

MFC 2010-10-07-0006R

A RESOLUTION OF THE CITY OF SAN ANTONIO, TEXAS MUNICIPAL FACILITIES CORPORATION

AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT NOT TO EXCEED \$229,000.00 FOR COMMISSIONING SERVICES TO THE \$2,726,177.00 PROFESSIONAL SERVICES AGREEMENT WITH HELLMUTH, OBATA & KASSABAUM, LP FOR THE CITY'S FIRE AND POLICE EMERGENCY DISPATCH CENTER, A MUNICIPAL FACILITIES CORPORATION REVENUE BOND AND URBAN AREAS SECURITY INITIATIVE (UASI) GRANT FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 3.

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WHEREAS, the federal courthouse will be relocating to the site where the current police headquarters is located at 214 W. Nueva Street; and

WHEREAS, the City's 9-1-1 call center or Public Safety Answering Point (PSAP) facility is currently located in the police headquarters building at 214 W. Nueva Street but will not be part of City's new police headquarters building for police administration; and

WHEREAS, the City desires to construct and operate a separate 9-1-1 Dispatch Facility at Brooks City-Base on a 6.71 acre site that was acquired by the City through Ordinance 2010-06-10-0516 for the PSAP; and

WHEREAS, the City's Fire and Police Emergency Dispatch Center will be a single story, 40,000 square foot, state-of-the-art Communications Dispatch Center and will house the San Antonio Police Department and San Antonio Fire Department emergency dispatch services; and

WHEREAS, pursuant to the provisions of Subchapter D of Chapter 431, Texas Transportation Code, in 2001 the City created a local government corporation known the "City of San Antonio, Texas Municipal Facilities Corporation" (the "Corporation") "for the purpose of aiding and acting on behalf of the City to accomplish certain governmental purposes of the City, to wit: the acquisition, construction, equipping, financing, operation and maintenance of land and other municipal facilities for the City at the request of the City Council of the City"; and

WHEREAS, pursuant to the Bylaws of the Corporation, the City Manager of the City serves as the Executive Director of the Corporation; and

WHEREAS, the City has requested the Corporation to aid and act on behalf of the City by acquiring, designing, constructing, equipping and financing the City's Fire and Police Emergency Dispatch Center, which upon completion will be leased by the Corporation to, and operated by, the City; and

WHEREAS, this Resolution approves the Agreement and Amendment to the Professional Services Agreement with **Hellmuth, Obata & Kassabaum, LP** for design and commissioning services for the City's Fire and Police Emergency Dispatch Center in the amount not to exceed \$229,000.00; and

WHEREAS, the Corporation expects to issue a series of Lease Revenue Bonds to finance the design of the City's Fire and Police Emergency Dispatch Center, but until such bonds have been issued and the proceeds thereof are available to pay for preconstruction and construction phase services being approved by this Resolution, the City has committed, pursuant to Ordinance No. 2010-10-07-0855 to pay such costs with the understanding that the City will be fully reimbursed for any payments it makes prior to the issuance of such bonds; and

WHEREAS, Ordinance No. 2009-04-30-0332 dated April 30, 2009 authorized a professional services agreement with **Hellmuth, Obata & Kassabaum, LP** for the City's Fire and Police Emergency Dispatch Center; and

WHEREAS, the LEED Silver mission critical facility will possess a high degree of survivability, redundant systems and protected communications linkages to ensure its continued operation during power outages, catastrophic storm events and other operational scenarios; and

WHEREAS, the dispatch center is being designed by **Hellmuth, Obata & Kassabaum, LP** to obtain the LEED Silver certification for commissioning of the building energy systems; and

WHEREAS, this Resolution accepts the administrative assignment of the Professional Service Agreement with **Hellmuth, Obata & Kassabaum, LP**; and

WHEREAS, this Resolution amends the Professional Services Agreement with **Hellmuth, Obata & Kassabaum, LP** in the amount not to exceed \$229,000.00 to provide commissioning services under the existing contract and increasing the total agreement cost in an amount not to exceed \$2,955,177.00; and

WHEREAS, approval of this Resolution will be a continuation of the Board of Directors policy to complete a LEED Silver Certified City's Fire and Police Emergency Dispatch Center; **NOW THEREFORE**,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS MUNICIPAL FACILITIES CORPORATION THAT:

SECTION 1. The professional engineering services agreement between the San Antonio, Texas Municipal Facilities Corporation / City and **Hellmuth, Obata & Kassabaum, LP** for design of the City's Fire and Police Emergency Dispatch Center is amended in the amount not to exceed \$229,000.00 for commissioning services.

SECTION 2. The administrative assignment of the Professional Service Agreement with **Hellmuth, Obata & Kassabaum, LP** for design and commissioning services of the City's Fire and Police Emergency Dispatch Center is hereby accepted.

SECTION 3. The City Manager/Executive Director of the City of San Antonio, Texas Municipal Facilities Corporation or her designee is authorized to execute the Amendment in an amount not to exceed \$229,000.00 for Commissioning Services to the Professional Services Agreement with **Hellmuth, Obata & Kassabaum, LP** for the design of the City's Fire and Police Emergency Dispatch Center.

SECTION 4. Payment in the amount not to exceed \$229,000.00 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 40-00216, Public Safety Answering Point, is authorized to be encumbered and made payable to **Hellmuth, Obata & Kassabaum, LP** for commissioning services.

SECTION 5. This Resolution is also a declaration of the City's official intent to be reimbursed by the Corporation from the proceeds derived from the future issuance of Corporation's Lease Revenue Bonds, Series 2010 for any authorized expenditures made by the City from any lawfully available funds of the City.

SECTION 6. This reimbursement is contingent upon the sale of the Corporation's Lease Revenue Bonds, Series 2010 for the City's Fire and Police Emergency Dispatch Center Project.

SECTION 7. The City Manager/Executive Director of the City of San Antonio, Texas Municipal Facilities Corporation or her designee is hereby authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the City of San Antonio, Texas Municipal Facilities Corporation all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Resolution.

SECTION 8. The financial allocations in this Resolution are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer 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 Resolution.

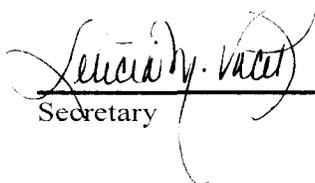
PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS MUNICIPAL FACILITIES CORPORATION this 7th day of October, 2010.



President

JULIÁN CASTRO

ATTEST:



Secretary