

**COOPERATIVE AGREEMENT BETWEEN
THE CITY OF SAN ANTONIO, TEXAS, AND
THE SAN ANTONIO RIVER AUTHORITY
FOR SERVICES SUPPORTING
SUSTAINABLE LAND USE AND STORM
WATER PROGRAMS AND PRACTICES**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

**TASK ORDER NO. 16
Rehabilitation for Nueva Street Dam – Gate 5**

Scope of Work:

The Nueva Street Dam, also known as Gate 5, is composed of two gates, identified as the EAST GATE and WEST GATE. The EAST GATE has experienced a mechanical failure and will require complete replacement to be operational. Although the WEST GATE is currently operational, a full replacement is also proposed because of the age and condition. The EAST GATE and WEST GATE are both owned and operated by the City of San Antonio (CITY) and the CITY has requested a statement of work from the San Antonio River Authority (RIVER AUTHORITY) to perform a full rehabilitation for the EAST GATE and WEST GATE, identified concurrently as the PROJECT.

RIVER AUTHORITY shall provide engineering design and construction management for the PROJECT. This shall include the facilitation, procurement, contract negotiation and project management of the development of the preliminary engineering report, survey, hydraulic modeling, plans, specifications, permits, construction management, inspection, special inspection, and testing.

Responsibilities:

CITY:

1. Shall provide timely direction to the RIVER AUTHORITY for decisions requiring action by the CITY, relating to any changes to the PROJECT scope, budget, and schedule.
2. Shall provide RIVER AUTHORITY access to the project at all times for inspections, survey, and other activities related to the completion of the project, as necessary.
3. Shall identify City Director of Public Works or their designee as the contact for the PROJECT.
4. Shall participate in coordination meetings including Project team and internal coordination meetings as needed.
5. Shall reimburse the RIVER AUTHORITY for actual costs of the PROJECT, not to exceed \$4,400,000.

RIVER AUTHORITY:

1. Shall serve as Project Manager and Administrator of the PROJECT, which shall include coordination with the engineers, inspectors, contractors, permitting agencies, and procurement.
2. Shall be responsible and accountable to the CITY to ensure execution of the PROJECT within available funding.
3. Shall hold regular progress meetings and updates as requested.
4. Shall conduct public coordination and notifications, including outreach to area businesses, residents, and associations, and public meetings as needed.
5. Designee shall remain available throughout the PROJECT to attend meetings, if requested by CITY, as necessary.

Schedule:

The Project will be executed in fiscal year 2022. Design and construction for replacement of both gates will be executed. The projected durations for each phase are as follows:

- **Fiscal Year 2022**
 1. Design Services Procurement – 2 months
 2. Engineering Design– 6 months
 3. Bid and Construction – 9 months

Compensation:

The CITY hereby agrees to budget and commit a not-to-exceed amount of \$4,400,000 (FOUR MILLION FOUR HUNDRED THOUSAND DOLLARS AND 00/100) for the PROJECT. Allowable expenses from the CITY funding are consulting fees, testing, utility location services, testing, inspection, environmental assessments, real estate services, project management, and other expenditures which may be approved by the CITY. The authorized amount may be modified by mutual consent of the RIVER AUTHORITY and the CITY.

RIVER AUTHORITY will receive 6% (\$249,056 DOLLARS and 60/100) of the approved PROJECT budget of \$4,150,943.40 in consideration of its management responsibilities and this consideration will be used by the RIVER AUTHORITY to cover administrative and project management costs.

If the RIVER AUTHORITY is unable to contract for the work for the available funding amount, the RIVER AUTHORITY and the CITY shall work to amend the scope of work, extend the schedule of work, or authorize additional funding to complete the PROJECT. If the PROJECT cannot be completed with the funding available after coordination, the CITY and the RIVER AUTHORITY may elect to terminate this task order and neither party shall be obligated under this scope.

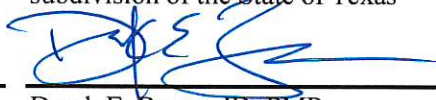
EXECUTED IN DUPLICATE ORIGINALS, EACH OF WHICH WILL HAVE THE FULL FORCE AND EFFECT OF AN ORIGINAL, the ____ day of October, 2021.

City of San Antonio:

RIVER AUTHORITY:

The City of San Antonio, a Texas Municipal Corporation

San Antonio River Authority, a political subdivision of the State of Texas



Razi Hosseini, P.E., R.P.L.S.
Director/City Engineer

Derek E. Boese, JD, PMP
General Manager

Approved as to Form:

Approved as to Form:



Andy Segovia
City Attorney

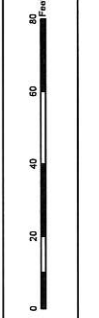
Allison Elder
Director of Legal Services

Exhibit A – Location Map



Disclaimer:
 This map was prepared by the engineer of record for the project. The engineer of record is not responsible for the accuracy of the information shown on this map. The engineer of record is not responsible for the accuracy of the information shown on this map. The engineer of record is not responsible for the accuracy of the information shown on this map. The engineer of record is not responsible for the accuracy of the information shown on this map.

Gate 5 (Nueva Street Dam) Repair Project
 Vicinity Map



Legend
 Project
 2' Contours
 100 Year Floodplain
 BCAD Parcels

San Antonio River Authority
 C220073

DATE: 7/20/2021