

2008-08-14-0687

AN ORDINANCE

APPROVING A \$29,671.15 AMENDMENT TO A \$365,150.00 PROFESSIONAL ENGINEERING SERVICES AGREEMENT, AS AMENDED, WITH SPARKS ENGINEERING, INC. FOR ENVIRONMENTAL REMEDIATION PROFESSIONAL SERVICES IN CONNECTION WITH THE HAYS STREET BRIDGE REHABILITATION PROJECT, LOCATED IN COUNCIL DISTRICT 2.

* * * * *

WHEREAS, a contract with **Sparks Engineering, Inc.** in the amount of \$365,150.00 was authorized by Ordinance No. 99004 for the Hays Street Bridge Rehabilitation Project; and

WHEREAS, the Hays Street Bridge Rehabilitation Project provides for rehabilitation and conversion of the abandoned Hays Street bridge, including approaches, to a pedestrian and biking bridge over the Union Pacific railroad tracks; and

WHEREAS, the amendment to this Ordinance includes environmental remediation services that will be performed at the site; and

WHEREAS, approval of this Ordinance will be a continuation of City Council policy to complete 1999 General Obligation Street Improvement Bond funded Projects; **NOW THEREFORE**,

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

SECTION 1. The professional services agreement between the City of San Antonio and **Sparks Engineering, Inc.** is amended to add \$29,671.15 in connection with the Hays Street Bridge Rehabilitation Project. The City Manager or her designee is hereby authorized to execute said amendment.

SECTION 2. The following financial adjustments are hereby approved:

- a) The amount of \$29,671.15 is appropriated in SAP Fund 43503001, 2004 Parks & Recreation Brackenridge, SAP WBS CO-00046-01-01-08, SAP GL account 6102100 – Interfund Transfer out entitled Transfer to 50-00108-90-02. The amount of \$29,671.15 is authorized to be transferred to SAP Fund 43099000.
- b) The budget in SAP Fund 43099000, SAP Project Definition 50-00108, Hays Street Bridge Rehabilitation, shall be revised by increasing SAP WBS element 50-00108-90-02 entitled Transfer from CO-00046-01-01-08, SAP GL account 6101100 – Interfund Transfer In, by the amount \$29,671.15.
- c) The amount of \$29,671.15 is appropriated in SAP Fund 43099000, Certificates Of Obligation Capital Projects, SAP Project Definition 50-00108, Hays Street Bridge Rehabilitation, SAP WBS Element 50-00108-01-02, entitled Design Costs, SAP GL Account 5201170, and is authorized to be encumbered and made payable to **Sparks Engineering, Inc.**, for professional engineering services.

SECTION 3. 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 4. This Ordinance shall take effect on the tenth day after passage.

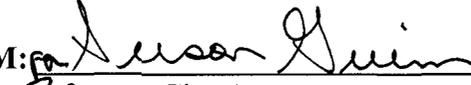
PASSED AND APPROVED this 14th day of August, 2008.


M A Y O R
PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:

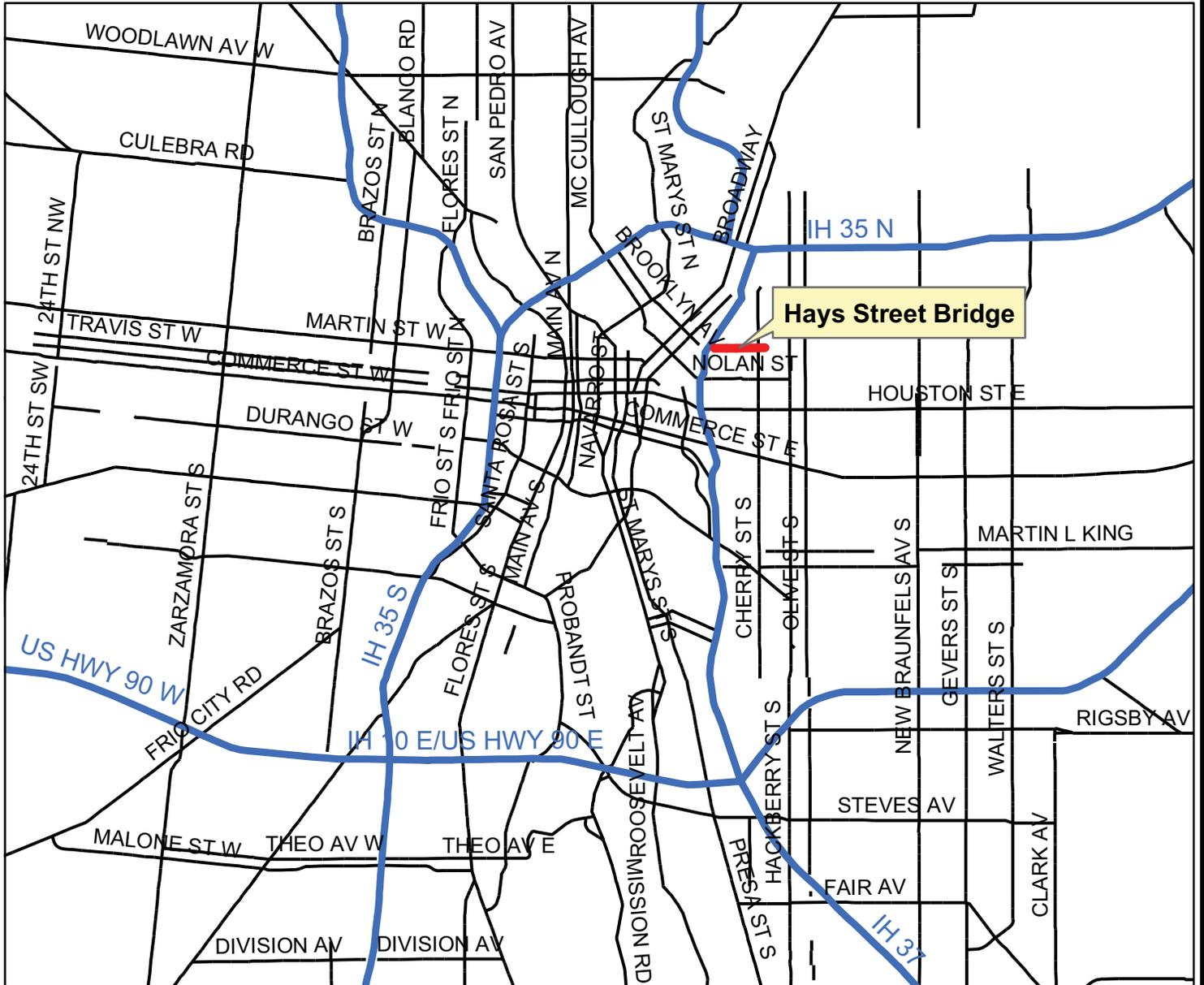
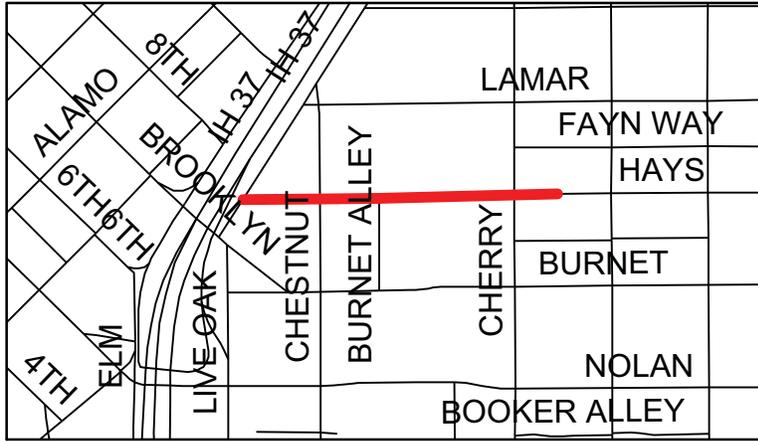

 City Attorney



Agenda Voting Results - 6

Name:	5, 6, 9, 11, 12, 13, 14, 15, 17, 24A, 24B, 25, 26, 27, 29A, 29B, 29C						
Date:	08/14/2008						
Time:	02:34:26 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance approving a \$29,671.15 amendment to a \$365,150.00 professional engineering services agreement, as amended, with Sparks Engineering, Inc. for environmental remediation professional services in connection with the Hays Street Bridge Rehabilitation Project, a Local Agency Management project, located in Council District 2. [Penny Post oak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Sheila D. McNeil	District 2	x					
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6	x					
Justin Rodriguez	District 7	x					
Diane G. Cibrian	District 8		x			x	
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				

Hays St. Bridge



**RESTATEMENT OF THE THIRD AMENDMENT &
FOURTH AMENDMENT TO A PROFESSIONAL SERVICES
AGREEMENT FOR ENGINEERING SERVICES FOR
HAYS STREET BRIDGE REHABILITATION PROJECT (26-00112)**

The City of San Antonio, a Texas Municipal Corporation, (hereinafter referred to as "CITY") presently contracts with Sparks Engineering, Inc., (hereinafter referred to as "CONSULTANT"), for the HAYS STREET BRIDGE REHABILITATION PROJECT pursuant to a Professional Services Agreement (hereinafter referred to as the "Agreement") approved by City Council on March 25, 2004 through Ordinance No. 99004 for \$365,150.00.

RESTATEMENT OF THIRD AMENDMENT

The Professional Services Agreement was amended and is restated below:

1. Article V, Paragraph 5.3A. of the Agreement, entitled "BASIS FOR COMPENSATION," is hereby amended to add the lump sum of \$5,157.00 to the fee for the CONSULTANT's additional work for a total contract amount of \$380,307.00.
2. Article III, "SCOPE OF SERVICES" is hereby amended to include a task for CONSULTANT to revise the Environmental Assessment document.

FOURTH AMENDMENT

This amendment of the Professional Services Agreement (hereinafter referred to as "this Amendment") is entered into by and between the CITY acting by and through its designated representative. The undersigned hereby agree to amend said Agreement pursuant to Ordinance No. _____ passed and approved on _____, 2008 as herein set forth:

1. Article V, Paragraph 5.3A. of the Agreement, entitled "BASIS FOR COMPENSATION," is hereby amended to add the lump sum of \$29,671.15 to the fee for the CONSULTANT's additional work for a total contract amount of \$409,978.15.
2. Article III, "SCOPE OF SERVICES" is hereby amended so that CONSULTANT will provide additional professional engineering required to conduct environmental sampling activities, and other services in accordance with CONSULTANT's proposal, provided by sub-consultant Raba Kistner, dated May 7, 2008 is attached hereto as attachment "A" and incorporated by reference herein.
3. This amendment to the Agreement shall not prejudice any present or future rights, remedies, benefits, or powers belonging or accruing to CITY under the terms of the Agreement herein amended.
4. Except as provided otherwise herein, the Agreement shall remain unaffected, unchanged, and unimpaired by reason of the foregoing amendments.

Amendment AGREED TO this the _____ day of _____, _____.

CITY OF SAN ANTONIO, A TEXAS
MUNICIPAL CORPORATION

Sparks Engineering, Inc.

By: _____
Director Capital Improvements
Management Services

By: 
Designated Representative
PATRICIA SPARKS
PRESIDENT

Attachment “A” Consultant Proposal



Raba-Kistner Consultants, Inc.
 12821 W. Golden Lane
 P.O. Box 690287, San Antonio, TX 78269-0287
 (210) 699-9090 • FAX (210) 699-6426
 www.rkci.com

Proposal No. PSF08-217-00
 May 7, 2008

Mr. John E. Cantú, E.I.T.
 Project Control Manager
 Capital Improvements Management Services
 City of San Antonio Environmental Services Division
 1920 Grandstand
 San Antonio, Texas 78238

**Re: Proposal to Conduct Environmental Sampling Activities
 Conveyance Property and Drainage Improvement Project
 San Antonio, Texas**

Dear Mr. Cantú:

Raba-Kistner Consultants, Inc. (R-K) is pleased to submit this proposal for environmental consulting services to the City of San Antonio Environmental Services Division (CLIENT) in support of the Hays Street Bridge Rehabilitation and Drainage Improvement projects. The scope of services was based upon results of recent Phase II Environmental Site Assessment (ESA-II) activities and subsequent discussions with the City of San Antonio Capital Improvements Management Services (COSA-CIMS) staff. This proposal includes a brief description of pertinent project information in addition to our proposed scope of services. This proposal was prepared to define limitations, assumptions, fee, schedule, and terms and conditions for this project.

Background

Conveyance Property

R-K understands that the City of San Antonio (COSA) recently purchased a 0.0097 acre tract of land for the Hays Street Bridge Rehabilitation project. As this tract of land is located between 2 railroad lines within the Union Pacific Railroad right-of-way at the intersection of Hays Street and Walnut Street., potential for environmental contamination was recognized owing to decades of rail usage and adjacent land use activities. Contaminants of concern most likely associated with rail operations and surrounding land use include petroleum hydrocarbons, creosote, volatile organic compounds (VOCs), and heavy metals.

On the basis of previous ESA-I findings (*R-K Project No. ASF04-288-00, report dated 04/04/07, Revision #2*), a Phase II Environmental Site Assessment (ESA-II) was recently conducted at the conveyance property. As documented in **R-K's** ESA-II report (*R-K Project No. ASF07-383-00, draft report dated 03/11/08*), collective sampling data do not indicate hydrocarbon or VOC impacts to soils within the conveyance property. In general, assessment results indicate that concentrations of select heavy metals constituents in soil are below protective concentration levels (PCLs) considered protective of human exposure but are in excess of background levels defined for these metals in the State of Texas. It was noted that concentrations of arsenic and lead at one sampling location (i.e., G-3, 0-1 ft depth interval) exceed the human exposure PCL for residential land use. **R-K** recommended that

surface soils comprising the upper 1.5 ft be excavated across the property to remove concentrations of heavy metals in excess of applicable regulatory levels.

Drainage Improvement Project

The proposed storm drain system alignment is located along Hays Street in an east-west orientation originating near the intersection of North Cherry Street and ending at Walnut Street. Drainage improvement activities are being conducted as part of a capital improvement project which includes rehabilitation of Hays Street Bridge from Austin Street to North Cherry Street. Review of the Phase I Environmental Site Assessment (ESA-I) conducted by R-K on behalf of Sparks Engineering, Inc. (*i.e.*, *R-K Project No. ASF04-228-00, report dated 4/4/07, Revision #2*) indicates that the alignment is located within an area of mixed commercial and residential land use in close proximity to several historical facilities of concern. The drainage line will cross a railroad spur line located near Roddis Lumber Company. Additionally, the tie-in point to the existing storm drain line is located adjacent to railroad right-of-way. The potential for impacts to soils exists in proximity to the spur line and the tie-in point owing to historical railroad operations.

On the basis of ESA-I findings, a Phase II Environmental Site Assessment (ESA-II) was recently conducted at the conveyance property. As documented in R-K's ESA-II report (*R-K Project No. ASF07-383-00, draft report dated 01/07/08*), collective sampling data do not indicate hydrocarbon or VOC impacts to soils along the drainage alignment. In general, assessment results indicate that concentrations of primarily lead in soil are below protective concentration levels (PCLs) considered protective of human exposure but are in excess of background levels defined for this metal in the State of Texas. R-K recommended that future development plans along the alignment address the potential handling and management of shallow soils. However, R-K understands that the COSA-CIMS personnel have requested that remediation of the drainage alignment be addressed as part of this proposal.

Scope of Work

On the basis of recent discussions with CLIENT, R-K understands that the City of San Antonio Environmental Services Division (COSA-ESD) will likely excavate and remove affected surface soils at the conveyance property and along the drainage alignment. CLIENT has requested that R-K provide assistance with soil excavation activities including performance of the following scope items: (1) collect environmental soil samples in conjunction with excavation activities; and (2) evaluate soil sampling data and prepare a written narrative documenting the removal and disposition of affected soils. As described in more detail below, an optional task (*i.e.*, **Task 3**) is presented herein that includes subcontractor costs to conduct soil excavation activities. A more detailed description of project tasks to be performed as part of this scope of services is provided in the following sections.

Task 1 –Environmental Sampling and Waste Profiling

Conveyance Property

On the basis of information provided by CLIENT, **R-K** understands that affected surface soils will likely be excavated and removed by COSA-ESD personnel across the conveyance property. On the basis of analytical testing data, the area targeted for excavation is estimated on the order of 42 x 10 x 1.5 ft in length, width, and depth, respectively. It is therefore estimated that a total affected soil volume on the order of 40 cubic (loose) yards will be excavated. As the SITE has limited space for temporary placement of soil stockpiles, it is recommended that existing analytical chemistry be utilized to obtain a pre-approved waste code for transport to the landfill immediately following excavation activities. Results of collective analysis indicate that soils would likely be classified as a Class 2 non-hazardous waste. As part of this task, **R-K** will prepare the appropriate waste profile documentation and coordinate with the landfill. By obtaining a pre-approved waste code, stockpiles will not be generated and therefore, collection of additional stockpile soil samples will not be necessary.

In support of the proposed excavation and removal of affected soils, **R-K** will provide environmental consulting services on an as-needed basis including the collection of environmental soil samples necessary to confirm removal of affected soils. Confirmation soil samples collected from the excavation will be placed into appropriate containers provided by the contract analytical laboratory and stored on ice immediately upon collection and during transport to the contracted analytical laboratory. Samples will be delivered to the laboratory within 24-48 hours of collection. It is assumed that normal 5-7 day turnaround time for analytical results will be requested.

For budgetary purposes, it is assumed that up to 5 confirmation samples will be collected and analyzed for the following heavy metals: arsenic and lead. These heavy metals were selected for analysis as arsenic and lead concentrations exceeded the human exposure PCL based on ESA-II analytical testing. The samples exhibiting maximum metals concentrations will be submitted for Synthetic Precipitation Leaching Procedure (SPLP) to determine if total concentrations are leachable to shallow groundwater or stormwater.

In the event that additional soil excavation or sampling is deemed necessary on the basis of initial confirmation sampling data, **R-K** will provide an amended cost proposal to expand the scope of services described herein (e.g., perform additional sample collection, etc.).

Drainage Improvement Project

On the basis of information provided by CLIENT, **R-K** understands that affected surface soils will likely be excavated and removed by COSA-ESD personnel along the drainage alignment. On the basis of analytical testing data, the overall area targeted for excavation (Located from boring G-4 to boring G-6) is estimated on the order of 400 x 5 x 2 ft in length, width, and depth, respectively. It is therefore estimated that a total affected soil volume on the order of 200-250 cubic (loose) yards will be excavated. Unlike the conveyance property, the drainage project has space for temporary placement of soil stockpiles. **R-K** will make an attempt to utilize existing analytical data to obtain a pre-approved waste code for transport to the landfill immediately following excavation activities. However, for budgetary purposes, it is assumed that stockpiles will be generated and therefore, collection of additional stockpile soil samples will be necessary. It is assumed that 5 soil stockpile samples will be collected and analyzed for lead and silver. Results of collective analysis indicate that soils would likely be classified as a Class 2 non-hazardous waste. As part of this task, **R-K** will prepare the appropriate waste profile documentation and coordinate with the landfill.

In support of the proposed excavation and removal of affected soils, **R-K** will provide environmental consulting services on an as-needed basis including the collection of environmental soil samples necessary to confirm removal of affected soils. Confirmation soil samples collected from the excavation will be placed into appropriate containers provided by the contract analytical laboratory and stored on ice immediately upon collection and during transport to the contracted analytical laboratory. Samples will be delivered to the laboratory within 24-48 hours of collection. It is assumed that normal 5-7 day turnaround time for analytical results will be requested.

For budgetary purposes, it is assumed that up to 10 confirmation samples will be collected and analyzed for select heavy metals (lead and silver) as concentrations exceeded applicable regulatory protective concentration levels. The samples exhibiting maximum metals concentrations will be submitted for SPLP to determine if total concentrations are leachable to shallow groundwater or stormwater.

In the event that additional soil excavation or sampling is deemed necessary on the basis of initial confirmation sampling data, **R-K** will provide an amended cost proposal to expand the scope of services described herein (e.g., perform additional sample collection, etc.).

Task 2 – Data Reduction and Report Preparation

R-K will provide a verbal report of analytical data upon receipt of analytical data from the contract laboratory. Upon completion of project activities and interpretation of analytical data, **R-K** will prepare a letter report with appropriate graphical attachments documenting project activities and discussing environmental sampling results. The written report will include the following elements:

- Tabulated analytical results and laboratory reports of analyses with chain-of-custody documentation;
- Discussion of environmental sampling results with respect to the following: (i) waste classification and affected soils management; and (ii) Texas Commission on Environmental Quality (TCEQ) action levels and cleanup criteria as these pertain to residual impacts and the efficacy of environmental cleanup activities.

At the request of CLIENT in lieu of a stand-alone report, confirmation sampling data can be incorporated into the final (ESA-II) reports currently in progress (i.e., reports prepared for the conveyance property and drainage project, respectively) documenting collective environmental assessment activities and results. **R-K** will provide two copies of the final reports for CLIENT use unless otherwise specified.

Task 3 – Optional Task (Excavation Activities Conducted by R-K Subcontractor)

In the event that the COSA-ESD is not able to conduct soil excavation activities described herein and directs that project activities be performed as a turnkey service, **R-K** will engage the services of an environmental contractor (USA Environment, LP) to conduct excavation activities and transportation and disposal of affected soils at a permitted landfill facility. As part of this task, **R-K** will directly coordinate the activities of USA Environment and observe excavation activities. USA Environment, LP personnel have 40 hour Hazwopper training, lead awareness training, and are e-rail certified to conduct work on/near railroad properties.

For budgetary purposes, it is assumed that USA Environment will backfill the excavation on the conveyance property with imported select fill immediately subsequent to excavation activities. The drainage alignment will not be backfilled to facilitate construction of the storm drain.

Cost and Schedule

The estimated costs for various tasks described in the scope of work are provided below.

TASK DESCRIPTIONS	COST
1.0 Environmental Sampling and Waste Profiling	\$4,291. ⁰⁰
2.0 Data Reduction and Report Preparation	\$3,250. ⁰⁰
3.0 Optional Task (Excavation Activities Conducted by R-K Subcontractor)	\$18,260. ⁰⁰
CONTRACT TOTAL WITHOUT TASK 3:	\$7,541.00
CONTRACT TOTAL WITH TASK 3:	\$25,801.00

Estimated costs include professional labor and expenses to conduct the scope of work described herein. Actual costs will be billed in accordance with the fees for professional services, as indicated on the attached cost table and the unit rates for equipment and laboratory services shown on the attached cost table. Fees and unit costs were approved as part of the agreement between COSA and R-K for "On-Call or Stand-by Professional Environmental Engineering Services" dated 8/2/07.

The scope of work described above is expected to take approximately 3-4 weeks to complete after we receive written authorization to proceed as dictated by City's planned soil excavation schedule.

Assumptions

The following assumptions were made with regard to the scope of services described herein:

- SITE access will be granted by CLIENT when needed to perform project activities and weather conditions will not preclude SITE access or performance of sampling activities. This proposal does not include costs to negotiate access to the SITE with Union Pacific or other entities.
- Costs for analytical chemistry assume a normal 5-7 day turnaround time.
- Subcontractor costs assume waste code pre-approval and transportation and disposal of approximately 40 cubic yards of Class 2 waste from the conveyance property and approximately 200-250 cubic yards from the drainage alignment. Costs do not include any over-excavation activities or disposal of Class 1 non-hazardous or other wastes if generated as part of this project.
- R-K costs assume that project activities for the conveyance and the drainage alignment will be conducted at the same time.

Acceptance

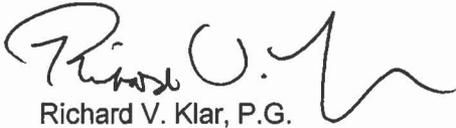
We appreciate the opportunity to work with you on this important assignment, which will be carried out in accordance with this letter and the existing agreement between COSA and R-K (referenced above). Our invoices are due and payable upon receipt at P.O. Box 971037, Dallas, Texas 75397-1037.

R-K considers the data and information contained in this proposal to be proprietary. This statement of qualifications and any information contained herein shall not be disclosed and shall not be duplicated or used in whole or in part of any purpose other than to evaluate this proposal.

Please return one signed copy of this letter proposal or other correspondence (i.e., purchase order, etc.) to provide written authorization for our firm to commence work on the services outlined herein. As part of the authorization, please indicate whether R-K should plan to conduct Task 3 activities. Again, we appreciate the opportunity to be of service to you and look forward to beginning work on this project.

Very truly yours,

RABA-KISTNER CONSULTANTS, INC.



Richard V. Klar, P.G.
Associate

RVK/tf

Copies Submitted: Above (2)

Attachment: Table I

Accepted By _____
(Signature)

(Typed or Printed Name)

(Title)

Date _____

TABLE I: ENVIRONMENTAL CONSULTING SERVICES

SITE: Conveyance Property and
Drainage Improvement Project

PROPOSAL NO. PSF08-217-00
DATE: 05/07/08

CLIENT CONTACT: Mr. John E. Cantú, E.I.T., Project Control Manager
CLIENT: City of San Antonio Environmental Services Division

				PROJECT TOTAL	\$25,801.00
TASK	DESCRIPTION	RATE	UNITS	AMOUNT	
1.0 COLLECT ENVIRONMENTAL SOIL SAMPLES AND ASSIST WITH WASTE PROFILING					
	Project Manager	125.00 /hr	4.00	\$500.00	
	Geologist/Project Professional	100.00 /hr	6.00	\$600.00	
	Field Technician	70.00 /hr	24.00	\$1,680.00	
	Equipment Truck	85.00 /day	1.00	\$85.00	
	Arsenic and Lead (6010b)	25.00 /ea	10.00	\$250.00	
	SPLP Arsenic and Lead (1312/6010b)	20.00 /ea	6.00	\$120.00	
	Lead and Silver (6010b)	25.00 /ea	30.00	\$750.00	
	SPLP Lead and Silver (1312/6010b)	20.00 /ea	6.00	\$120.00	
				Task Subtotal	\$4,105.00
				Subcontractor Mark-Up (15%)	\$186.00
				TASK TOTAL	\$4,291.00
2.0 DATA REDUCTION AND PREPARATION OF LETTER REPORT					
	Project Manager	125.00 /hr	6.00	\$750.00	
	Geologist/Environmental Professional	100.00 /hr	16.00	\$1,600.00	
	CADD/GIS	70.00 /hr	8.00	\$560.00	
	Clerical	60.00 /hr	4.00	\$240.00	
	Report Copies	50.00 /ea	2.00	\$100.00	
				TASK TOTAL	\$3,250.00
				TASKS 1 AND 2 TOTAL	\$7,541.00
3.0 EXCAVATION ACTIVITIES CONDUCTED BY R-K SUBCONTRACTOR (OPTIONAL TASK)					
	Project Manager	125.00 /hr	4.00	\$500.00	
	Geologist/Environmental Professional	100.00 /hr	4.00	\$400.00	
	Field Technician	70.00 /hr	16.00	\$1,120.00	
	Remediation Subcontractor - Conveyance	5,300.00 /ea	1.00	\$5,300.00	
	Remediation Subcontractor - Drainage	8,600.00 /ea	1.00	\$8,600.00	
	Equipment Truck	85.00 /day	3.00	\$255.00	
				Task Subtotal	\$16,175.00
				Subcontractor Mark-Up (15%)	\$2,085.00
				TASK TOTAL	\$18,260.00
				PROJECT TOTAL	\$25,801.00



CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # 6
Council Meeting Date: 8/14/2008
RFCA Tracking No: R-3698

DEPARTMENT: Capital Improvements
Management Services

DEPARTMENT HEAD: Mike Frisbie

COUNCIL DISTRICT(S) IMPACTED:
Council District 2

SUBJECT:
Hays Street Bridge Professional Services Agreement

SUMMARY:
An ordinance amending a professional services agreement and authorizing payment to Sparks Engineering Inc. in the amount of \$29,671.15 in connection with the Hays Street Bridge Rehabilitation project located in Council District 2.

BACKGROUND INFORMATION:

Project Background

This project consists of the rehabilitation and conversion of the abandoned Hays Street bridge, including approaches, to a pedestrian and biking bridge over the Union Pacific railroad tracks. This project is a Local Agency Management (LAM) Program project. Construction is estimated to begin in November 2008 and is estimated to be completed by November 2009.

This amendment includes services related to the environmental remediation to be performed at the site.

Previous Council Action

This professional services agreement was approved by City Council on March 25, 2004 through Ordinance No. 99004 and authorized \$365,150.00 for professional engineering services. Subsequent ordinances have increased this agreement to \$380,307.00. This item increases the agreement to \$409,978.15.

ISSUE:

Approval of the ordinance will be a continuation of City Council policy to complete previously approved LAM funded projects. This ordinance authorizes professional services amendment No. 4 in the amount of \$29,671.15 which is necessary to provide environmental remediation.

The Phase II Environmental Assessment for this project revealed contamination within the project

limits. To abide by LAM requirements, this contamination must be cleared before the start of construction. With the approval of this ordinance, Sparks Engineering's sub-consultant, Raba-Kistner Consultants, Inc., who conducted the Phase II Environmental Assessment will remove the contaminated material and dispose of it at a permitted landfill.

ALTERNATIVES:

Staff, in review of potential alternatives, has determined that the most cost effective alternative is to amend the existing professional services amendment with Sparks Engineering Inc.

The City could issue a Request For Qualifications (RFQ) for these professional services. However, Sparks Engineering, Inc. and their sub-consultant, Raba-Kistner Consultants, Inc., has extensive familiarity with the project conditions. The re-education of a new consultant would cause substantial delays. Therefore, amending the contract to the current consultant is the most time and cost efficient alternative for the City.

FISCAL IMPACT:

This is a one-time capital improvement expenditure in the amount of \$29,671.15 within budget and included in the FY 2008-2013 Capital Improvement Program Budget. Funds are available from Certificates of Obligation and are to be appropriated and payable to Sparks Engineering, Inc. for professional engineering services.

RECOMMENDATION:

Staff recommends approval of this ordinance by amending the professional services amendment with Sparks Engineering Inc. in the amount of \$29,671.15 for additional engineering services in connection with the Hays Street Bridge Rehabilitation project.

The Discretionary Contracts Disclosure Form is attached.

ATTACHMENT(S):

File Description	File Name
Hays Street Bridge Map	Hays Street Map.pdf
Hays Street Professional Services Agreement	Hays Street Amendment.pdf
Voting Results	
Ordinance/Supplemental Documents	200808140687.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Debbie Sittre Assistant Director Capital Improvements Management Services

APPROVED FOR COUNCIL CONSIDERATION:

Penny Postoak Ferguson Assistant City Manager