

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

ORDINANCE

AUTHORIZING THE EXECUTION OF FIVE (5) ON-CALL CONSTRUCTION ENGINEERING AND INSPECTIONS PROFESSIONAL SERVICE AGREEMENTS WITH BGE, INC.; ESP ASSOCIATES, INC.; FREESE AND NICHOLS, INC.; KCI TECHNOLOGIES, INC.; AND MICHAEL BAKER INTERNATIONAL, INC. FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR A TOTAL OF \$20,000,000. EACH AGREEMENT IS FOR AN AMOUNT NOT TO EXCEED \$2,400,000 FOR A THREE-YEAR TERM WITH THE OPTION TO RENEW FOR UP TO TWO ADDITIONAL ONE-YEAR EXTENSIONS AT \$800,000 PER EXTENSION FOR A TOTAL AMOUNT NOT TO EXCEED \$4,000,000 PER CONTRACT. FUNDING IS AVAILABLE FROM VARIOUS SOURCES, INCLUDING THE 2022 GENERAL OBLIGATION BOND FUNDS INCLUDED IN FY2025 - FY2030 CAPITAL IMPROVEMENTS PROGRAM.

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WHEREAS, on-call agreements are used when multiple projects are delivered through various programs within a limited timeline and when project scopes are not initially known; and

WHEREAS, City staff will use these on-call agreements to address all aspects of the project, including but not limited to construction engineering, inspection services, and program support on an as-needed basis; and

WHEREAS, a Request for Qualifications (RFQ) was released on March 1, 2024. Twenty (20) responses were received by April 16, 2024. A selection committee consisting of representatives from the City Manager's Office and the Public Works Department evaluated and ranked the submissions and scored the submittals. Scoring was based on the published evaluation criteria, which included Evaluation of Experience, Background, and Qualifications of Firm, Key Personnel, and Key Sub-Consultants; Understanding of the Project and Proposed Management Plan; and Experience with the San Antonio Region and Past Performance. The selected consultants received the highest scores; and

WHEREAS, the selected consultants each committed to meeting the 19% Minority and/or Women-Owned Business Enterprise (M/WBE) subcontracting goal set by the SBEDA Goal Setting Committee; and

WHEREAS, the Public Works Department conducted a post-solicitation briefing to the Audit Committee on August 13, 2024; and

WHEREAS, these On-Call Construction Engineering and Inspections Services contracts will be available to all City of San Antonio departments and will address any aspect of construction engineering or program support services to include street and roadway construction, drainage construction, surveying, architectural or structural design, special projects, inspections services, and training programs for City staff. Utilizing these On-Call contracts allows for expedited delivery of capital projects and provides a cost savings to the City based on negotiated rates for a larger volume of work; and

WHEREAS, the City makes no minimum guarantee pertaining to the volume of work. Expenditures for these task orders are subject to available funding when work is requested. If funding for any work activities is not previously appropriated, funding will be identified and appropriated through subsequent City Council action; and

WHEREAS, this Ordinance approves the negotiation and execution of five (5) On-Call Construction Engineering and Inspections Services Agreements with BGE, Inc.; ESP Associates, Inc.; Freese and Nichols, Inc.; KCI Technologies; and Michael Baker International, Inc. Each agreement is for an initial 3-year term with two, 1-year extensions for a not to exceed amount of \$4,000,000 for each contract to provide construction engineering and inspection services on an as-needed basis. Specific capital projects may include, but are not limited to, roadway, drainage, sidewalk, parks, and facility projects, and all project related activities. Funds are available from various funding sources including the 2022 General Obligation Bond Funds included in FY 2025 – FY 2030 Capital Improvements 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 Public Works or designee, is authorized to negotiate and execute five (5) On-Call Construction Engineering and Inspections Services Agreements with BGE, Inc.; ESP Associates, Inc.; Freese and Nichols, Inc.; KCI Technologies; and Michael Baker International, Inc. Each agreement is for an initial 3-year term with two, 1-year extensions for a not to exceed amount of \$4,000,000 for each contract to provide construction engineering and inspection services on an as-needed basis.

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. Any extensions will be contingent upon additional City Council approval..

SECTION 3. Payment not to exceed \$4,000,000.00 per year is authorized to be encumbered with purchase orders and made payable to BGE, Inc. to provide construction engineering, inspection services, and program support on an as-needed basis.

SECTION 4. Payment not to exceed \$4,000,000.00 per year is authorized to be encumbered with purchase orders and made payable to ESP Associates, Inc. to provide construction engineering, inspection services, and program support on an as-needed basis.

SECTION 5. Payment not to exceed \$4,000,000.00 per year is authorized to be encumbered with purchase orders and made payable to Freese and Nichols, Inc. to provide construction engineering, inspection services, and program support on an as-needed basis.

SECTION 6. Payment not to exceed \$4,000,000.00 per year is authorized to be encumbered with purchase orders and made payable to KCI Technologies. to provide construction engineering, inspection services, and program support on an as-needed basis.

SECTION 7. Payment not to exceed \$4,000,000.00 per year is authorized to be encumbered with purchase orders and made payable to Michael Baker International, Inc. to provide construction engineering, inspection services, and program support on an as-needed basis.

SECTION 8. 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 9. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this ____ day of December, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney