



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4757

**Type:** Miscellaneous Item

**In control:** City Council A Session

**On agenda:** 9/6/2018

**Title:** Ordinance expanding the authority of the Director of Transportation and Capital Improvements to use the Competitive Sealed Proposal (CSP) alternative delivery solicitation and project delivery method for complex horizontal (roadway and drainage) projects that exceed \$1.5 million and meet certain departmental criteria. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Comparison Matrix\_Alt Project Delivery Methods, 2. CSP Ordinance 2007-02-01-0127, 3. Alt Project Delivery Methods Ordinance 98358, 4. Draft Ordinance, 5. Staff Presentation, 6. Ordinance 2018-09-06-0687

| Date     | Ver. | Action By              | Action | Result |
|----------|------|------------------------|--------|--------|
| 9/6/2018 | 1    | City Council A Session |        |        |

**DEPARTMENT:** Transportation and Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Ordinance amendment for use of Competitive Sealed Proposal (CSP) alternative delivery solicitation and project delivery method for complex horizontal (roadway and drainage) projects that exceed \$1,500,000.

**SUMMARY:**

Consideration of an amendment to Ordinance 2007-02-01-0127 expanding the authorization of the Director of Transportation & Capital Improvements use of the Competitive Sealed Proposal (CSP) alternative delivery solicitation and project delivery method for complex horizontal (roadway and drainage) projects that exceed \$1,500,000.

**BACKGROUND INFORMATION:**

Currently, TCI uses a variety of solicitation methods for the delivery of projects. This includes the use of the traditional design/bid/build method that first contracts with a design consultant to prepare construction documents and initiate the bid process, followed by a separate contract with a contractor for the construction of the project based on the lowest responsive bid. Other alternative construction project delivery methods include the use of Competitive Sealed Proposal (CSP), Construction Manager-at-Risk, and Design Build. Each of these alternative project delivery methods requires evaluation of the proposals based on qualifications set forth in a set of evaluation criteria followed by the proposed fee and prices. When determining the appropriate project solicitation and delivery method, staff considers the complexity of the scope of work, required completion date, location and impact to the community.

Certain projects with the above referenced criteria require an experienced general contractor with highly skilled resources and equipment to execute these projects. As opposed to the traditional design, bid, build method where a construction contract is awarded based on lowest price, CSP is an alternative delivery method that allows the evaluation and selection of a construction contractor based on their experience, qualifications and price proposal. CSP, as an alternative delivery method for complex projects, allows the City to select the best value contractor that is able to deliver a high quality project on time with as little disruption to businesses and the general public.

On August 23, 2018, TCI provided a pre-solicitation briefing to the Audit and Accountability Council Committee on the 2012 and 2017 Commerce Street project from St. Mary's Street to Santa Rosa Avenue Project along with the authorization to solicit for CSP. The Commerce Street project is located in the heart of downtown and consists of roadway reconstruction to include the reduction from four lanes to three lanes, sidewalk widening, and streetscape improvements. If authorization to use the CSP project solicitation and delivery method is provided, the Commerce Street project will be the first horizontal project above \$1,500,000 to solicit for CSP.

#### Previous Council Action

A previous City Council action in 2003 (Ordinance 98358) authorized the Director of Public Works to select an appropriate project delivery method for City facility projects approved in the 2003 Bond Program to include design build and CSP method.

In 2007, City Council authorize through Ordinance 2007-02-01-0127 to expand the authority of the Director of Public Works to select an appropriate alternative project delivery method for City projects, to include the Construction Manager at Risk alternative delivery method, specifically the Terminal Expansion at the San Antonio Airport.

#### **ISSUE:**

This ordinance authorizes the Director of Transportation & Capital Improvements use of the Competitive Sealed Proposal (CSP) alternative delivery solicitation and project delivery method for complex horizontal (roadway and drainage) projects that exceed \$1,500,000 that meet the following criteria:

- Location is along a major corridor
- Multimodal transportation uses
- Within a tourist, historic, downtown or heavy business district
- High impact to stakeholders
- Critical timeline

- Complex scope
- Constrained work area

Within the Texas Local Government Code, Chapter 252.043 limits the use of CSP for vertical (facility and park) projects and horizontal (street and drainage) projects with expenditures of \$1,500,000 or less. However, Chapter 252.022 permits City Council to authorize the use of an alternative delivery method if that method provides a better value for the municipality as described under Chapter 2269.

An amendment to Ordinance 2007-02-01-0127 would authorize the Director of Transportation & Capital Improvements to use the Competitive Sealed Proposal (CSP) alternative delivery method for the solicitation and delivery of complex horizontal (roadway and drainage) projects that exceed \$1,500,000. Municipalities are authorized to adopt alternative project solicitation and delivery methods described under Chapter 2269 of the Texas Government Code if that method provides a better value for the municipality.

#### **ALTERNATIVES:**

As an alternative, City Council could choose not to authorize this amendment. However, TCI would then be required to use the traditional (design, bid, build) project delivery method for complex horizontal projects whose contract values are in excess of \$1,500,000.

#### **FISCAL IMPACT:**

There is no fiscal impact with this action.

#### **RECOMMENDATION:**

Staff recommends an amendment to Ordinance 2007-02-01-0127 authorizing the Director of Transportation & Capital Improvements to use the CSP alternative delivery method for the solicitation and award of complex horizontal (roadway) projects that exceed \$1,500,000 and meet certain criteria: location is along a major corridor; multimodal transportation uses; within a tourist, historic, downtown or heavy business district; high impact to stakeholders; critical timeline; complex scope and within a constrained work area.