

AN ORDINANCE      **2010-10-07-0854**

**SELECTING GUIDO / SUNDT, A JOINT VENTURE, AS CONSTRUCTION MANAGER AT RISK AND AUTHORIZING A CONTRACT FOR PRECONSTRUCTION AND CONSTRUCTION PHASE SERVICES FOR AN AMOUNT NOT TO EXCEED \$13,310,311.00 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.**

\*      \*      \*      \*      \*

**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 the 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 desires to have the Corporation 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**, in connection with the Corporation designing, constructing and equipping the City's Fire and Police Emergency Dispatch Center on the City's behalf, this Ordinance approves and confirms the selection by the Corporation of **Guido / Sundt, A Joint Venture**, as Construction Manager at Risk, and authorizes the negotiation and execution by the Corporation

of an agreement for preconstruction and construction phase services in the amount not to exceed \$13,310,311.00 for the City's Fire and Police Emergency Dispatch Center Project; and

**WHEREAS**, the Corporation expects to issue a series of Lease Revenue Bonds to finance the construction 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 Ordinance, the City deems it necessary to commit 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**, this Ordinance confirms the actions taken by the City of San Antonio, Texas Municipal Facilities Corporation pursuant to Resolution No. ~~MFC 2010-10-07-00052~~ in connection with the selection of **Guido / Sundt, A Joint Venture** for preconstruction and construction phase services for the construction of the City's Fire and Police Emergency Dispatch Center Project; and

**WHEREAS**, approval of this Ordinance will be a continuation of Council policy to complete the City's Fire and Police Emergency Dispatch Center; **NOW THEREFORE**,

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

**SECTION 1.** **Guido / Sundt, A Joint Venture**, is hereby selected and confirmed as Construction Manager at Risk in connection with construction of the City's Fire and Police Emergency Dispatch Center Project.

**SECTION 2.** The City Manager or her designee is hereby authorized to execute an Agreement with **Guido / Sundt, A Joint Venture**, in an amount not to exceed \$13,310,311.00 for pre-construction and construction phase services for construction of the City's Fire and Police Emergency Dispatch Center Project.

**SECTION 3.** Payment in the amount not to exceed \$13,310,311.00 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 **Guido / Sundt, A Joint Venture**, for preconstruction and construction phase services, with the understanding that the Corporation will reimburse the City for any amounts paid by the City prior to the issuance by the Corporation of its Lease Revenue Bonds.

**SECTION 4.** This Ordinance is also a declaration of the City's official intent to be reimbursed by the City of San Antonio, Texas Municipal Facilities Corporation from the proceeds derived from the future issuance of its Lease Revenue Bonds, Series 2010 for any authorized expenditures from any lawfully available funds of the City.

**SECTION 5.** This reimbursement is contingent upon the sale of the City of San Antonio, Texas Municipal Facilities Corporation Lease Revenue Bonds, Series 2010 for the City's Fire and Police Emergency Dispatch Center Project.

**SECTION 6.** The financial allocations in this Ordinance 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 Ordinance.

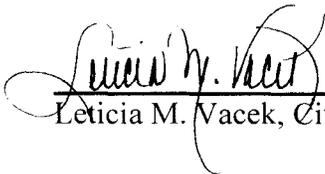
**SECTION 7.** The City Manager or her designee is hereby authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the City all such instruments, whether or not herein mentioned,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

**SECTION 8.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

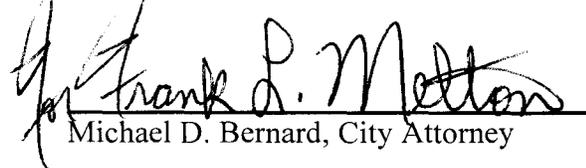
**PASSED AND APPROVED** this 7th day of October, 2010.

  
J A Y O R  
Julián Castro

**ATTEST:**

  
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Leticia M. Vacek, City Clerk

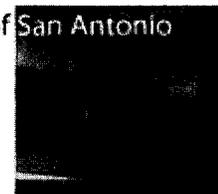
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael D. Bernard, City Attorney



Request for  
**COUNCIL  
ACTION**

City of San Antonio



## Agenda Voting Results - 5C

<b>Name:</b>	5C, 5D						
<b>Date:</b>	10/07/2010						
<b>Time:</b>	10:34:17 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance selecting Guido Sundt A Joint Venture as Construction Manager at Risk and authorizing a contract for preconstruction and construction phase services for up to \$13,310,311.00.						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Philip A. Cortez	District 4	x					
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				