



# City of San Antonio

## Agenda Memorandum

**File Number:**13-811

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**Agenda Item Number:** 28.

**Agenda Date:** 11/21/2013

**In Control:** City Council A Session

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**DEPARTMENT:** Public Works

**DEPARTMENT HEAD:** Anthony Chukwudolue

**COUNCIL DISTRICTS IMPACTED:** City-wide

### **SUBJECT:**

Professional Services Agreement for Storm Water Utility Fee Comprehensive Study

### **SUMMARY:**

This ordinance authorizes the selection, negotiation and execution of a Professional Services Agreement a revised Storm Water Utility Fee methodology and rate structure based on impervious cover with Kimley-Horn and Associates, Inc., in an amount not to exceed \$590,000.00.

### **BACKGROUND INFORMATION:**

The Public Works Department is proposing the use of impervious cover as the basis of cost allocation for storm water fees and is conducting a comprehensive study to ensure the highest level of equity in the allocation amongst the various user classes. This methodology is now widely accepted across the country by industry experts as the most equitable basis for cost allocation of storm water utility rates.

Recent communication of this proposed project include a briefing to the Infrastructure and Growth Committee on October 16, 2013. Stakeholder meetings will be held throughout the study process to include meetings with residents, the business community, and partner agencies. This project is scheduled to begin following the approval of this Council action and recommendations will be discussed as part of the FY 2015 budget development process.

The Public Works Department released a Request for Qualifications (RFQ) in August 2013 and a pre-submittal conference was held on September 12, 2013. The RFQ was advertised in the San Antonio Hart Beat, on the City's website and the Texas Electronic State Business Daily in September 2013. Five (5) firms responded and submitted their Statement of Qualifications (SOQ). A selection committee made up of Public Works, Finance and Office of Management and Budget staff evaluated and scored the SOQs. After careful consideration, the selection committee recommends that contract be awarded to Kimley-Horn and Associates, Inc.

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 available to certified SBE and M/WBE firm(s) located within the San Antonio Metropolitan Statistical Area. Kimley-Horn and Associates, Inc. are not certified as SBE and/or M/WBE, hence no points were awarded. Additionally, Goal Setting Committee also set a 5% Small Business Enterprise (SBE) subcontracting goal and Kimley-Horn and Associates, Inc. has committed to 5% SBE subcontractor participation.

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

#### **ISSUE:**

This ordinance authorizes the execution of a Professional Services Agreement for the Storm Water Utility Fee Comprehensive Study with Kimley-Horn and Associates, Inc., in an amount not to exceed \$590,000.00, to provide professional services necessary to evaluate the existing methodology and rate structure used to assess the Storm Water Utility Fee and develop appropriate revisions and \$56,635.00 in project contingency for potential additional public outreach services..

Today, the monthly fee is assessed based on land-use and lot size. Professional Services with this agreement may include, but are not limited to, the development of impervious cover data set, data gathering, impervious cover creation, performing reviews of existing accounts, determining appropriate fee structure, completing impact analysis, evaluating billing mechanism, providing recommendations for ordinance revisions, providing project documentation, preparing findings memorandum and assisting with public involvement and outreach.

The City collects, on average, \$39M annually through the SW Fee. This fee funds the Department's Storm Water maintenance and operations activities to include street sweeping, mowing, Natural Creekway Program, etc.

The Comprehensive Study is critical in enabling the City to equitably assess the Storm Water Utility Fee that is currently utilized to support storm water infrastructure maintenance and operations and other activities that ensure the City's compliance with the requirements of the Municipal Separate Storm Sewer System - MS4 Permit under the Clean Water Act of 1972.

**ALTERNATIVES:**

An alternative to utilizing an outside consultant to complete this study would be to use in-house staff. However, in-house staff does not have the expertise in this area of analysis and has limited resources to complete this effort along with completing their existing workload.

Public Works Staff, in review of potential alternatives, has determined that awarding this professional service agreement to Kimley-Horn and Associates, Inc. is in the best interest of the City.

**FISCAL IMPACT:**

Funding in the amount of \$590,000.00 for these services is budgeted and available in the FY 2014 Storm Water Operating Budget.

**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing the selection, negotiation and execution of a Professional Services Agreement with Kimley-Horn and Associates, Inc. in an amount not to exceed \$533,365.00, for services associated with the Storm Water Utility Fee Comprehensive Study and allowing for \$56,635.00 in project contingency for a total project cost of \$590,000.00.