KRH
12/4/14
Item No. 15B

AN ORDINANCE 2014-12-04-0950

AUTHORIZING AN AMENDMENT IN AN AMOUNT NOT TO EXCEED $1,637,313.70 TO A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY HORN AND ASSOCIATES, INC. FOR CONSTRUCTION ADMINISTRATION, CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE AIRPORT IMPROVEMENT PROGRAM AIRFIELD PROJECTS, PACKAGE 2 AT SAN ANTONIO INTERNATIONAL AIRPORT.

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WHEREAS, in January 2013, the City Council authorized a professional services agreement with Kimley Horn and Associates, Inc. (Kimley Horn) for the design associated with three airfield projects collectively called Airport Improvement Program (AIP) Airfield Projects at San Antonio International Airport; and

WHEREAS, the scope of work included planning, design and construction administration for the three AIP Airfield Projects, but the contract value did not include funding for construction administration, construction management, or inspection services as that amount is determined after completion of the design; and

WHEREAS, this amendment, in an amount not to exceed $1,637,313.70, will provide construction administration, construction management and inspection services for the AIP Airfield Projects, Package 2; **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 Kimley Horn and Associates, Inc. in an amount not to exceed $1,637,313.70 for construction administration, construction management and inspection services for Airport Improvement Program Airfield Projects, Package 2 at San Antonio International Airport. A copy of the agreement, in substantially final form, is set out in **Exhibit I.**

SECTION 2. Funding in the amount of $80,000.00 for this Ordinance is available for Fund 51001000, Cost Center 3305020001 and General Ledger 5201040, as part of the Fiscal Year 2014 Budget.

SECTION 3. Payment in the amount of the $1,637,313.70 in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00193, Terminal Area Taxiways, is authorized to be encumbered and made payable to Kimley-Horn and Associates, Inc. (Kimley-Horn), for Airport construction services. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

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 4th day of December, 2014.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek
City Clerk

APPROVED AS TO FORM:

Martha G. Sepeda
Acting City Attorney

Agenda Item:	**15B (in consent vote: 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15A, 15B, 16A, 16B, 16C, 16D, 16E, 17, 18, 19, 20, 21, 22A, 22B, 23, 24, 26, 27, 28, 30, 31, 33, 34)**
Date:	12/04/2014
Time:	09:28:18 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing an amendment with Kimley-Horn and Associates, Inc. in an amount not to exceed $1,637,313.70 to provide additional construction administration, construction management and inspection services.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
	District 1	x					
Keith Toney	District 2		x				
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				x
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

Exhibit I

AMENDMENT NO. 2
TO
PROFESSIONAL SERVICES AGREEMENT
FOR
DESIGN & PLANNING SERVICES FOR
RUNWAY & TAXIWAY IMPROVEMENTS AT THE
SAN ANTONIO INTERNATIONAL AIRPORT

This Amendment (hereinafter called the "Amendment") to the Professional Services Agreement for Design & Planning Services for Runway & Taxiway Improvements at the San Antonio International Airport is entered into by and between the City of San Antonio (herein called the "City"), a Texas municipal corporation, acting by and through its City Manager, and Kimley-Horn and Associates, Inc. (hereinafter called "Consultant"), acting by and through its duly authorized corporate representative, as set out below. WITNESSETH:

WHEREAS, on January 31, 2013, the City and Consultant entered into a Professional Services Agreement for Design & Planning Services for Runway & Taxiway Improvements (2012) at the San Antonio International Airport. (hereinafter called the "Agreement") pursuant to Ordinance No. 2013-01-31-0065; and

WHEREAS, City desires to add $1,637,313.70 in contract capacity to the Agreement for Consultant to provide additional construction phase services to include construction management, administration, and inspection services as set out in the Agreement; and

WHEREAS, it is now necessary to amend the Agreement to increase the compensation to Consultant for these additional services; 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 Consultant is amended as follows:

1. **Article 6.2.** The first sentence of Article 6.2 of the Agreement is hereby deleted and replaced in its entirety with the following, increasing the not to exceed contract sum by $1,637,313.70:

   "The total compensation for all work to be performed by Consultant as fully defined in the Scope of Services, to include all travel and other expenses, shall not exceed EIGHT MILLION, THIRTY-FOUR THOUSAND, SIXTY-THREE AND 28/100 DOLLARS ($8,034,063.28)."

2. **Exhibit 2 Fee Schedule.** $1,637,313.70 is hereby added to the task set out as Part 6: Construction Administration/Observation of the "Fee Breakdown by Work Phase" of Exhibit 2, Fee Schedule.

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 _____, 2014.

CITY OF SAN ANTONIO

By:_____
Sheryl L. Sculley
City Manager

APPROVED:

By:_____
City Attorney

KIMLEY-HORN AND ASSOCIATES, INC.

By: _____
Signature

Loy F. Warren, V.P.
Printed Name &Title