. The DBE goal for this contract is 10%. Cox McLain Environmental Consulting, Inc., PaleoWest, LLC, Pape-Dawson Engineers, Inc., Center for Archaeological Research-UTSA, and Hicks & Company, Environmental/Archeology Consultants have committed to 10% DBE participation.

## **ISSUE:**

This ordinance approves the execution of five (5) 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, located citywide. Each agreement is for a term of one year with an option to renew each for up to four (4) additional one (1)-year extensions 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.

Staff will utilize these on-call cultural resource consulting services on an as-needed basis to assist with the research and preparation of environmental documents for transportation and drainage improvement projects in accordance with local, state, and federal cultural resources requirements.

The cultural resource related services to be provided by these firms will include, but are not limited to, the following:

- Assist the City maintain compliance with the Texas Antiquities Code (Title 9, Chapter 191, Texas Natural Resources Code), Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. §470), and other compliance requirements.
- Conduct surveys at various levels (i.e. windshield, reconnaissance, intensive) of above-ground historic resources and provide documentation/reports.
- Conduct archival and historic background research, through file searches and/or site visits, as applicable, and provide background reviews and/or constraints analysis reports.
- Conduct historic above-ground resource mitigation required by agencies or project scope in order to maintain compliance. Provide photo documentation of buildings, structures, objects, or sites.
- Develop historic contexts including the evolution of resource types, cultural and ethnic features, and cultural landscape features to help evaluate historic above-ground resources.
- Provide National Register of Historic Places eligibility recommendations.
- Provide construction monitoring of historic above-ground resources.
- Obtain historic structure and building permits from the Texas Historical Commission (THC).
- Prepare Memorandum of Agreements (MOA), Memorandum of Understandings (MOU), and Programmatic Agreements (PA) (including properties that have had an adverse effect and mitigation is required).
- Conduct Texas Archaeological Resource Laboratory (TARL) and Texas Historic Sites Atlas search/background reviews/constraints analysis and produce associated reports.
- Perform archaeological surveys and produce associated technical reports.
- Perform additional testing and documentation and research of archaeological resources.
- Produce archaeological technical reports.
- Conduct archaeological mitigation required by agencies or project scope in order to maintain compliance.
- Conduct geo-archaeological investigations.
- Conduct other types of specialized surveys such as remote sensing (i.e. ground penetrating radar).
- Provide archaeological photo documentation.
- Maintain Native American Grave Protection Repatriation Act compliance (NAGPRA).
- Develop historic contexts including the evolution of resource types, cultural and ethnic features, and cultural landscape features to help evaluate archaeological resources.
- Provide construction monitoring of archaeological resources, including during backhoe trenching.
- Perform curation of any discovered archaeological artifacts.

## **ALTERNATIVES:**

As an alternative, the City could release a Request for Qualifications (RFQ) for each project as needs are identified. However, this will result in delaying environmental clearances, affecting project delivery schedules and impeding the City's ability to comply with local, state and federal environmental regulations.

## **FISCAL IMPACT:**

Each of the agreements shall have a value not to exceed \$600,000.00 annually. No funds are appropriated by this action. Funds for this contract shall be allocated from specific project funds at the time the work is required. 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.

**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing five (5) professional services agreements for on-call cultural resources consulting services.