

AN ORDINANCE 2009 - 12 - 03 - 0972

**SELECTING F.A. NUNNELLY COMPANY AS CONSTRUCTION MANAGER AT RISK, ACCEPTING THE GUARANTEED MAXIMUM PRICE FOR CONSTRUCTION SERVICES OF UP TO \$3,811,856.34, AUTHORIZING AN AGREEMENT IN THE AMOUNT UP TO \$15,000.00 FOR PRE-CONSTRUCTION PHASE SERVICES AND \$3,811,856.34 FOR CONSTRUCTION PHASE SERVICES AND AUTHORIZING AN AMENDMENT IN THE AMOUNT OF \$15,000.00 TO A \$335,407.00 PROFESSIONAL SERVICES AGREEMENT WITH DEBRA J. DOCKERY ARCHITECT P.C. FOR REPLACEMENT FIRE STATION 19, LOCATED AT 2307 VANCE JACKSON, IN COUNCIL DISTRICT 1, A CERTIFICATES OF OBLIGATION FUNDED PROJECT.**

\* \* \* \* \*

**WHEREAS**, Fire Station 19, located at 2307 Vance Jackson, is outdated, confined and can no longer function adequately to meet the contemporary needs of the Fire Department; and

**WHEREAS**, this Ordinance approves the selection of **F.A. Nunnelly Company** as Construction Manager at Risk and authorizes the negotiation and execution of a Guaranteed Maximum Price Construction Agreement in the amount up to \$15,000.00 for pre-construction phase services and \$3,811,856.34 for construction phase services for the Fire Station No. 19 Project; and

**WHEREAS**, the Construction Manager at Risk will serve as a collaborative project team member in conjunction with the City and the project Architects/Engineers and prepares a Guaranteed Maximum Price (GMP) Proposal for the construction of the project based on design development documents; and

**WHEREAS**, this Ordinance also provides for an amendment in the amount of \$15,000.00 to a \$335,407.00 Professional Service Agreement with **Debra J. Dockery Architect, P.C.** which was approved by Ordinance 2008-03-13-0192; and

**WHEREAS**, approval of this Ordinance is a continuation of Council policy to complete Certificates of Obligation Projects; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** **F.A. Nunnelly Company** is hereby selected as Construction Manager at Risk in connection with Fire Station No. 19 Project.

**SECTION 2.** The City Manager or her designee is hereby authorized to execute an Agreement in an amount up to \$15,000.00 for pre-construction phase services and \$3,811,856.34 for construction phase services, such Agreement is contingent upon and subject to the availability of funds and the future sale of City of San Antonio, Certificates of Obligation bonds.

**SECTION 3.** The City Manager or her designee is hereby authorized to accept the Guaranteed Maximum Price for construction services of up to \$3,811,856.34; such acceptance is contingent upon and subject to the availability of funds and the future sale of City of San Antonio, Certificates of Obligation bonds.

**SECTION 4.** The professional services agreement between the City of San Antonio and **Debra J. Dockery Architect, P.C.** is amended in the amount of \$15,000.00 for additional services related to abatement of the existing Fire Station No. 19.

**SECTION 5.** The following financial adjustments are hereby approved:

- a) The budget in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 20-00115, Fire Station Replacement, is reduced by \$2,930,346.89 and the budget shall be revised by increasing/decreasing SAP WBS Element as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
20-00115-01-02	Design Costs	5201100	Architectural Fees	\$2,184,000.00	-\$291,587.00	\$1,892,413.00
20-00115-01-02-01	Design Costs - FS #19	5201170	Engineering Fees	\$0.00	\$291,587.00	\$291,587.00
20-00115-01-04	Design Capital Administrative Costs	5402010	Capital Program Admin Cost	\$67,493.14	-\$15,330.20	\$52,162.94
20-00115-01-04-01	Design Capital Admin Costs - FS # 19	5402010	Capital Program Admin Cost	\$1,456.79	\$14,939.98	\$16,396.77
20-00115-02-01	Utilities Costs - FS # 19	5201040	Fees to Prof Contractors	\$0.00	\$42,500.00	\$42,500.00
20-00115-04-01-01	Envir Capital Admin Costs - FS #19	5402010	Capital Program Admin Cost	\$32.14	\$390.22	\$422.36
20-00115-05-02	Construction Costs	5201140	Construction	\$20,117,000.00	-\$6,850,203.23	\$13,266,796.77
20-00115-05-02-02-01	Construction - FS #19 - CM at risk	5201140	Construction	\$0.00	\$3,826,856.34	\$3,826,856.34
20-00115-05-02-02-02	Construction - FS #19-Non-CM at risk	5201140	Construction	\$0.00	\$50,500.00	\$50,500.00
20-00115-05-04	Construction Capital Administration Cost	5209010	Land Acquisition Cost	-\$172,621.54	\$172,621.54	\$0.00
20-00115-05-04	Construction Capital Administration Cost	5402010	Capital Program Admin Cost	\$1,429,794.00	-\$279,989.97	\$1,149,804.03
20-00115-05-04-01	Construction Capital Admin Cost - FS #19	5402010	Capital Program Admin Cost	\$812.44	\$107,368.43	\$108,180.87
			TOTALS	\$23,627,966.97	-\$2,930,346.89	\$20,697,620.08

- b) The budget in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 20-00115, Fire Station Replacement, shall be revised by decreasing

SAP WBS element 20-00115-90-02 entitled Transfer from CO-20830-01-01-02, SAP GL account 6101100, by the amount of \$1,880,000.00.

- c) The budget in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 20-00115, Fire Station Replacement, shall be revised by decreasing SAP WBS element 20-00115-90-03 entitled Transfer from CO-20061-01-01-06, SAP GL account 6101100, by the amount of \$1,050,346.89.
- d) The amount of \$1,880,000.00 is reverted in SAP Fund 43905003, 2008 CO Fire Protection, SAP WBS CO-020830-01-01-02, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 20-00115-90-02. The amount of \$1,880,000.00 is authorized to be transferred from SAP Fund 43099000.
- e) The amount of \$1,050,346.89 is reverted in SAP Fund 43902001, 2006 CO Fire Station Improvements, SAP WBS CO-020061-01-01-06, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 20-00115-90-03. The amount of \$1,050,346.89 is authorized to be transferred from SAP Fund 43099000.
- f) The amount of \$1,880,000.00 is appropriated in SAP Fund 43905003, 2008 CO Fire Protection, SAP WBS CO-20830-01-01-03, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 20-00006-90-003. The amount of \$1,880,000.00 is authorized to be transferred to SAP Fund 43099000.
- g) The amount of \$1,050,346.89 is appropriated in SAP Fund 43902001, 2006 CO Fire Station Improvements, SAP WBS CO-20061-01-01-07, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 20-00006-90-04. The amount of \$1,050,346.89 is authorized to be transferred to SAP Fund 43099000.
- h) The budget in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 20-00006, Fire Station 1, shall be revised by increasing SAP WBS element 20-00006-90-03 entitled Transfer from CO-020830-01-01-03, SAP GL account 6101100 – Interfund Transfer In, by the amount \$1,880,000.00.
- i) The budget in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 20-00006, Fire Station 1, shall be revised by increasing SAP WBS element 20-00006-90-04 entitled Transfer from CO-20061-01-01-07, SAP GL account 6101100 – Interfund Transfer In, by the amount \$1,050,346.89.
- j) The amount of \$2,930,346.89 is appropriated in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 20-00006, Fire Station 1, and the budget shall be revised by increasing/decreasing SAP WBS Element as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
20-00006-01-02	Design Costs	5201170	Engineering Fees	\$551,715.00	\$148,184.00	\$699,899.00
20-00006-01-04	Design Capital	5402010	Capital Program	\$26,087.13	\$23,834.99	\$49,922.12

	Admin Costs		Admin Cost			
20-00006-02-01	Utilities Costs	5201040	Fees to Prof Contractors	\$0.00	\$76,200.00	\$76,200.00
20-00006-03-02-01	ROW Title	5209010	Land Acquisition Cost	\$57,715.00	-\$989.50	\$56,725.50
20-00006-05-02	Construction Costs	5201140	Construction	\$3,372,641.28	-\$3,372,641.28	\$0.00
20-00006-05-02-01	City Construction Costs	5201140	Construction	\$0.00	\$6,148,959.80	\$6,148,959.80
20-00006-05-02-02	Non-CM at Risk Construction Costs	5201140	Construction	\$0.00	\$90,200.00	\$90,200.00
20-00006-05-04	Construction Capital Administration Cost	5101010	Regular Salaries	\$258,000.38	-\$258,000.38	\$0.00
20-00006-05-04	Construction Capital Administration Cost	5402010	Capital Program Admin Cost	\$478.62	\$74,599.26	\$75,077.88
			TOTALS	\$4,266,637.41	\$2,930,346.89	\$7,196,984.30

- k) The amount of \$15,000.00 from SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 20-00115, Fire Station Replacement, is authorized to be encumbered and made payable to **F.A. Nunnelly Company** for pre-construction services. Payment for services is contingent upon the availability of funds and the sale of future City of San Antonio, Certificates of Obligation for SAP Project Definition 20-00115, Fire Station Replacement, in accordance with the adopted capital budget.
- l) The amount of \$3,811,856.34 from SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 20-00115, Fire Station Replacement, is authorized to be encumbered and made payable to **F.A. Nunnelly Company** for construction services. Payment for services is contingent upon the availability of funds and the sale of future City of San Antonio, Certificates of Obligation for SAP Project Definition 20-00115, Fire Station Replacement, in accordance with the adopted capital budget.
- m) The amount of \$15,000.00 from SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 20-00115, Fire Station Replacement, is authorized to be encumbered and made payable to **Debra J. Dockery Architect P.C.** for architectural services. Payment for services is contingent upon the availability of funds and the sale of future City of San Antonio, Certificates of Obligation for SAP Project Definition 20-00115, Fire Station Replacement, in accordance with the adopted capital budget.

**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager’s designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 7.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

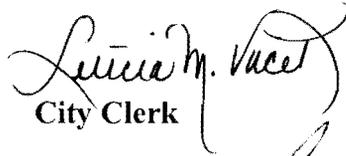
**PASSED AND APPROVED** this 3rd day of December, 2009.



M A Y O R

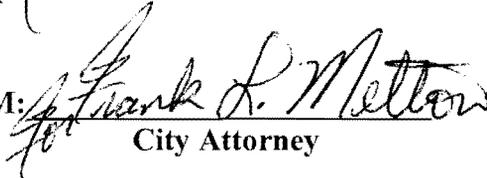
JULIÁN CASTRO

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

<b>Agenda Item:</b>	21B ( in consent vote: 7, 8A, 8B, 10, 11, 13, 15, 16, 17, 18, 21A, 21B, 22, 23, 24, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 25I, 25J, 25K, 25L, 25M, 25N, 25O, 25P, 25Q, 25R, 25S, 25T, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39 )						
<b>Date:</b>	12/03/2009						
<b>Time:</b>	11:43:19 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance selecting F.A. Nunnelly Company as Construction Manager at Risk, accepting the Guaranteed Maximum Price, authorizing an agreement in the amount up to \$15,000.00 for pre-construction and \$3,811,856.34 for construction phase services and authorizing an amendment in the amount of \$15,000.00 to a \$335,407.00 professional services agreement with Debra J. Dockery Architect P.C. for Replacement Fire Station 19, located at 2307 Vance Jackson, in Council District 1, a Certificates of Obligation funded project.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Julián Castro	Mayor	x					
Mary Alice P. Cisneros	District 1		x			x	
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				x
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6	x					
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				