

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

AUTHORIZING THREE (3) ON-CALL PROFESSIONAL ASBESTOS, LEAD, AND MOLD CONSULTING PROFESSIONAL SERVICE AGREEMENTS WITH ALPHA-TERRA ENGINEERING (ALPHA-TERRA), ATLAS TECHNICAL CONSULTANTS LLC (ATLAS), AND PROFESSIONAL SERVICES INDUSTRIES, INC. (PSI) FOR A TOTAL OF \$4,875,000.00. EACH AGREEMENT IS IN AN AMOUNT NOT TO EXCEED \$975,000.00 FOR A THREE-YEAR TERM TO PROVIDE ASBESTOS, LEAD, AND MOLD CONSULTING SERVICES RELATED TO CAPITAL IMPROVEMENT PROJECTS LOCATED CITY-WIDE WITH AN OPTION TO RENEW EACH AGREEMENT FOR UP TO TWO ADDITIONAL ONE-YEAR EXTENSIONS AT \$325,000.00 PER EXTENSION AT THE CITY'S DISCRETION FOR A TOTAL AMOUNT NOT TO EXCEED \$1,625,000.00 PER CONTRACT. FUNDING IS AVAILABLE FROM THE 2022 GENERAL OBLIGATION BOND PROGRAM AND INCLUDED IN THE FY 2024 - FY 2029 CAPITAL IMPROVEMENT PROGRAM

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WHEREAS, the Public Works Department Environmental Management Division assesses environmental impairments and oversees asbestos, lead, and mold environmental assessments, and on-call contracts will allow staff to continue addressing asbestos, lead, and mold assessments related to capital projects during the design phase to adhere to the current construction schedule; and

WHEREAS, staff will utilize these on-call environmental consulting services to assist with various asbestos, lead-based paint, and mold assessments associated with capital improvement projects. The asbestos, lead-based paint, and mold consulting services that may be performed through these agreements include but are not limited to the following:

- Assessment of lead, mold, and asbestos from City buildings in structures ready for demolition or renovation.
- Assessment and removal oversight of asbestos cement pipe during construction of drainage projects.
- Assessment of mold from City buildings where suspected leaks are located.

Approval of this ordinance is consistent with City practices in addressing environmental issues safely and professionally by local, state, and federal environmental regulations; and

WHEREAS, the estimated costs for an asbestos or lead-based paint assessment for one project could range up to \$20,000.00, and therefore the Department recommends three on-call contracts valued at a maximum of \$325,000.00 each contract and per term, for a total amount not to exceed \$1,625,000.00 per contract, for which, the City makes no minimum guarantee pertaining to the volume of work that may be expected from each consultant under these on-call contracts ; and

WHEREAS, a Request for Qualifications (RFQ) was released on March 28, 2023, and fourteen (14) submittals were received on or before deadline of May 15, 2023; and

WHEREAS, a selection committee consisting of representatives from the Public Works and representative from Brooks City Base evaluated and ranked the submissions and scored the submittals based on the published evaluation criteria, including Evaluation of Experience, Background, Qualifications, Understanding of the Project and Proposed Management Plan, Experience with the San Antonio Region & past experience with the City of San Antonio Contracts to select the three top-ranked firms; and

WHEREAS, one of the top-ranked firms was unable to reach final contract negotiations and therefore is not recommended for award, and the next ranked firm was selected for award; and

WHEREAS, due to the utilization of federal dollars, the Disadvantaged Business Enterprise (DBE) program of the State of Texas was utilized in place of the Small Business Economic Development Advocacy (SBEDA) Program, and the DBE goal for this project is 0%, and Alpha-Terra Engineering; Atlas Technical Consultants, LLC; and Professional Service Industries, Inc. have committed to meeting the goal; and

WHEREAS, these vendors have acknowledged to comply with the Heat Illness Prevention Ordinance, approved on August 31, 2023 through Ordinance #2023-08-31-0585; and

WHEREAS, this ordinance approves three (3) on-call professional Asbestos, Lead, and Mold consulting professional service agreements with Alpha-Terra Engineering (Alpha-Terra), Atlas Technical Consultants LLC (Atlas), and Professional Services Industries, Inc. (PSI; and

WHEREAS, each agreement is in an amount not to exceed \$975,000.00 for the initial three-year term to provide asbestos, lead, and mold consulting services related to capital improvement projects located city-wide with an option to renew each agreement for up to two additional one-year extensions at \$325,000.00 per extension at the City's discretion for a total amount not to exceed \$1,625,000.00 per contract; and

WHEREAS, funding is available from the 2022 General Obligation Bond Program and included in the FY 2024 - FY 2029 Capital Improvement Program; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director of the Public Works Department or designee, is authorized to execute on-call professional services agreements between the City of San Antonio and Alpha-Terra Engineering; between the City of San Antonio and Atlas Technical

Consultants LLC; and between the City of San Antonio and Professional Services Industries, Inc.; each for an amount not to exceed \$975,000.00.

SECTION 2. Funding for this ordinance will be identified when work orders are issued. If funding for any work orders is not previously appropriated, funding will be identified and appropriated through subsequent City Council action. Payment is limited to the amounts budgeted in the Operating, Grants, and/or Capital Budget funding sources identified. All expenditures will comply with Operating, Grants, and/or Capital Budgets for current and future fiscal years.

SECTION 3. Additional funding for subsequent years is contingent upon City Council approval of subsequent budgets within the term length of this contract.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 7th day of December, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney