

ORDINANCE

APPROVING AN AMENDMENT IN AN AMOUNT NOT TO EXCEED \$23,000,000 TO THE PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. FOR ADDITIONAL PROGRAM MANAGEMENT/CONSTRUCTION MANAGEMENT (PM/CM) SERVICES FOR THE TERMINAL DEVELOPMENT PROGRAM AT SAN ANTONIO INTERNATIONAL AIRPORT.

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WHEREAS, in May 2022 City Council was briefed on the initial schedule and plan for the design and construction of the new terminal facility and its enabling projects at San Antonio International Airport, which plan is being implemented through the Terminal Development Program (TDP); and

WHEREAS, in December 2022 the City Council approved a professional services agreement for Program Management/Construction Management (PM/CM) for the TDP at San Antonio International Airport (SAT) with Freese and Nichols in the not to exceed amount of \$32,000,000.00 to provide project and construction management oversight and additional services for the duration of the TDP; and

WHEREAS, with the selection of a construction manager at risk for the new terminal project and the acceleration in work resulting therefrom, it is necessary to increase the contract amount by \$23,000,000 for a total revised not to exceed contract value of \$55,000,000 for continued services through the completion of the TDP; and

WHEREAS, this ordinance authorized the execution of an amendment to the professional services agreement for CM/PM services with Freese and Nichols in an amount not to exceed \$23,000,000.00; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee is authorized to execute an amendment to the professional services agreement for Program Management/Construction Management services with Freese and Nichols, Inc. in an amount not to exceed \$23,000,000.00, a copy of which is set out in **Exhibit 1**.

SECTION 2. Payment not to exceed \$10,000,000.00 is authorized to be encumbered with purchase orders and made payable to Freese and Nichols, Inc., in support of Project 33-03349 New Terminal Projects using WBS 33-03349-01-05-03-XX with GL 54020500. Funding is provided by Interim Airport Financing and an Airport Terminal Development Grant and is in the FY24-FY29 CIP Budget.

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

SECTION 3. Additional funding in the amount of \$13,000,000.00, 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 12th 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

KRH
12/12//2023
Item No.

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

EXHIBIT 1