



# City of San Antonio

## Agenda Memorandum

**File Number:**17-1433

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**Agenda Item Number:** 9B.

**Agenda Date:** 2/23/2017

**In Control:** City Council A Session

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**DEPARTMENT:** Transportation & Capital Improvements

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

**COUNCIL DISTRICTS IMPACTED:** Council District 1

### **SUBJECT:**

Hemisfair Park: Donation Agreement and Amendment to Design Services Agreement

### **SUMMARY:**

Consideration of the following items related to Hemisfair Park:

- A. An ordinance for Hemisfair Park: Historic Homes, authorizing the execution of a Funding Agreement between the City of San Antonio and the Hemisfair Park Area Redevelopment Corporation (HPARC) to accept funding in the amount of \$140,000.00 funded through a third party, the Hemisfair Conservancy, for improvements to Hemisfair's historic homes, located in Council District 1.
- B. An ordinance for Hemisfair Park: Civic Park Project, a Certificates of Obligation funded project, authorizing an amendment to the Professional Services Agreement with Gustafson Guthrie Nichol, LTD, in the amount up to \$3,400,000.00 and amending the total contract amount not-to-exceed \$6,318,237.00 for the final design phase of the Civic Park.
- C. An ordinance for Hemisfair Park: Civic Park-Utility Infrastructure Project, a Certificates of Obligation funded project, authorizing an amendment to the Agreement to Use Funds with Hemisfair Park Area Redevelopment Corporation (HPARC), payable to HPARC in the amount up to \$160,000.00 for HPARC staff's project assistance with planning, developing, constructing, and managing the project, located in Council District 1.

### **BACKGROUND INFORMATION:**

## Project Background

On May 12, 2012, San Antonio voters approved the 2012 - 2017 Bond Program, consisting of five propositions totaling \$596 Million. As part of the program, funds in the amount totaling \$15,000,000.00 were included in the Parks, Recreation and Open Space Improvements proposition of the bond for improvements at Hemisfair, including 1) the Hemisfair Play Escape Project (now Yanaguana Garden); 2) the Magik Theater Restoration; 3) Restoration of Historic Homes; and 4) the Design of the Civic Park. All are located within the Hemisfair district.

The vision of Hemisfair is to create a series of urban parks embraced by a vibrant and pedestrian oriented neighborhood. Hemisfair will consist of three parks including the already-built Yanaguana Garden, Tower Park and Civic Park. Within these parks are several historic homes, each of which are in various states of repair and rehabilitation.

- A. The Hemisfair Conservancy's main mission is to raise funds to help improve the quality and longevity of the Hemisfair public spaces. With that in mind, the Hemisfair Conservancy fundraised \$140,000.00 for improvements related to Hemisfair Park and contributed these funds to the Hemisfair Park Area Redevelopment Corporation (HPARC). HPARC was created in 2009 by City Council to serve as a local government organization appointed to manage and revitalize the Hemisfair area. Transportation & Capital Improvements worked closely with HPARC to develop the scope of the Park's improvements and HPARC is actively involved in the construction of these improvements.

After receiving the funding from the Hemisfair Conservancy, HPARC determined the Historic Homes Project could best benefit from the additional funding and will be used to supplement the improvements not completed by the Bond scope due to funding limitations.

- B. In March 2014, City Council authorized the original professional services agreement with Gustafson Guthrie Nichol, LTD which allowed the city to begin the first 5 phases of the design process which include:

- 1) Conceptual Design- Completed (August 2014)
- 2) Architectural Design Guidelines- Completed (December 2014)
- 3) Schematic Design- Completed (December 2014)
- 4) Design Development- Will be completed February 2017
- 5) Reconciliation Phase- Will be completed February 2017

Moving forward, the Civic Park design process requires a 6<sup>th</sup> and final phase: construction documents and construction administration. Construction Documents provide the detailed design guide needed to solicit and procure a construction contract for the Civic Park. Additionally, Construction Administration services are customary on a project of this type and size and will allow the design consultant's staff to continue to monitor the construction phase to ensure the project is constructed in accordance with the design.

The design consultant is anticipated to begin working on the Construction Documents in March 2017 and estimated be completed in October 2017.

- C. In June 2016, City Council authorized an Agreement to Use Funds with HPARC which provided funding for multiple aspects of the Civic Park project. Within the agreement, \$18.1 million in Certificates of Obligation would be issued for the utility infrastructure phase of the project. As part of this phase, HPARC staff is expected to continue providing project management support just as they have

for the 2007 and 2012 Bond projects. HPARC staff has provided project assistance throughout the development of the Civic Park project which includes:

- a. Project Definition
- b. Project Management
- c. Design Consultant Procurement
- d. Design
- e. Construction Manager at Risk Procurement
- f. Construction

Furthermore, HPARC staff is able to assist in providing coordination, evaluation, and expertise related to on-site and nearby projects such as Yanaguana Garden, Complete Streets, Historic Homes and the Public-Private Partnership projects. As consistent with past practices, HPARC is reimbursed for the staff time needed to provide this additional assistance. The proposed amendment will allow the City to reimburse HPARC in the amount up to \$160,000.00 from the project.

## ISSUE:

Consideration of the following items related to Hemisfair Park:

- A. This ordinance for Hemisfair Park-Historic Homes, authorizes the execution of a Funding Agreement between the City of San Antonio and the Hemisfair Park Area Redevelopment Corporation (HPARC) to accept funding in the amount of \$140,000.00 funded through a third party, the Hemisfair Conservancy, for improvements to Hemisfair's historic homes, located in Council District 1.

This ordinance authorizes the execution of a Funding Agreement in order for the City to accept \$140,000.00 in funding from HPARC to be used to complete construction on one or more historic homes within Hemisfair Park to improve the functionality of these structures.

- B. An ordinance for Hemisfair Park-Civic Park Project, authorizing an amendment to the Professional Services Agreement with Gustafson Guthrie Nichol, LTD, in the amount up to \$3,400,000.00 and amending the total contract amount not-to-exceed \$6,318,237.00 for the final design phase of the Hemisfair Civic Park Project, located in Council District 1.

The Civic Park design process requires a 6<sup>th</sup> and final phase which provides the construction documents and construction administration. Construction Documents provide the detailed design guide needed to solicit and procure a construction contract for the Civic Park. The design consultant is anticipated to begin working on the Construction Documents in March 2017 and estimated be completed in October 2017.

- C. This ordinance for Hemisfair Park: Civic Park-Utility Infrastructure Project, a Certificates of Obligation funded project, authorizes an amendment to the Agreement to Use Funds with Hemisfair Park Area Redevelopment Corporation (HPARC), payable to HPARC in the amount up to \$160,000.00 for HPARC staff's project assistance with planning, developing, constructing, and managing the project, located in Council District 1.

As part of this phase, HPARC staff is expected to continue providing project management support just as they have for the 2007 and 2012 Bond projects. HPARC staff has provided project assistance throughout the development of the Civic Park project which includes:

- a. Project Definition
- b. Project Management
- c. Design Consultant Procurement

- d. Design
- e. Construction Manager at Risk Procurement
- f. Construction

#### **ALTERNATIVES:**

- A. As an alternative, City Council could choose not to accept the \$140,000.00 for the Hemisfair Park-Historic Homes Project however doing so would limit the improvements to the historic homes and any additional funding would have to be secured through other funding sources not currently available.
- B. As an alternative, City Council could choose not to approve the amendment to the Professional Services Agreement with Gustafson Guthrie Nichol, LTD, however doing so would prohibit the completion of the Park's design process and would delay indefinitely the future construction of the Hemisfair Civic Park.
- C. As an alternative, City Council could choose not to approve the amendment to the Agreement to Use Funds with HPARC, however doing so would negatively impact the on-going coordination and project expertise provided by HPARC

#### **FISCAL IMPACT:**

- A. This ordinance authorizes the acceptance of \$140,000.00 from the Hemisfair Park Area Redevelopment Corporation to be used in the 2012 Bond Project for Hemisfair Park-Historic Homes.
- B. This is a one-time capital improvement expenditure in the total amount of \$3,400,000.00, payable to Gustafson Guthrie Nichol, LTD. Funds are available from Certificates of Obligation and are included in the FY 2017-2022 Capital Improvement Budget.

<b>Item</b>	<b>Amount</b>
Original Contract Value	\$ 2,918,237.00
Proposed Amendment	\$ 3,400,000.00
Revised Contract Value	\$ 6,318,237.00

- C. This proposed amendment to the Agreement to Use Funds modifies the project budget to provide an additional \$160,000.00, payable to HPARC from Certificates of Obligation as approved on June 30, 2016 through Ordinance 2016-06-30-0530 and included in the FY 2017-2022 Capital Improvement Budget.

#### **RECOMMENDATION:**

Staff recommends approval of the following ordinances related to Hemisfair Park:

- A. An ordinance for Hemisfair Park-Historic Homes, authorizing the execution of a Funding Agreement between the City of San Antonio and the Hemisfair Park Area Redevelopment Corporation (HPARC) to accept funding in the amount of \$140,000.00 funded through a third party, the Hemisfair Conservancy, for improvements to Hemisfair's historic homes, located in Council District 1.

- B. An ordinance for Hemisfair Park-Civic Park Project, authorizing an amendment to the Professional Services Agreement with Gustafson Guthrie Nichol, LTD, in the amount up to \$3,400,000.00 and amending the total contract amount not-to-exceed \$6,318,237.00 for the final design phase of the Hemisfair Civic Park Project, located in Council District 1.
- C. An ordinance for Hemisfair Park: Civic Park-Utility Infrastructure Project, a Certificates of Obligation funded project, authorizing an amendment to the Agreement to Use Funds with Hemisfair Park Area Redevelopment Corporation (HPARC), payable to HPARC in the amount up to \$160,000.00 for HPARC staff's project assistance with planning, developing, constructing, and managing the Civic Park utility infrastructure phase of the project, located in Council District 1.