

**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 NINE (9) ON-CALL GEOTECHNICAL AND MATERIAL TESTING PROFESSIONAL SERVICE AGREEMENTS WITH ALPHA TESTING, ATLAS TECHNICAL CONSULTANTS, LLC (ATLAS), ECS SOUTHWEST, LLP (ECS), HVJ SOUTH CENTRAL TEXAS – M&J (HVJ), INC., INTEGRATED TESTING AND ENGINEERING COMPANY OF SAN ANTONIO, L.P. (INTEC), PROFESSIONAL SERVICE INDUSTRIES, INC. (PSI), RABA KISTNER, INC., TERRACON CONSULTANTS, INC. AND TTL, INC.; EACH AGREEMENT IS FOR A 3-YEAR TERM TO PROVIDE AS-NEEDED GEOTECHNICAL AND MATERIAL TESTING SERVICES DURING PLANNING, DESIGN, CONSTRUCTION AND MAINTENANCE PHASES WITH AN OPTION TO RENEW EACH AGREEMENT FOR UP TO TWO ADDITIONAL ONE-YEAR EXTENSIONS, AT THE CITY’S DISCRETION FOR AN AMOUNT NOT TO EXCEED ENTIRE ON-CALL PROGRAM SPENDING AUTHORIZATION OF \$16,875,000.00 INCLUDING INITIAL AND RENEWAL TERMS FOR ALL CONTRACTS. FUNDING FOR FY 2024 IS AVAILABLE FROM VARIOUS FUNDING SOURCES INCLUDING THE 2022 GENERAL OBLIGATION BOND FUNDS, GENERAL FUND, CERTIFICATES OF OBLIGATION, TAX NOTES AND NEIGHBORHOOD ACCESS AND MOBILITY PROGRAM FUNDS. FUNDING FOR FUTURE YEARS IS CONTINGENT UPON APPROVAL OF THE ANNUAL ADOPTED BUDGET.

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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, the Public Works Department (PWD) Transportation, Operations, and Construction Divisions oversee the planning, design, construction, and maintenance of City projects. Staff will utilize these on-call geotechnical and material testing services, as needed, to assess existing conditions for planning and design purposes and to monitor materials and installation during maintenance and construction phases. Services may also include inspection services; and

WHEREAS, a Request for Qualifications (RFQ) was released on February 27, 2023. Sixteen (16) responses were received by April 14, 2023. The responses were evaluated by a selection committee who evaluated and ranked the submissions. Scoring was based on the published evaluation criteria, including Evaluation of Experience, Background, Qualifications of the Firm, Key Personnel, and Key Sub-Consultants; Understanding of the Project and Proposed Management Plan; and

Experience in the San Antonio Region and Past Performance. After the evaluation process, the top 9 ranked firms were recommended for award; one firm out of top ranked firms was not recommended for award due to unsuccessful negotiations; and

WHEREAS, these agreements will be awarded in compliance with the Disadvantaged Business Enterprise (DBE) Program because these on-call services will be utilized, in part, on federally funded projects. The primary remedial goal and objective of the DBE program is to level the playing field by providing small businesses owned and controlled by socially and economically disadvantaged individuals a fair opportunity to compete for federally funded transportation contracts.. Arias, Alpha Testing, Atlas, ECS, HVJ, Intec, PSI, Raba Kistner, Inc., Terracon Consultants, Inc. and TTL, Inc. have committed to meeting the 8.5% DBE goal set by the Texas Department of Transportation (TxDOT); and

WHEREAS, requirements and associated work activities will be detailed in the individual task orders assigned. 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 nine (9) on-call Geotechnical and Material Testing professional service agreements with Alpha Testing, Atlas Technical Consultants, LLC (Atlas), ECS Southwest, LLP (ECS), HVJ South Central Texas – M&J (HVJ), Inc., Integrated Testing and Engineering Company of San Antonio, L.P. (Intec), Professional Service Industries, Inc. (PSI), Raba Kistner, Inc., Terracon Consultants, Inc. and TTL, Inc. Each agreement is for a 3-year term to provide as-needed geotechnical and material testing services during planning, design, construction and maintenance phases with an option to renew each agreement for up to two additional one-year extensions, at the City’s discretion for an amount not to exceed entire on-call program spending authorization of \$16,875,000.00 including initial and renewal terms for all contracts. Funding for FY 2024 is available from various funding sources including the 2022 General Obligation Bond Funds, General Fund, Certificates of Obligation, Tax Notes and Neighborhood Access and Mobility Program funds. Funding for future years is contingent upon approval of the annual adopted budget; **NOW THEREFORE:**

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

SECTION 1. A contract has been awarded to Alpha Testing, Atlas Technical Consultants, LLC (Atlas), ECS Southwest, LLP (ECS), HVJ South Central Texas – M&J (HVJ), Inc., Integrated Testing and Engineering Company of San Antonio, L.P. (Intec), Professional Service Industries, Inc. (PSI), Raba Kistner, Inc., Terracon Consultants, Inc. and TTL, Inc., for on-call professional service. Each contract is in an amount not to exceed \$1,125,000.00.

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

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with Operating, Grants, and/or Capital Budgets for current and future fiscal years.

SECTION 3. 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 4. 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, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney