



# City of San Antonio

## Legislation Details (With Text)

**File #:** 13-819

**Type:** Capital Improvements

**In control:** City Council A Session

**On agenda:** 10/17/2013

**Title:** B) An Ordinance authorizing an Advanced Funding Agreement between the City of San Antonio and the Texas Department of Transportation and authorizing payment in the amount not-to-exceed \$86,158.00 to TxDOT for direct oversight costs and accepting reimbursement in the estimated amount of \$10,266,608.00 from TxDOT related to construction costs for the UTSA Boulevard (Babcock Road to Edward Ximenes Drive) Project.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Draft Ordinance, 2. Ordinance 2013-10-17-0714

| Date       | Ver. | Action By              | Action            | Result |
|------------|------|------------------------|-------------------|--------|
| 10/17/2013 | 1    | City Council A Session | Motion to Approve | Pass   |

**DEPARTMENT:** Capital Improvements Management Services

**DEPARTMENT HEAD:** Mike Frisbie

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Contract Award: (Design Services & Advanced Funding Agreement) UTSA Boulevard (Babcock Road to Edward Ximenes Drive)

**SUMMARY:**

Consideration of the following actions related to the University of Texas at San Antonio (UTSA) Boulevard (Babcock Road to Edward Ximenes Drive) Project, a Metropolitan Planning Organization, Tax Notes and Certificates of Obligation funded project located in Council District 8:

A) An ordinance authorizing the negotiation and execution of an Engineering Design Services Agreement with Vickrey & Associates, in an amount not-to-exceed \$1,100,000.00, to provide engineering design and construction administration services for UTSA Boulevard (Babcock Road to Edward Ximenes Drive) Project.

B) An ordinance authorizing an Advanced Funding Agreement between the City of San Antonio and the

Texas Department of Transportation (TxDOT) and authorizing payment in the amount not-to-exceed \$86,158 to TxDOT for direct oversight costs and accepting reimbursement in the estimated amount of \$10,266,608 from TxDOT related to construction costs for the UTSA Boulevard (Babcock Road to Edward Ximenes Drive) Project.

## BACKGROUND INFORMATION:

### Project Background

The University of Texas at San Antonio (UTSA), and its surrounding development and adjacent communities have brought about the need of improvements along UTSA Boulevard. The City has secured funding through the Metropolitan Planning Organization (MPO) to widen UTSA Boulevard, from Babcock Road to Edward Ximenes Drive. As part of the efforts to improve this corridor, the Texas Department of Transportation (TxDOT) is currently designing UTSA Boulevard, from Edward Ximenes Drive to IH 10, along with schematic design and environmental clearance for the entire corridor from Babcock Road to Edward Ximenes Drive. The City will design and construct the roadway improvements from Babcock Road to Edward Ximenes. TxDOT will design and construct the roadway improvements from Edwards Ximenes to IH 10. The roadway improvements include the expansion and reconstruction of the existing two (2) lanes of traffic to four (4) lanes of traffic (from Babcock to IH 10), a median, left turn lanes, curbs, sidewalks, utility/drainage enhancements (as necessary) and a noise wall. Project construction of the City's Project (Babcock Road to Edward Ximenes) is anticipated to begin Fall 2014 and estimated to be completed by Spring 2016.

#### A) Procurement of Services

A Request for Qualifications (RFQ) was released on April 17, 2013. The RFQ was advertised in the San Antonio Hart Beat, on the City's website, and the Texas Electronic State Business Daily. Responses were due on May 8, 2013. Ten firms responded to the RFQ and submitted their Statement of Qualifications (SOQs) and all were deemed responsive. A Selection Committee made up of City staff from the Capital Improvements Management Services, Public Works and a representative from CPS Energy evaluated, scored and ranked the SOQs. Scoring was based on the published evaluation criteria, which included: experience and qualifications of team; the team's experience with San Antonio issues and past contracts; and, understanding of the project and proposed management plan. Based on the evaluations and rankings made in the selection process, staff recommends executing Engineering Design Services agreement with Vickrey & Associates for this project.

This contract 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 contract in an effort to maximize the amount of small, minority, and women-owned business participation on the contract. The Goal Setting Committee applied the Small and Minority/ Women-Owned Business Enterprise Prime Contract Program with twenty (20) evaluation preference points awarded to Vickrey & Associates, Inc., as they are a certified SBE and M/WBE firm located within the San Antonio Metropolitan Statistical Area. Additionally, the Goal Setting Committee set a 30% Small Business Enterprise (SBE) subcontracting goal and Vickrey & Associates has committed to 30% SBE subcontractor participation.

This contract was developed utilizing a formal request for qualifications process; therefore, as required by the Ethics Ordinance, the Discretionary Contracts Disclosure Form has been included herein as an attachment.

#### B) This Advanced Funding Agreement with TxDOT will allow for the construction costs to qualify for

federal cost sharing for construction and construction related costs up to the federal approved limit of \$10,266,608. The remaining cost will be the responsibility of the City of San Antonio. Local Agency Managed projects are managed by the City but they receive federal funds administered through TxDOT. The funds paid to TxDOT by the City are for costs associated with oversight for administration of the federal funds.

**ISSUE:**

- A) This ordinance authorizes the negotiation and execution of an Engineering Design Services Agreement with Vickrey & Associates, in an amount not-to-exceed \$1,100,000.00, to provide engineering design services and construction administration services for the UTSA Boulevard (Babcock Road to Edward Ximenes Drive) Project, a Metropolitan Planning Organization (MPO), Tax Notes and Certificates of Obligation funded project located in Council District 8.

The project will provide for the design of the roadway reconstruction and the expansion of the existing two (2) lanes of traffic to four (4) lanes of traffic with a median and left turn lanes. Curbs and sidewalks will be installed along the expanded roadway section. In addition, a shared use path will be added, parallel to UTSA Boulevard south of the roadway. Signals, signs and pavement markings will be upgraded, as well. Drainage enhancements will be added, as necessary. Noise wall construction will be required, to separate the roadway and other noise from the adjacent homes. Utility adjustments also may be needed. The Project site is located over the Edwards Aquifer Recharge Zone and will require the preparation of a Water Pollution Abatement Plan. Project construction of the City's Project (Babcock Road to Edward Ximenes) is anticipated to begin Fall 2014 and estimated to be completed by Spring 2016.

Vickrey & Associates will (a) design and prepare plans for bid, (b) adhere to federal/state (TxDOT, American Association of State Highway and Transportation Office and Manual on Uniform Traffic Control Devices) standards, (c) perform the project survey and geotechnical services required to clarify design needs and criteria, (d) workshops and design for noise wall, (e) coordination with TxDOT and (f) provide construction phase services.

- B) This Advanced Funding Agreement with TxDOT will allow for the reimbursement up to the 80% of the construction costs, which is not-to-exceed \$10,266,608. The remaining costs will be the responsibility of the City of San Antonio and is budgeted from the UTSA Boulevard (Babcock Rd. to Edward Ximenes Dr.), a MPO, Tax Notes and Certificates of Obligation funded project.

Total costs for the City's Project (Babcock Road to Edward Ximenes Drive) are estimated at \$16,300,000.00; of which, \$10,300,000.00 will be funded by the MPO and \$6,000,000.00 will be funded by the City. A share of the construction costs, estimated not to exceed \$10,266,608.00 will be reimbursed by TxDOT as part of the Local Agency Management Program. Actual costs to be reimbursed by TxDOT will be finalized with the awarding of a construction contract. The City agrees to pay TxDOT in an amount not-to-exceed \$86,158.00 for direct project oversight cost.

Approval of these ordinances will be a continuation of City Council policy to collaborate with other governmental agencies in supporting the City's commitment to maintaining and improving existing infrastructure.

**ALTERNATIVES:**

- A) As an alternative, City Council could choose not to execute this contract and require staff to complete a new solicitation process for the work. Considering the additional time required for another solicitation process, this would adversely affect the timely completion of the project and funding. Furthermore, the City will lose the opportunity to collaborate with TxDOT on this project.
- B) As an alternative, City Council could choose not to approve; however, the City will lose the opportunity receive reimbursement from TxDOT for these costs. This would then delay the project or require a change in scope to fit the budget. The most cost effective option would be to approve the Advanced Funding Agreement with TxDOT.

**FISCAL IMPACT:**

- A) This one-time capital improvement expenditure in the amount of \$1,100,000.00 payable to Vickrey & Associates. Funds are available from approved Tax Notes and Certificates of Obligation funds; and, are included in the FY 2014-2019 Capital Improvements Budget.
- B) This ordinance allows the City to enter into an Advanced Funding Agreement with TxDOT to provide for reimbursement of construction costs associated with the construction of UTSA Boulevard (Babcock Road to Edward Ximenes Drive). Funds are available from previously approved Tax Notes and Certificates of Obligation funds; and, are included in the FY 2014-2019 Capital Improvements Budget.

Total costs for the City's Project (Babcock Road to Edward Ximenes Drive) are estimated at \$16,300,000.00; of which, \$10,300,000.00 will be funded by the MPO and \$6,000,000.00 will be funded by the City. A share of the construction costs, estimated not to exceed \$10,266,608.00 will be reimbursed by TxDOT as part of the Local Agency Management Program. Actual costs to be reimbursed by TxDOT will be finalized with the awarding of a construction contract. The City agrees to pay TxDOT in an amount not-to-exceed \$86,158.00 for direct project oversight cost.

**RECOMMENDATION:**

- A) Staff recommends negotiating and executing an Engineering Design Services Agreement in the amount not-to-exceed \$1,100,000.00 payable to Vickrey & Associates for the UTSA Boulevard (Babcock Road to Edward Ximenes Drive) Project.
- B) Staff recommends authorizing the execution of an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) for the UTSA Boulevard (Babcock Road to Edward Ximenes Drive) Project.