

HIGH PROFILE CONTRACT COUNCIL COMMITTEE MEETING MINUTES

TUESDAY, MAY 13, 2014

10:00 A.M.

MEDIA BRIEFING ROOM

Members Present: Councilmember Diego Bernal, Chair, *District 1*
Councilmember Ivy Taylor, *District 2*
Councilmember Rebecca Viagran, *District 3*
Councilmember Rey A. Saldaña, *District 4*

Members Absent: Councilmember Ray Lopez, *District 6*

Staff Present: Troy Elliott, *Finance Director*; Kevin Barthold, *City Auditor*; Ben Gorzell, *Chief Financial Officer*; Debbie Sittre, *Assistant Director, TCI*; Alex Lopez, *Assistant Director, EDD*; Ed Belmares, *Assistant City Manager*; Jed Maebius, *Mayor's Office*; Mike Sawaya, *Director, CFS*; Patricia Cantor, *Assistant Director, CFS*; Lauren O'Connor, *Assistant City Attorney*; Hugh Miller, *Chief Technology Officer, ITSD*; Xavier Urrutia, *Director, Parks and Recreation*; Derek Rabey, *Security Manager, ITSD*; Leslie Haby, *Assistant City Attorney*; Brandon Ross, *Special Projects Manager, Parks and Recreation*; Patsy Boozer, *Chief Information Security Officer, ITSD*; Ray Rodriguez, *Assistant City Attorney*; Ryan Cook, *Office of the City Clerk*

Others Present: Baltazar Serna, *Serna & Serna*; Bill Kaufman, *K&K Law Firm*

1. Approval of Minutes from the April 8, 2014 High Profile Contract Council Committee Meeting

Councilmember Taylor moved to approve the Minutes from the April 8, 2014 High Profile Contract Council Committee Meeting. Councilmember Viagran seconded the motion. Motion carried unanimously by those present.

Individual High Profile Contract Initiatives for consideration

Pre-Solicitation briefings:

2. Henry B. Gonzalez Convention Center Catering and Concession Services [CSF]

Mike Sawaya provided information on an Individual Pre-Solicitation Briefing for the Henry B. Gonzalez Convention Center (HBGCC) Catering and Concession Services.

- Procurement Overview
- Project Scope
- Solicitation Requirements
- Outreach Efforts
- Project Evaluation Committee

- Proposed Project Timeline

Mr. Sawaya stated that the HBGCC Catering and Concession Contract covered all food and beverage service on an exclusive basis for events held in the Convention Center and Lila Cockrell Theater. He noted that the Contract also includes provisions for Event-Related Non-Edible Merchandise Services, to include Novelties, Souvenirs, and Programs for a Commercial Event; Booking Catering Business for the Convention Center and becoming an integral member of the Convention Center's Customer Outreach Program. He reported that the National Institute of Government Purchasing (NIGP) Database identified three Vendor Codes. He stated that said codes identified 23 Vendors from the Centralized Vendor Registry, 204 Veteran Owned Small Businesses (SBA) and 8 from Targeted Vendor Outreach. He added that the City will advertise on TVSA Channel 21, COSA Bidding Opportunities Website and Express News.

Troy Elliott stated that information regarding the City's Outreach Efforts as it relates to High Profile Contracts would now be included in all High Profile Contract Presentations. He further stated that the results of said efforts would be discussed during the Post Solicitation Briefings.

Councilmember Viagran asked of the Goal Setting Committee Members. Mr. Elliott replied that the members would include representatives from the Presenting Department, Executive Finance Director and Economic Development Department. Alex Lopez added that the Committee would also include two Citizens that are experienced with contracts of this magnitude.

Councilmember Taylor asked if the Vendors to be notified were large Vendors. Mr. Elliott replied that they were not and stated that they were individuals who have expressed an interest in doing business with the City. He further stated that when procurement opportunities arise, those individuals are contacted via email as part of the Outreach Efforts.

Councilmember Viagran asked when the last time the HBGCC Contract was up for bid. Mr. Sawaya replied that it was last put up for bid in 1997; however, it had been amended several times since then. Councilmember Viagran asked how many bids were received at that time. Mr. Sawaya replied that three bids had been received. Councilmember Viagran requested that future presentations list the members of the Goal Setting Committee.

Chairman Bernal asked of the Contract Terms. Mr. Sawaya replied that it was an initial period of ten years with a five-year extension. Chairman Bernal asked if the Project Evaluation Committee was screened for Conflicts of Interest. Mr. Elliott replied that that they were.

No action was required for Item 2.

At this time the Committee addressed Item 9.

9. Discussion on follow-up items from April 8, 2014 HPCCC Meeting including criteria for the extension of contracts, establishment of contract terms, and a review of the process when a sole bid is received.

Mr. Sawaya stated that Chris Bigelow, Consultant, advises City Staff on how to proceed with contract negotiations of this nature. He stated that in regard to the HBGCC Contract, the City requested that the Vendor provide an initial investment of \$1 million up front for award during the first 10 years of the contract. He further stated that those monies were to be used for Capital Improvements toward the Center.

He noted that the \$1 million would be used to expand the Kitchen Area at the Convention Center. He stated that since the City was making such a large investment, the Caterer should participate and invest as well. He stated that in order to receive a return on the investment, \$100,000 a year would be placed into a Proforma and from there; Mr. Bigelow would review that Proforma as a Standard Rate of Return of Investment. He noted that in this case, the average Rate of Return would be 8% which would take into account Debt Initial Capital Investment, Normal Operating Practices, Revenues and Expenses.

Chairman Bernal asked if the \$100,000 a year came from the Caterer. Mr. Sawaya replied that it did. Chairman Bernal asked if the \$100,000 used for Capital Improvements would be on top of what would be remitted to the City or if that was the full remittance. Mr. Sawaya replied that when the contract is signed, \$1 million would be received up front and used by the City to offset costs; however, the \$1 million is amortized by the Vendor in their Operating Proforma as \$100,000 a year.

Councilmember Saldaña entered the meeting at this time.

Councilmember Viagran asked what the City's safety-net would be during the Contract. Mr. Elliott responded that each department had Compliance Groups that monitor Contract Terms and measure the Vendor's Performance on a monthly basis. He added that there were multiple levels of monitoring and in the event something needed to be corrected, the Department would discuss it with the Vendor or issue a Cure Letter to make sure that they were performing in accordance with the Terms of the Contract. Discussion ensued regarding Contract Terms.

No action was required for Item 9.

3. City-Wide Security Systems Installation, Maintenance, and Service [ITSD]

Hugh Miller provided an overview on the City-Wide Security Systems Installation, Maintenance and Service.

- Procurement Overview
- Project Scope
- Solicitation Requirements
- Outreach Efforts
- Project Evaluation Committee
- Proposed Project Timeline

Mr. Miller stated that the City of San Antonio (COSA) operated a variety of facilities that require security systems to be installed, maintained and serviced by an experienced and qualified Security System Integration Contractor. He stated that COSA was seeking an experienced and qualified Security System Integration Contractor to provide Access Control, Video Surveillance, Intrusion Alarm System Installation, Preventative Maintenance and Service at various COSA Facilities. He stated that respondents should provide the following services including, but not limited to, providing security system service for buildings, facilities, grounds for employees, visitors, customers, and vendors; emergency response, access control, technology and control station monitoring, and other related security system services. He mentioned that Audited Financial Statements would not be required and that Local and Veteran Preference would not be applicable. He stated that Outreach Efforts included advertising on TVSA Channel 21, COSA Bidding Opportunities Website, Daily Commercial Recorder and Express News. He reported that 30 NIGP Codes were identified and stated that said codes identified 487 Vendors from the Centralized Vendor Registry, 489 Veteran Owned Small Businesses (SBA) and 3 South Central Texas Regional Certification Agencies.

Councilmember Taylor compared the above listed number of Vendors to be notified to the 23 Vendors for the HBGCC Contract. Mr. Elliott stated that there was a lot more diversity with this contract in comparison to the other.

Councilmember Viagran stated that the proposed terms of the Contract was five years. Mr. Miller confirmed that was correct. Councilmember Viagran asked why Audited Financial Statements would not be required for this Contract. Mr. Elliott replied that the City has been intentionally limiting the use of Audited Financial Statements because it created a hindrance for Smaller Businesses. He noted that additional due diligence would then be required.

Chairman Bernal suggested that Staff consider using an Outside Evaluator.

No action was required for Item 3.

4. Parks Mowing Services [Parks]

Xavier Urrutia presented information on the Annual Contract for Parks Mowing Services.

- Procurement Overview
- Project Scope
- Solicitation Requirements
- Outreach Efforts
- Project Evaluation Committee
- Proposed Project Timeline

Mr. Urrutia stated that the Parks Mowing Services would be provided for over 200 Parks, Trails, Greenways and Sports Fields. He stated that the total acreage is 2,300 Acres and services would include but are not limited to mowing, edging, leaf/debris blowing and sweeping. He stated that services would be conducted Monday through Friday excluding City Holidays. He noted that no mowing shall be done before 7 am or after 7 pm. He stated that the Vendors are to provide all manpower, equipment, materials and tools. He stated that there are five geographic sectors throughout the City. He noted that a bidder may bid on one or more sectors; however, they must bid on every location listed within a sector. He mentioned that Audited Financial Statements would not be required and that Local and Veteran Preference would not be applicable. He stated that Outreach Efforts include advertising on TVSA Channel 21, COSA Bidding Opportunities Website, and Express News. He reported that 2 NIGP Codes were identified. He stated that said codes identified 104 Vendors from the Centralized Vendor Registry and 454 Veteran Owned Small Businesses (SBA).

Councilmember Taylor asked if the City had a policy prohibiting the hiring of previously incarcerated individuals. Mr. Urrutia replied that there currently is not policy that Staff follows; however, the current contract had a requirement to exclude the contractor from hiring previously incarcerated individuals. Councilmember Taylor asked what the rationale was behind that exclusion. Mr. Urrutia replied that he was unsure why, but suggested that it may have been put in place when the City transitioned from using City Staff to hiring Outside Contractors. Councilmember Taylor stated that the policy needs to be revisited. She asked why the Local or Veteran Preference was not applicable. Mr. Elliott replied that it was prohibited by the Statute. Discussion ensued regarding Contract Terms and the Statute.

Councilmember Saldaña asked if the cost of the contracts has increased, since the acreage has increased. Mr. Urrutia confirmed that was correct. He noted that the contract amount projected an increase in price and acreage.

Chairman Bernal stated that he wanted to discuss the point brought up by Councilmember Taylor regarding the exclusion of previously incarcerated individuals and what the appropriate forum would be to have the discussion. Mr. Urrutia stated that Staff was already discussing the exclusion of previously incarcerated individuals and felt that it may be excessive as it creates an added burden to the City's Monitoring System. Mr. Gorzell stated that he would gather the needed information and would return back to the High Profile Contract Council Committee or another Council Committee.

No action was required for Item 4.

5. District 9 Branch Library [TCI]

Debbie Sittre provided information on the Construction Services for a new Council District 9 Branch Library.

- Procurement Overview
- Project Scope
- Solicitation Requirements
- Outreach Efforts
- Evaluation Committee
- Proposed Project Timeline

She stated that construction services for a new Council District 9 Branch Library were included as a 2012-2017 Bond Program Project. She noted that services included the adaptive reuse of 240,403 square feet of privately-owned real property located at 2515 East Evans Road, new construction and demolition. She stated that eligible SBE and M/WBE Respondents would receive SBEDA Evaluation Preference Points. She noted that construction services provided under this agreement may include, but are not limited to: demolition of all kitchen equipment, metal stud partitions, acoustical and gypsum ceilings, light fixtures and finished flooring. She mentioned that new construction of the majority of the existing 8,000 square foot building's interior, excluding the restrooms and electrical room, may include an additional 1,800 square feet of existing structural concrete foundation, mechanical, electrical, plumbing, data/telecommunication, new flooring, ceiling finishes, walls, new furniture, fixtures, equipment, shelving, and minimal landscaping. She mentioned that Audited Financial Statements would not be required and the Local and Veteran Preference were not applicable. She stated that Outreach Efforts included advertising on TVSA Channel 21, COSA Bidding Opportunities Website, San Antonio Hart Beat, and Texas Electronic State Business Daily.

No action was required for Item 6.

6. Professional Consulting Services for Strategic Multi-Modal Transportation Plan [TCI]

Ms. Sittre provided information on the Professional Consulting Services for Strategic Multi-Modal Transportation Plan.

- Procurement Overview
- Project Scope
- Solicitation Requirements

- Outreach Efforts
- Evaluation Committee
- Proposed Project Timeline

Ms. Sittre stated that the contract would provide consulting services to develop a Comprehensive City Strategic Multi-Modal Transportation Plan. She noted that this was similar to the City's Downtown Transportation Plan and would require an assessment of the City's existing transportation system including a review of the City's Transportation Policies. She stated that the scale of this plan would encompass the entire City of San Antonio and Extraterritorial Jurisdiction (ETJ) to include but not limited to approximately 4,000 centerlane miles of road network comprised of local, collector and arterial roadways. She stated that the scope of the project is to provide a Comprehensive Strategic Multi-Modal Transportation Plan that will articulate the City's Transportation Strategy and Project Prioritization. She indicated that the end product would be a one-time document, similar to the Downtown Transportation Study. She mentioned that the plan would serve as a tool that could be utilized in subsequent years by the San Antonio Departments and Policymakers to analyze and help determine Annual Transportation Priorities, which best met overall community short-term and long-term goals. She mentioned that Audited Financial Statements would not be required and that Local and Veteran Preference were not applicable. She stated that Outreach Efforts included advertising on TVSA Channel 21, COSA Bidding Opportunities Website, San Antonio Hart Beat, and Texas Electronic State Business Daily.

Councilmember Taylor asked of the Contract Value. Ms. Sittre replied that the contract has a value of \$2.5 million; however, it could be up to \$6 million if the City is awarded the Tiger Grant. Councilmember Taylor asked if this would be a joint project with the MPO. Ms. Sittre confirmed that it was a joint project. Councilmember Taylor asked of the differences between Strategic Multi-Modal Transportation Plan and the MPO 2040 Long Range Regional Transportation Plan. Ms. Sittre stated that the MPO 2040 Plan was more of a funding plan where as this plan was an actual engineering plan. Councilmember Taylor spoke against the Strategic Multi-Modal Transportation Plan.

Councilmember Viagran concurred with Councilmember Taylor. Councilmember Viagran asked if Citizens or Councilmembers would be interviewed as it relates to the project. Ms. Sittre replied that there would be numerous Stakeholder Meetings, an in-depth view of safety components, traffic management models, traffic signals and signal timings. She noted that the Transportation Plan was a more in-depth look at the City's growth. Councilmember Viagran asked if VIA had its own plan. Ms. Sittre replied that VIA does not have a comprehensive plan.

Chairman Bernal requested more information about the Strategic Multi-Modal Transportation Plan and how it tied in with other City Goals and City Entities.

Councilmember Saldaña suggested that additional information be brought to a B Session for further discussion.

No action was required for Item 6.

7. Harry Wurzbach at Austin Highway Intersection Improvements [TCI]

Ms. Sittre provided information on the Harry Wurzbach at Austin Highway Intersection Improvements.

- Procurement Overview
- Project Scope

- Solicitation Requirements
- Outreach Efforts
- Evaluation Committee
- Proposed Project Timeline

Ms. Sittre stated that the contract would provide engineering design services for the Harry Wurzbach at Austin Highway Intersection Improvement, which was an Alamo Area Metropolitan Planning Organization Project. She stated that possible design services included roadway design, drainage design, traffic engineering, structural engineering, traffic control, pedestrian design elements and utility design. She stated that all plans, specifications and estimates would be prepared in accordance with Local Government Project Procedures criteria for Texas Department of Transportation (TxDot) and Federal Highway Administration (FHWA) Approval. It was noted that the scope of the project would include roadways, bridges, retaining walls, sidewalks, utilities, pavement markings, signage, traffic signals, and storm drainage. She mentioned that Audited Financial Statements would not be required and the Local and Veteran Preference was not applicable. Lastly, Outreach Efforts were highlighted to included advertising on TVSA Channel 21, COSA Bidding Opportunities Website, San Antonio Hart Beat and Texas Electronic State Business Daily.

No action was required for Item 7.

Consent High Profile Contract Initiatives for consideration

Post-Solicitation items:

8. Design Services for Howard W. Peak Greenway Trails System [TCI]

There was no discussion or presentation regarding Item 8.

Councilmember Saldaña moved to forward the Design Services for Howard W. Peak Greenway Trails System to the full City Council for consideration. Councilmember Viagran seconded the motion. Motion carried unanimously by those present.

Executive Session

The Executive Session was not held.

Consideration of items for future meetings: Next meeting date: June 10, 2014

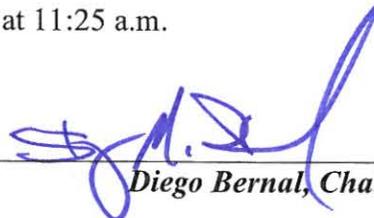
Adjourn

There being no further discussion, the meeting was adjourned at 11:25 a.m.

Respectfully Submitted,



Ryan J. Cook, Office of the City Clerk



Diego Bernal, Chair