

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

ORDINANCE

APPROVING THE NEGOTIATION AND EXECUTION OF THREE PROFESSIONAL SERVICES AGREEMENTS WITH MAESTAS & ASSOCIATES, LLC, RPS INFRASTRUCTURE, INC., AND GONZALEZ, KYPUROS AND WHITE, INC., FOR AS-NEEDED ON-CALL CIVIL ENGINEERING SERVICES FOR THE INFRASTRUCTURE MANAGEMENT PROGRAM AND NEIGHBORHOOD ACCESS MOBILITY PROGRAM PROJECTS CITYWIDE. EACH AGREEMENT WILL HAVE AN ESTIMATED VALUE OF \$950,000.00 PER YEAR FOR AN INITIAL THREE-YEAR TERM WITH TWO ADDITIONAL ONE-YEAR EXTENSIONS AT THE CITY'S DISCRETION IN AN ESTIMATED VALUE OF \$4,750,000.00 PER CONTRACT TOTALING AN ESTIMATED VALUE OF \$14,250,000.00.

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WHEREAS, the Public Works Department previously contracted with ten consultants to provide on-call civil engineering services. On-call agreements are utilized when multiple projects are delivered through various programs within a limited timeline and when project scopes are not initially known. The previously executed agreements expired in February 2023.

WHEREAS, professional civil engineering services may be used as needed during the execution of City projects. These agreements allow consultants to assemble team members of various disciplines to address the potential issues and commence services immediately upon the City's need of service. As part of the department's continuing efforts to improve efficiency, Public Works will utilize services under these agreements to expedite project delivery and completion. These consultants may also be called upon due to unforeseen issues that require minimal design services but are imperative for continued facility operation and community services or benefits; and

WHEREAS, the on-call civil engineering services to be provided by these firms at construction sites city-wide include: engineering design and preparation of design exhibits for construction associated with IMP sidewalks and NAMP projects; preparation of Water Pollution Abatement Plan (WPAP) documents for submittal to Texas Commission on Environmental Quality (TCEQ) as required by TCEQ for projects over the Edwards Aquifer Recharge Zone; support for the execution of the Street Maintenance Program, including field surveillance for pavement preservation and data collection/site investigation for pavement preservation; as well as construction project/program related surveys and studies; and

WHEREAS, a Request for Qualifications (RFQ) was issued on September 28, 2022. Twenty-four (24) firms responded and submitted their Statement of Qualifications (SOQs). A selection committee consisting of City staff from the City Manager's Office and the Public Works Department evaluated and ranked the submissions based on the published evaluation criteria. The selection committee forwarded a recommendation of the highest ranked firms: Maestas Associates,

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LLC; RPS Infrastructure, Inc.; and Gonzalez, Kypouros and White, Inc. to the Audit and Accountability Committee during a post-solicitation briefing on January 31, 2023; and

WHEREAS, these agreements will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program and the Goal Setting Committee recommendation of a 24% Minority/Women Business Enterprise (M/WBE) subcontracting goal that the selected firms have committed to meeting; and

WHEREAS, each on-call civil engineering services agreement is in the amount not to exceed \$950,000.00 per year to provide as-needed civil engineering services for the IMP and NAMP projects citywide. Each agreement is for a term of three years with an option to renew each agreement for up to two additional one-year extensions in an amount not to exceed \$4,750,000.00 per contract at the City's discretion; **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 professional services agreements between the City of San Antonio and Maestas Associates, LLC; between the City of San Antonio and RPS Infrastructure, Inc.; and between the City of San Antonio and Gonzalez, Kypouros and White, Inc.; each for an amount not to exceed \$4,750,000.00.

SECTION 2. Funding in the amount of \$330,000.00 for this ordinance is available in Fund 11001000, Cost Center 2303050001 and General Ledger 5201140 as part of the Fiscal Year 2023 Adopted Budget approved by City Council.

SECTION 3. Payment not to exceed \$100,000.00 is authorized to be encumbered with a purchase order and made payable to Maestas Associates, LLC for on-call civil engineering services for the Infrastructure Management Program and Neighborhood Access Mobility Program. Payment is in support of the ATD FY 2023 Sidewalks Project using WBS 23-4071-01-02-01 with GL 5201170. Funding for this project is provided by ATD and General Fund and is in the FY2023-FY2027 CIP Budget.

SECTION 4. Payment not to exceed \$740,000.00 is authorized to be encumbered with a purchase order and made payable to Maestas Associates, LLC for on-call civil engineering services for the Infrastructure Management Program and Neighborhood Access Mobility Program. Payment is in support of the FY 2023 Street Maintenance Program (SMP) Project using WBS 23-04085-05-01 with GL 5201170 for \$560,000.00 and using WBS 23-04085-10-01 with GL 5201170 for \$180,000.00. Funding for this project is provided by ATD and General Fund and is in the FY2023-FY2027 CIP Budget.

SECTION 5. Payment not to exceed \$100,000.00 is authorized to be encumbered with a purchase order and made payable to RPS Infrastructure, Inc., for on-call civil engineering services for the Infrastructure Management Program and Neighborhood Access Mobility Program. Payment is in support of the ATD FY 2023 Sidewalks Project using WBS 23-4071-01-02-01 with GL

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5201170. Funding for this project is provided by ATD and General Fund and is in the FY2023-FY2027 CIP Budget.

SECTION 6. Payment not to exceed \$740,000.00 is authorized to be encumbered with a purchase order and made payable to RPS Infrastructure, Inc., for on-call civil engineering services for the Infrastructure Management Program and Neighborhood Access Mobility Program. Payment is in support of the FY 2023 Street Maintenance Program (SMP) Project using WBS 23-04085-05-01 with GL 5201170 for \$560,000.00 and using WBS 23-04085-10-01 with GL 5201170 for \$180,000.00. Funding for this project is provided by ATD and General Fund and is in the FY2023-FY2027 CIP Budget.

SECTION 7. Payment not to exceed \$100,000.00 is authorized to be encumbered with a purchase order and made payable to Gonzalez, Kypuros and White, Inc., for on-call civil engineering services for the Infrastructure Management Program and Neighborhood Access Mobility Program. Payment is in support of the ATD FY 2023 Sidewalks Project using WBS 23-4071-01-02-01 with GL 5201170. Funding for this project is provided by ATD and General Fund and is in the FY2023-FY2027 CIP Budget.

SECTION 8. Payment not to exceed \$740,000.00 is authorized to be encumbered with a purchase order and made payable to Gonzalez, Kypuros and White, Inc., for on-call civil engineering services for the Infrastructure Management Program and Neighborhood Access Mobility Program. Payment is in support of the FY 2023 Street Maintenance Program (SMP) Project using WBS 23-04085-05-01 with GL 5201170 for \$560,000.00 and using WBS 23-04085-10-01 with GL 5201170 for \$180,000.00. Funding for this project is provided by ATD and General Fund and is in the FY2023-FY2027 CIP Budget.

SECTION 9. Additional funding in the amount of \$1,900,000.00, for subsequent years is contingent upon City Council approval of subsequent budgets within the term length of this contract.

SECTION 10. 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 11. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 18th day of May, 2023.

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Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney