

AN ORDINANCE 2015-02-12-0097

**AUTHORIZING AN AMENDMENT NOT TO EXCEED AN AMOUNT OF \$3,171,906.00 TO A PROFESSIONAL SERVICES AGREEMENT WITH THC, INC. FOR THE MANAGEMENT OF THE RESIDENTIAL ACOUSTICAL TREATMENT PROGRAM AT SAN ANTONIO INTERNATIONAL AIRPORT AND RATIFYING THE TRANSFER OF FUNDS RELATING TO THE AMENDMENT.**

\* \* \* \* \*

**WHEREAS**, in April 2009, the City executed a professional services agreement (the "Agreement") with THC, Inc. (THC) for the management of the Residential Acoustical Treatment Program (RATP) at San Antonio International Airport; and

**WHEREAS**, each year, once the Federal Aviation Administration has approved the City's grant submittal, an amendment is brought forward to increase the THC contract value for the management of RATP; and

**WHEREAS**, the current Agreement with THC expires on April 17, 2015 and this amendment and the ratification of the transfer of funds allows the RATP to continue uninterrupted through April 17<sup>th</sup>; **NOW THEREFORE**,

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

**SECTION 1.** The City Manager or her designee is authorized to execute an amendment to the Professional Services Agreement with THC, Inc. in an amount not to exceed \$3,171,906.00 for uninterrupted continuation of the Residential Acoustical Treatment Program through April 17, 2015 at San Antonio International Airport. A copy of the agreement, in substantially final form, is set out in **Exhibit I**.

**SECTION 2.** The transfer of funds in the amount of \$3,171,906.00 to SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00170, Residential Acoustical Treatment Program, for the continuation of the Residential Acoustical Treatment Program through April 17, 2015 is hereby ratified.

**SECTION 3.** Payment in the amount not to exceed \$3,171,906.00 in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00170, Residential Acoustical Treatment Program to THC, Inc., for professional services, is authorized to be encumbered and made payable to THC, Inc.

KRH  
2/12/15  
Item No. 24

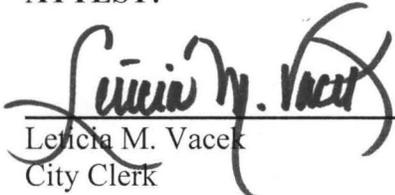
**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 5.** This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

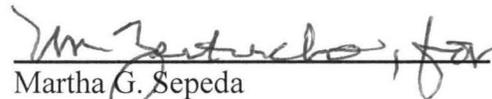
**PASSED and APPROVED** this 12<sup>th</sup> day of February, 2015.

  
M A Y O R  
Ivy R. Taylor

**ATTEST:**

  
Leticia M. Vacek  
City Clerk

**APPROVED AS TO FORM:**

  
Martha G. Sepeda  
Acting City Attorney

# **Exhibit I**

**AMENDMENT 7  
TO THE  
PROFESSIONAL SERVICES AGREEMENT  
FOR  
MANAGEMENT OF THE ACOUSTICAL TREATMENT PROGRAM  
AT  
SAN ANTONIO INTERNATIONAL AIRPORT**

This amendment ("Amendment") to the Professional Services Agreement for Management of the Acoustical Treatment Program at San Antonio International Airport is entered into by and between the City of San Antonio, a Texas Municipal Corporation ("City") acting by and through its City Manager, and THC, Inc., a Georgia corporation, ("Acoustical Treatment Consultant" or "ATC"), acting by and through its duly authorized corporate representative, both of which may be referred to herein collectively as the "Parties."

**WHEREAS**, the City and ATC entered into a Professional Services Agreement for Management of the Acoustical Treatment Program at San Antonio International Airport (herein called the "Agreement") effective April 18, 2009 as authorized by Ordinance No. 2009-04-02-0245 on April 2, 2009; and

**WHEREAS**, this amendment will add \$3,171,906.00 in contract capacity to the Agreement, increasing the total contract amount of the Agreement, as previously amended, to \$57,231,906.00; and

**NOW THEREFORE**, in consideration of the terms, covenants, agreements and demises herein contained, and in consideration of other good and valuable consideration, each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Agreement entered into by and between the City and the ATC is amended as follows:

1. **Compensation.** Article 4.2, Compensation, of the Agreement, is hereby amended to add \$3,171,906.00 to the not to exceed contract amount for a revised total contract value \$57,231,906.00.

Except as amended hereby, all other provisions of the Agreement are hereby retained in their entirety and remain unchanged.

EXECUTED AND AGREED TO this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF SAN ANTONIO, TEXAS

THC, INC.

By: \_\_\_\_\_  
Sheryl L. Sculley  
City Manager

By: Joe A. Carroll  
Printed Name

Title President

APPROVED AS TO FORM:

By: \_\_\_\_\_  
City Attorney