

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Engineering

AGENDA DATE: March 10, 2009

CONTACT PERSON/PHONE: R. Alan Shubert, P.E., City Engineer 541-4423

DISTRICT(S) AFFECTED: District 8

SUBJECT:

That the City Manager be authorized to sign the Second Amendment to the Agreement for Engineering Services by and between the **CITY OF EL PASO** and **WH PACIFIC, INC.**, for a project known as "STANTON TOLL FACILITY IMPROVEMENTS" for an amount not to exceed SEVENTY THOUSAND SIX HUNDRED FIFTY AND 08/100 DOLLARS (\$70,650.08) and thereby increasing the contract value from THREE HUNDRED EIGHTY THOUSAND SEVEN HUNDRED SIXTY ONE AND 00/100 DOLLARS (\$380,761.00) to FOUR HUNDRED FIFTY ONE THOUSAND FOUR HUNDRED ELEVEN AND 08/100 DOLLARS (\$451,411.08).

BACKGROUND / DISCUSSION:

The current amendment includes a bridge structure evaluation for placement of a bridge shade canopy to be directly supported by the bridge superstructure, reduction of floor areas, site plan revision and addition of parking spaces and revised landscaping to meet new landscape ordinance requirements.

PRIOR COUNCIL ACTION:

On February 7, 2006 City Council passed a resolution approving an architectural services agreement to improve the pedestrian and toll collection elements at the Stanton International Port of Entry in Downtown El Paso. City Council approved an amendment to the agreement May 29, 2007.

AMOUNT AND SOURCE OF FUNDING:

State Infrastructure Bank Loan

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: *Mike Re...*
(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____

DATE: _____

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign the Second Amendment to the Agreement for Engineering Services by and between the **CITY OF EL PASO** and **WH PACIFIC, INC.**, for a project known as **"STANTON TOLL FACILITY IMPROVEMENTS"** for an amount not to exceed **SEVENTY THOUSAND SIX HUNDRED FIFTY AND 08/100 DOLLARS (\$70,650.08)** and thereby increasing the contract value from **THREE HUNDRED EIGHTY THOUSAND SEVEN HUNDRED SIXTY ONE AND 00/100 DOLLARS (\$380,761.00)** to **FOUR HUNDRED FIFTY ONE THOUSAND FOUR HUNDRED ELEVEN AND 08/100 DOLLARS (\$451,411.08)**.

ADOPTED THIS _____ DAY OF _____ 2009.

CITY OF EL PASO:

John F. Cook, Mayor

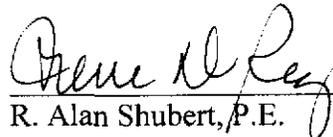
ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT


Mark Shoosmith
Assistant City Attorney


for R. Alan Shubert, P.E.
City Engineer

3. **Time of Completion.** The services shall be completed within the project schedule as set forth in Attachment A to this Amendment, following the Owner's written Notice to Proceed to the Architect.

4. **Terms and Conditions.** All terms and conditions of the Agreement and all subsequent amendments thereto, except as herein revised, shall remain in full force and effect.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

CITY OF EL PASO:

Joyce A. Wilson
City Manager

CONSULTANT:
WH Pacific Inc.



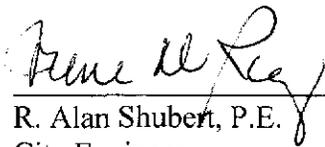
Morris Brown, MFA, AIA, Associate Vice-
President/Office Manager

APPROVED AS TO FORM:



Mark Shoesmith
Assistant City Attorney

APPROVED AS TO CONTENT:



R. Alan Shubert, P.E.
City Engineer

(Acknowledgement page to follow)

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2009,
by **Joyce Wilson**, as **City Manager** of the **City of El Paso, Texas**.

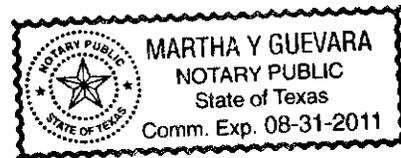
Notary Public, State of Texas

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 2nd day of MARCH, 2009
by **Morris Brown, MFA, AIA** as **Associate Vice-President** of **WH Pacific Inc.**

Martha Y. G.
Notary Public, State of Texas



PROJECT SCOPE

TITLE: Stanton Toll Facility Improvements.

LOCATION: Stanton International Bridge, 1009 S. Stanton Street, El Paso, Texas

GENERAL DESCRIPTION:

1. The consultant shall prepare a bridge structural evaluation to determine the impact of additional load caused by canopy structure on the bridge superstructures. The analysis will include beam and bents analysis and other structure elements that may be impacted by the additional load caused by canopy structure. Several possible physical solutions that would allow for construction of pedestrian canopy must be investigated, for example, by limiting maximum vehicular weight allowed to cross the bridges.
2. The consultant shall prepare construction documents to reflect reduction of floor areas by approximately 2,000 square feet, add additional parking by 25 spaces, and revise landscape area to meet new landscape ordinance.
3. Provide revision to the bridge canopy design.
4. Provide additional surveying services to complete the design documents.

1.0 SERVICES REQUIRED:

1.1 Investigation:

The consultant shall review and investigate the available construction plans for both bridges.

The consultant shall review and evaluate the existing structural analysis report.

All investigations that are deemed necessary by the Engineering Department in order to complete the design.

2.0 PRODUCTS REQUIRED:

2.1 The consultant shall submit a structural analysis report that contains evaluation of structural members that may be affected by additional canopy loads. The report should present methods, procedures, and computer programs used in the analysis. AASHTO guidelines and TxDOT design manuals must be followed.

2.2 The consultant shall submit possible solutions that would allow for construction of pedestrian canopy.

3.0 PROJECT SCHEDULE:

Pre-Final Phase
Final Phase

95 Calendar days
31 Calendar days

End -



January 26, 2009

Mr. Johannes S. Makahaube, P.E.
Engineering Division Manager
Engineering Department, 4th Floor
City of El Paso
2 Civic Center Plaza
El Paso, 79901-1196

Re: Stanton Street Toll Facility

Dear Mr. Makahaube:

In response to your call and subsequent e-mail, dated January 12, 2009, we have worked diligently at reducing our fee even further. In good faith, we have deleted our architectural fees for the extra work requested. We also agree to not charge the Contract approved mark-up of 5% on our consultants work.

The extra work provide is as follows;

1. Placing the bridge canopy directly on the bridge structure instead of on independent piers.
2. Structural engineer consultant is to check the load posting for this bridge in anticipation of attaching the new canopy design directly to the bridge.
3. Redesign the canopy that is directly on the bridge structure to resemble that designed and installed on the Laredo Bridge per photographs provided by the City of El Paso.
4. Extend the bridge canopy from where it is defined to terminate in our contract to the center line of the bridge.
5. Retain the design and the Teflon coated fabric for the shade structures in the plaza area up to the point where the bridge starts climbing.
6. Reduce the Toll facility area by about 2,000 square feet as defined in first floor and second floor sketches that were provided to our office by you on November 17, 2008. With this reduction, we are to reduce the police office space to one office of about 200 square feet.
7. Provide 25± additional parking spaces to the area where the portion of the building noted above will be removed and allow only one parking space for police use.
8. The landscape architect is to determine any cost savings that may improve the budget in their area of design, such as replacing ceramic tile in the sunburst at the ticket sales area with concrete, etc.
9. Provide landscaping to meet the new landscape ordinance.
10. Renovate existing vehicle canopy over vehicle toll booths to be compatible in design with the fabric covered canopies in the plaza.

We were directed that the budget has increased and has been adjusted to the amount of **\$4,500,000**.

ATTACHMENT B

January 26, 2009
Letter to Johannes Makahaube, City of El Paso
Page 2 of 4



1. The federal government owned land we had previously been directed to use for parking for the police department was determined to be unavailable and WHPacific will re design the parking area to meet the new site conditions.

Architectural	-0-	
Civil	\$3,500.00	
	\$3,500.00

2. Adjust the first and second floor plan to include architectural, mechanical, plumbing, electrical and structural changes as shown in the sketches noted above.

Architectural	-0-	
Structural	-0-	
Mechanical	\$6,000.00	
Electrical	\$2,000.00	
	\$8,000.00

3. Change the design of the bridge shading cover to something similar to that used on the bridge cover in the Laredo, Texas International Bridge. We cannot legally copy this design, but agree to design this structure using a form that will harmonize with our own structure.

Architectural	-0-	
Structural	\$13,185.42	
Mechanical	-0-	
Electrical	-0-	
	\$13,185.42

4. Add surveying, to that from our previous work, to cover the north side of 8th Street to the property lines and into the intersections of Mesa and Stanton Streets to the opposite side of those streets. To survey the walking path of the bridge from the base to the center line of the international boundary to locate all existing features. WHPacific is not responsible for any other surveys other than that previously contracted and that noted above. It is our understanding that the City of El Paso will prepare all necessary documents and provide all coordination that will be required by the City to obtain the use of this site for construction, ie, any special permits, applications, zoning processing, City Council and City Plan Commission approval as required.

Surveying	\$ 3,100.00	
	\$3,100.00

5. The landscape architect is to determine any cost savings that may improve the budget in their area of design, such as replacing ceramic tile in the sunburst at the ticket sales area with

January 26, 2009
Letter to Johannes Makahaube, City of El Paso
Page 3 of 4

WHPacific

concrete, etc. Landscape Architect is to also design the new landscaping where parking is to be redesigned as noted above. They are also required to verify that this project meets the current landscape ordinance.

Landscape \$3,140.00
.....\$3,140.00

- 6. Renovate the existing vehicle toll booth canopy to reflect the design of the fabric covered canopies in the plaza.

Architectural -0-
Structural design \$ 12,049.25
Structural Constr. Admin. \$ 1,527.83
Mechanical -0-
Electrical \$ 3,708.00
.....\$17,285.08

- 7. Structural engineer consultant to review the bridge structure and analyze this structure's ability to support the new shade canopy

.....\$22,440.00

With this agreement, we request that Section II, Paragraph #6 of our contract be approved by the City of El Paso agrees that WHPacific will not be required to provide the City any more renderings other than those colored line drawings provided for this work to this point. What is seen in those drawings will not change with the adjustments noted above.

Since this project and all invoicing was stopped by the City, WHPacific has been sitting on an unpaid labor bill of about \$28,000. We request that we be allowed to invoice for work completed.

Please see attached breakdown of our design and construction fees on the next page.

Sincerely yours,

WHPacific



Morris Brown, MFA, AIA
Operations Manager

January 26, 2009
Letter to Johannes Makahaube, City of El Paso
Page 4 of 4



Original Design Fee:	\$257,826.00
Additional Service Modification to our Contract (05/29/07)	<u>\$122,935.00</u>
Total Fee	\$380,761.00

Total Amount Paid to Date:	<u>\$135,419.00</u>
Remaining in Contract:	\$ 245,342.00

Proposed New Services

Site Re-Design	\$ 3,500.00	
Building Re-design	\$ 8,000.00	
Bridge Re-design	\$13,185.42	
Survey	\$ 3,100.00	
Landscape	\$ 3,140.00	
Toll Canopy Replacement	\$17,285.08	
Bridge Study	\$22,440.00	
Total:		\$70,650.08

TOTAL PROPOSED PROFESSIONAL SERVICES CONTRACT AMOUNT \$451,411.08

Approved by

Johannes Makahaube
1/28/09