



# City of San Antonio

## Agenda Memorandum

**File Number:**14-245

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**Agenda Item Number:** 8.

**Agenda Date:** 3/13/2014

**In Control:** City Council A Session

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**DEPARTMENT:** Transportation and Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie

**COUNCIL DISTRICTS IMPACTED:** 4

### **SUBJECT:**

36<sup>th</sup> Street Phase IIIB - Billy Mitchell to General Hudnell, ILA

### **SUMMARY:**

An Ordinance authorizing an Interlocal Agreement with the Port Authority of San Antonio to establish terms and conditions and to authorize payment to the Port Authority in an amount not-to-exceed \$150,000.00 for construction phase services for the 36th Street Phase IIIB - Billy Mitchell to General Hudnell Project, an authorized Local Agency Management (LAM) project located in Council District 4 and funded by a Federal Highway Administration grant and 2012-2017 General Obligation Bonds.

### **BACKGROUND INFORMATION:**

A Memorandum of Understanding (MOU) with the Port Authority of San Antonio was executed and approved by City Council on May 21, 2009 through Ordinance 2009-05-21-0409 listing a 3-phase project on 36<sup>th</sup> Street. Phase I, US 90 to Growden, was authorized in Ordinance 2010-01-21-0039 and completed in 2013. Phase II, Growden to Billy Mitchell, was authorized by Ordinance 2010-05-13-0414 and completed in 2012. The Port Authority managed the design for all phases of the 36th Street Project. The MOU allowed for the City to manage the bid phase and the construction phase, with the Port Authority's design consultant, along with City staff, providing construction phase services.

An Ordinance authorizing an Advanced Funding Agreement with TxDOT for federal cost sharing for qualifying construction costs in an approved limit of \$1,745,608.80 for the 36<sup>th</sup> Street Phase IIIB - Billy Mitchell to General Hudnell was approved by City Council on March 21, 2013 through Ordinance 2013-03-21-0172

**ISSUE:**

This ordinance authorizes the execution of an Interlocal Agreement (ILA) with the Port Authority of San Antonio and provides for payment to the Port Authority in a not-to-exceed amount of \$150,000.00 for construction phase services provided by its design consultant.

This agreement provides for construction administration services to be provided by the Port Authority's design consultant, Civil Engineering Consultants, for the 36<sup>th</sup> Street Phase IIIB - Billy Mitchell to General Hudnell Project. Since the Port Authority has taken on the responsibility to design the project, the City will reimburse the Port Authority for their design consultant's expenses related construction administration, which specifically includes bid reviews and recommendations, quality assurance that the project is being constructed accurately according to the design specifications and review of pay estimates. Additionally, the Port Authority's consultant will provide design modifications should unforeseen site conditions come about. Such services are usually included as part of the City's design consultant contract for construction projects; however, the City did not manage the design of this Project.

The ILA authorizes the City to reimburse the Port Authority for the construction phase services when actual invoices are provided. Approval of this ordinance will be a continuation of City Council policy to collaborate with other agencies in supporting the City's commitment to maintaining and improving existing infrastructure.

**ALTERNATIVES:**

City Council could choose not to approve this Interlocal Agreement; however, by not approving this item, the City will lose the opportunity to collaborate with the Port Authority of San Antonio on the 36th Street Phase IIIB project. If the City does not collaborate with the Port Authority, the City will be required to hire an additional design firm at a higher cost and delay to the project.

**FISCAL IMPACT:**

This is a one-time capital improvement expenditure in an amount not-to-exceed \$150,000.00, funds are included within the 36th Street Phase IIIB project budget and are included in the FY 2014-2019 Capital Improvement Program Budget. Funds are available from the 2012-2017 General Obligation Bonds and will be payable to the Port Authority of San Antonio upon receipt of actual invoices.

**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing the negotiation and execution of an Interlocal Agreement with the Port Authority of San Antonio for the 36th Street Phase IIIB - Billy Mitchell to General Hudnell Project.