

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

ORDINANCE

**APPROVING THE EXECUTION OF A CONTRACT AMENDMENT
IN THE INCREASED AMOUNT NOT TO EXCEED \$473,981 FOR A
TOTAL PROFESSIONAL SERVICES AGREEMENT AMOUNT OF
\$1,715,783 WITH ALTA ARCHITECTS, INC. FOR ADDITIONAL
ARCHITECTURAL AND ENGINEERING DESIGN SERVICES
ASSOCIATED WITH THE DESIGN, BID, CONSTRUCTION PHASE
AND OTHER RELATED SERVICES REQUIRED; AND
AUTHORIZING THE EXECUTION OF A CONSTRUCTION
MANAGER AT RISK CONTRACT WITH THOS. S. BYRNE, INC.
FOR PRE-CONSTRUCTION AND CONSTRUCTION PHASE
SERVICES IN AN AMOUNT NOT TO EXCEED \$9,000,000 FOR THE
CARVER BRANCH LIBRARY RENOVATION PROJECT,
LOCATED IN COUNCIL DISTRICT 2. FUNDS ARE AVAILABLE
FROM THE 2022 GENERAL OBLIGATION BOND FUNDS
INCLUDED IN FY 2024 – FY 2029 CAPITAL IMPROVEMENTS
PROGRAM**

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WHEREAS, on May 17, 2022, voters approved the 2022 Bond Program, which authorized \$12,500,000 for the Carver Branch Library Renovation project located in Council District 2, which was constructed in 1973, and was renovated in 1994 and 2006; and

WHEREAS, this project will renovate and expand the 11,758-square-foot Carver Branch Library at 3350 E. Commerce Street to enhance existing library areas and introduce new resources to serve the community; and

WHEREAS, on November 10, 2022, the City Council approved the professional services agreement with Alta Architects, Inc. in the amount of \$1,222,517 for architectural and engineering design services associated with the design, bid, construction phase and other related services for the Carver Branch Library Renovation project through Ordinance 2022-11-10-0872; previous contract amendments to modify and enhance the project have increased this agreement by \$19,285; and

WHEREAS, this proposed amendment will increase the agreement capacity by \$473,981 to a revised agreement amount of \$1,715,783, as illustrated in the following table:

Item	Amount
Original Agreement Value	\$1,222,517.00
Previous Amendments	\$ 19,285.00
Proposed Amendment	\$ 473,981.00
Revised Agreement Value	\$1,715,783.00

This amendment will authorize and compensate Alta Architects, Inc. for additional architectural and engineering design services associated with the design, bid, construction phase, and other related services required for the Carver Branch Library Renovation project; and

WHEREAS, the Construction Manager At Risk (“CMAR”) and Design Consultant will collaborate throughout the remaining design and pre-construction period to ensure that the project remains within the budget; and

WHEREAS, as part of the pre-construction services, the CMAR will assist in project design reviews, evaluate alternatives, provide value engineering recommendations, and assist the City in planning and phasing the construction work. The design of this project is currently in progress; and

WHEREAS, the CMAR process is a two-step process: for Step I, respondents are evaluated and scored based on qualifications and then shortlisted to participate in Step II, and in Step II, the shortlisted firms are evaluated and scored based on additional requested information, interviews and proposed cost methodology; and

WHEREAS, on December 18, 2023, a Construction Manager At Risk (CMAR) Request for Qualifications (RFQ) for Step I was released for this project, a pre-submittal conference was held on January 10, 2024, and one submittal was received and deemed responsive by the response deadline on February 9, 2024; and

WHEREAS, on March 4, 2024, a selection committee made up of representatives from the City Manager’s Office, Public Works Department, and the Library Department met for the evaluation meeting to discuss and score the responsive submittal based on Experience, Background, Qualifications of Key Personnel and Key Sub-Consultants; General Proposed Work Plan/Approach; Experience with San Antonio Region and Past Performance; and Small Business Economic Development Advocacy (SBEDA), Small Business Enterprise (SBE), and Minority/Women Business Enterprise (M/WBE) Prime Contract Programs; and the sole respondent moved forward to Step II – Request for Proposal (RFP; and

WHEREAS, on March 8, 2024, the CMAR RFP – Step II was released to the firm, and on March 22, 2024, the firm submitted its proposal for the Step II RFP phase and was moved forward for interview; and

WHEREAS, the evaluation committee met to interview, discuss and score the respondent on April 4, 2024, based on the published RFP evaluation criteria for Step II, which included a Detailed Proposed Work Plan and Approach to Quality Control; Overall Evaluation of the Firm/Team and its Ability to Provide Required Services; Proposed Costing Methodology; and SBEDA SBE and

M/WBE Prime Contract Programs; and based on the scoring from the selection committee on the firm's interview and the established criteria in the RFP for Step II, Thos. S. Byrne, Inc. is recommended for City Council award consideration; and

WHEREAS, a post-solicitation briefing was held with the Audit and Accountability Committee on May 14, 2024; and

WHEREAS, this contract will be awarded in compliance with the SBEDA Program, which requires contracts to be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract to maximize the amount of small, minority, and women-owned business participation on the contract. The Goal Setting Committee set an 18% M/WBE subcontracting goal and a 3% African American Business Enterprise (AABE) subcontracting goal and requires that on this project, the awarded prime consultant(s) become a mentor in the City's Mentor Protégé Program. Thos. S. Byrne, Inc. has committed to meeting subcontractor participation goals; and

WHEREAS, this vendor has acknowledged and will comply with the Heat Illness Prevention Ordinance, approved on August 31, 2023 through Ordinance #2023-08-31-0585; and

WHEREAS, this ordinance approves the execution of a contract amendment in the increased amount not to exceed \$473,981 for a total professional services agreement amount of \$1,715,783 with Alta Architects, Inc. for additional architectural and engineering design services associated with the design, bid, construction phase and other related services required; and

WHEREAS, this ordinance also authorizes the execution of a Construction Manager at Risk contract with Thos. S. Byrne, Inc. for pre-construction and construction phase services in an amount not to exceed \$9,000,000 for the Carver Branch Library Renovation project, located in Council District 2; and

WHEREAS, funds are available from the 2022 General Obligation Bond funds included in FY 2024 – FY 2029 Capital Improvements Program; and

WHEREAS, upon the City Council's approval of the CMAR, early construction packages are anticipated in Summer 2025; **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 a contract amendment in the increased amount not to exceed \$473,981 for a total professional services agreement amount of \$1,715,783 with Alta Architects, Inc. for additional architectural and engineering design services associated with the design, bid, construction phase and other related services required.

SECTION 2. The City Manager or designee, or the Director of the Public Works Department or designee, is authorized to execute a Construction Manager at Risk contract with Thos. S. Byrne, Inc. for pre-construction and construction phase services in an amount not to exceed \$9,000,000 for the Carver Branch Library Renovation project.

SECTION 3. Funds for this contract amendment in the increased amount of \$473,981.00 is available in Fund 45099000, Project 23-04032, WBS Element 23-04032-05-02-01 and GL Account 5201170. Funding is provided by General Obligation bond funds and is included the FY 2024 - FY 2029 CIP Budget.

SECTION 4. Additional payment from this contract amendment not to exceed \$473,981.00 is authorized to be encumbered with a purchase order and made payable to Alta Architects, Inc. for additional architectural and engineering design services.

SECTION 5. Funds for the construction manager at risk in the amount up to \$9,000,000.00 is available in Fund 45099000, Project 23-04032, WBS Element 23-04032-05-02-01 and GL Account 5201140. Funding is provided by General Obligation bond funds and is included the FY 2024 - FY 2029 CIP Budget.

SECTION 6. Payment not to exceed \$9,000,000.00 is authorized to be encumbered with a purchase order and made payable to Thos. S. Byrne, Inc. for pre-construction and construction phase services.

SECTION 7. 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 8. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 8th day of August, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney