

AGENDA



Thursday, February 28, 2008

Public Works**Item No. 35****RECOMMENDATION FOR COUNCIL ACTION**

Subject: Authorize negotiation and execution of a professional services agreement with the following two firms: TERRACON CONSULTANTS, INC., Austin, TX and RABA-KISTER-BRYTEST CONSULTANTS, INC., Austin, TX for the Asbestos and Lead Based Paint Consultant Services Rotation List 2008 – 2011, for a period of approximately three years or until financial authorization is expended, each agreement in an amount not to exceed \$175,000, with the total amount of the two agreements not to exceed \$350,000.

Amount and Source of Funding: Funding is available in the Fiscal Year 2007-2008 Capital Budgets of the various departments for which services are needed.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Darryl Haba 974-7205, Rosie Truelove 974-3064, Robin Field 974-7064

Purchasing Language: Best qualification statement of four received.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 3.58% MBE and 3.42% WBE subconsultant participation.

The City of Austin, in its efforts to comply with existing Texas Environmental Lead Reduction Rules, United States Department of Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing and applicable Occupational Safety and Health Administration (OSHA) regulations, is establishing the means to control and minimize public exposure to lead by regulating lead based paint activities in city-owned target housing, child-occupied facilities and other associated facilities. To comply with existing regulations on a timely basis, the City requires the services of qualified firms that engage in asbestos and/or lead-related activities including but not limited to inspection, damage assessment, risk assessment, design of abatement plans and specifications, on-site air monitoring, on-site project management of lead based paint remediation and operations and maintenance (O&M), and the ability to respond to emergency notifications.

The City has also adopted an Asbestos Control Policy that in part states that "... no City employee shall undertake any work that may disturb asbestos-containing material unless specifically required, trained, and equipped to do so. This includes all repair, remodeling, renovation, demolition, additions and/or O&M for any City-owned facility." To comply with this policy on a timely basis, the City requires the services of firms and/or persons that engage in asbestos related activities including but not limited to inspection, damage assessment, design of abatement plans and specifications, on-site air monitoring and analysis, on-site project management of asbestos abatement and O & M operations, and the ability to respond to emergency notifications.

The City anticipates developing and executing a professional services agreement with each of the selected firms, and making initial project assignments based on the firm's final ranking as determined during the RFQ evaluation (highest to lowest); the maximum cumulative contracted amount in comparison to the estimated task budget for that firm, and the firm's qualifications and availability of expertise at time of project need. The agreement(s) shall be in effect for a period of three years or until financial

authorization is expended. The total dollar amount will not exceed \$350,000, with an estimated amount of \$175,000 for each of the two firms. Actual amounts ultimately going to each firm may be higher or lower than the estimated amounts listed above due to variations in project scopes and magnitude.

If the City is unsuccessful in negotiating a satisfactory agreement with one of the recommended firms, or if a selected firm ceases practice during the contract period, or if the City elects to terminate its agreement with one of the selected firms, the remaining assignments will be distributed to the remaining recommended firm.

Participation goals stated in the solicitation were 3.58% Minority Business Enterprise (MBE) and 3.42% Women-owned Business Enterprise (WBE). The recommended firms provided MBE/WBE Compliance Plans that met the goals of the solicitation and were approved by the Department of Small and Minority Business Resources.