

**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 SIX ON-CALL CONSTRUCTION INSPECTION PROFESSIONAL SERVICE AGREEMENTS WITH AGCM, INC.; BROADDUS & ASSOCIATES, INC.; FOSTER CM GROUP, INC.; MENDEZ ENGINEERING, PLLC; SUNLAND GROUP, INC.; AND HILL INTERNATIONAL, INC. FOR ON-CALL CONSTRUCTION INSPECTIONS SERVICES RELATED TO THE 2022 BOND PROGRAM, AND OTHER CAPITAL VERTICAL PROJECTS LOCATED CITYWIDE FOR A TOTAL OF \$10,000,000. EACH AGREEMENT IS FOR AN AMOUNT NOT TO EXCEED \$999,999.99 FOR A THREE-YEAR TERM WITH THE OPTION TO RENEW FOR UP TO TWO ADDITIONAL ONE-YEAR EXTENSIONS AT \$333,333.33 PER EXTENSION FOR A TOTAL AMOUNT NOT TO EXCEED \$1,666,666.67 PER CONTRACT. FUNDING IS AVAILABLE FROM VARIOUS SOURCES, INCLUDING THE 2022 BOND PROGRAM, GENERAL FUND, CERTIFICATES OF OBLIGATION AND TAX NOTES INCLUDED IN THE FY 2025 – FY 2030 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 will address all aspects of construction projects, including Storm Water Pollution Prevention Plan (SWPPP) best management practices, attend pre-construction and on-site construction meetings, plan and specification compliance for bond funded and other capital vertical projects. On-call contracts are utilized when multiple projects are to be delivered through various programs and funding sources within a limited timeline and specific projects (scope and limits) are not initially known; and

WHEREAS, a Request for Qualifications (RFQ) was released on November 27, 2023. Nine (9) responses were received by January 19, 2024. A selection committee consisting of representatives from the City Manager's Office, Building and Equipment Services Department, and Public Works Department evaluated and ranked the submissions and scored the submittals. Scoring was based on the published evaluation criteria, including Experience, Background and Qualifications of Firm, Key Personnel, Key Sub-Consultants, Understanding of the Project and Proposed Management Plan, and Experience with the San Antonio Region & Past Performance. The selected consultants received the highest scores; and

WHEREAS, the selected consultants each committed to meeting the 21% Minority and/or Women-Owned Business Enterprise (M/WBE) subcontracting goal set by the SBEDA Goal Setting Committee; and

WHEREAS, PWD conducted a pre-solicitation briefing with the Audit Committee on November 14, 2023, and a post-solicitation briefing was held on April 30, 2024; and

WHEREAS, these on-call construction inspection services agreements will allow for the immediate execution of work, as opposed to soliciting for these services on a per-project basis. Consultants will be paid based on the tasks they perform for each specific project. Requirements for each task will be detailed in individual assigned task orders. The City makes no minimum guarantee pertaining to the volume of work that may be expected from each consultant. If funding for any work activities was not previously appropriated, funding will be identified and appropriated through subsequent City Council action; and

WHEREAS, approves the execution of six On-Call Construction Inspection Professional Service Agreements with AGCM, Inc.; Broaddus & Associates, Inc.; Foster CM Group, Inc.; Mendez Engineering, PLLC; Sunland Group, Inc.; and Hill International, Inc. for on-call inspections services related to the 2022 Bond Program, and other capital vertical projects located citywide for a total of \$10,000,000. Each agreement is for an amount not to exceed \$999,999.99 for a three-year term with the option to renew for up to two additional one-year extensions at \$333,333.33 per extension for a total amount not to exceed \$1,666,666.67 per contract. Funding is available from various sources, including the 2022 Bond Program, General Fund, Certificates of Obligation and Tax Notes included in the 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 on-call Professional Services Agreements with AGCM, Inc.; Broaddus & Associates, Inc.; Foster CM Group, Inc.; Mendez Engineering, PLLC; Sunland Group, Inc.; and Hill International, Inc. for on-call inspections services related to the 2022 Bond Program, and other capital vertical projects located citywide for a total of \$10,000,000. Each agreement is for an amount not to exceed \$999,999.99 for a three-year term with the option to renew for up to two additional one-year extensions at \$333,333.33 per extension for a total amount not to exceed \$1,666,666.67 per contract.

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 \$333,333.33 is authorized to be encumbered with purchase orders and made payable to AGCM, Inc. for on-call construction inspection professional services.

SECTION 4. Payment not to exceed \$333,333.33 is authorized to be encumbered with purchase orders and made payable to Broaddus & Associates, Inc. for on-call construction inspection professional services.

SECTION 5. Payment not to exceed \$333,333.33 is authorized to be encumbered with purchase orders and made payable to Foster CM Group, Inc. for on-call construction inspection professional services.

SECTION 6. Payment not to exceed \$333,333.33 is authorized to be encumbered with purchase orders and made payable to Mendez Engineering, PLLC for on-call construction inspection professional services.

SECTION 7. Payment not to exceed \$333,333.33 is authorized to be encumbered with purchase orders and made payable to Sunland Group, Inc. for on-call construction inspection professional services.

SECTION 8. Payment not to exceed \$333,333.33 is authorized to be encumbered with purchase orders and made payable to Hill International, Inc for on-call construction inspection professional services.

SECTION 9. 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 10. 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 October, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney