

Memorandum



CITY OF DALLAS

DATE: May 7, 2008

TO: Members of the Quality of Life Committee:
Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair; Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT: **Agenda Item No. 49 (Council District Nos. 1 & 4) – Dallas Zoo – Authorize Supplemental Agreement No. 2 to the professional Services contract with HBC/Terracon for additional project management services for the stormwater quality improvements at the Dallas Zoo located at 650 South R.L. Thornton Freeway – \$39,160, from \$145,700 to \$184,860 – Financing: 2005 Certificates of Obligation**
May 14, 2008 City Council Agenda

BACKGROUND

The original professional services contract with HBC/Terracon approved by Council on October 13, 2004, by Resolution No. 04-2906 for project management for the stormwater quality improvements implementation at the Dallas Zoo located at 650 South R.L. Thornton Freeway, in an amount not to exceed \$96,500.

Supplemental Agreement No. 1, approved by Council on December 13, 2006, by Resolution No. 06-3361, for project management services for the stormwater quality improvements, Phase III, in an amount not to exceed \$49,200, making a revised contract amount of \$145,700.

Supplemental Agreement No. 2, authorizes the additional project management services for the stormwater quality improvements, Phase III at the Dallas Zoo, in an amount not to exceed \$39,160, making a revised contract amount of \$184,860.

ESTIMATED SCHEDULE OF PROJECT

Begin Project Management Services	June 2008
Complete Project Management Services	January 2010

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May 7, 2008

**Dallas Zoo – Authorize Supplemental Agreement No. 2 to the professional services contract with HBC/Terracon for additional project management services for the stormwater quality improvements
May 14, 2008 City Council Agenda**

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the professional services contract on September 16, 2004.

City Council authorized the professional services contract on October 13, 2004 by Resolution No. 04-2906.

The Park and Recreation Board authorized Supplemental Agreement No. 1 on November 2, 2006.

City Council authorized Supplemental Agreement No. 1 on December 13, 2006 by Resolution No. 06-3361.

The Park and Recreation Board authorized Supplemental Agreement No. 2 on April 17, 2008.

FISCAL INFORMATION

2005 Certificates of Obligation - \$39,160

Original Contract	\$96,500
Supplemental Agreement No. 1	\$49,200
Supplemental Agreement No. 2 (this action)	<u>\$39,160</u>
	\$184,860

<u>Council District</u>	<u>Amount</u>
1	\$19,580
4	\$19,580

ETHNIC COMPOSITION

HBC/Terracon

White Male	62	White Female	14
Black Male	6	Black Female	1
Hispanic Male	13	Hispanic Female	5
Other Male	5	Other Female	2

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May 7, 2008

**Dallas Zoo – Authorize Supplemental Agreement No. 2 to the professional services contract with HBC/Terracon for additional project management services for the stormwater quality improvements
May 14, 2008 City Council Agenda**

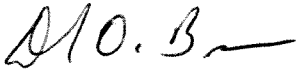
OWNERS

HBC/Terracon

David R. Gaboury, President
Dennis E. Whited, Vice President
Roger R. Herting, Secretary
Douglas D. Loveridge, Treasurer

RECOMMENDATION

Staff recommends approval of this item. Please contact me at 670-3390 if you have any questions.



David O. Brown
Interim Assistant City Manager

- c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, City Attorney
Craig Kinton, City Auditor
Judge Jay Robinson, Judiciary
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Ramon Miguez, P.E., Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Interim Director, Office of Financial Services
David Cook, Chief Financial Officer
Paul D. Dyer, Director, Park and Recreation Department
Chandra Marshall-Henson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

DATE: May 7, 2008

TO: Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair; Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT: **Agenda Item No. 50 (Council District No. 1) – Kidd Springs Recreation Center – Authorize Supplemental Agreement No. 3 to the professional services contract with Group One/VAI Architects, L.L.P. for a structural evaluation of the roof, design revisions to the heating, ventilation and air conditioning system documents, and additional construction administration services at Kidd Springs Recreation Center located at 700 West Canty Street - \$10,500, from \$43,690 to \$54,190 – Financing: 2003 Bond Funds
May 14, 2008 City Council Agenda**

BACKGROUND

The original professional services contract with Group One/VAI Architects, L.L.P., approved by Council on February 23, 2005, by Resolution No. 05-0645 for improvements at Kidd Springs Recreation Center. The scope of work consisted of schematic design, construction documents, bidding and construction administration services for Americans with Disabilities Act (ADA) modifications to two rest rooms and improvements to the gymnasium including an athletic wooden floor system, upgrading lighting, modifying the electrical outlets and replacing two exit doors and the power operated folding partition, in an amount not to exceed \$32,320.

Supplemental Agreement No. 1, approved by Administrative Action No. 06-3027 on October 26, 2006 for design and construction administration services for the replacement of the existing HVAC system for the gymnasium, in an amount not to exceed \$8,070, making a revised contract amount of \$40,390.

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May 7, 2008

**Kidd Springs Recreation Center – Authorize Supplemental Agreement No. 3
to the professional services contract with Group One/VAI Architects
May 14, 2008 City Council Agenda**

BACKGROUND (Continued)

Supplemental Agreement No. 2, approved by Administrative Action No. 07-1217 on July 19, 2007 for design and construction administration services for the removal of old concrete slab for existing HVAC equipment, design two new concrete slabs and relocation of the electrical service for new HVAC equipment, in an amount not to exceed \$3,300, making a revised contract amount of \$43,690.

Supplemental Agreement No. 3, authorizes for a structural evaluation of the roof; design revisions to the heating, ventilation and air conditioning (HVAC) system documents, and additional construction administration services at Kidd Springs Recreation Center, in an amount not to exceed \$10,500, making a revised contract amount of \$54,190. This design work is required to modify the HVAC equipment to be placed on the roof of the gymnasium rather than be at the ground level.

ESTIMATED SCHEDULE OF PROJECT

Begin structural evaluation and design	June 2008
Complete structural evaluation and design	July 2008
Begin Construction	October 2008
Complete Construction	December 2008

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the professional services contract on February 3, 2005.

City Council authorized the professional services contract on February 23, 2005, by Resolution No. 05-0645.

The Park and Recreation Board authorized Supplemental Agreement No. 3 on April 17, 2008.

FISCAL INFORMATION

2003 Bond Funds - \$10,500

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May 7, 2008

**Kidd Springs Recreation Center – Authorize Supplemental Agreement No. 3
to the professional services contract with Group One/VAI Architects**

May 14, 2008 City Council Agenda

FISCAL INFORMATION (Continued)

Original Contract	\$32,320
Supplemental Agreement No. 1	\$ 8,070
Supplemental Agreement No. 2	\$ 3,300
Supplemental Agreement No. 3 (this action)	<u>\$10,500</u>
	\$54,190

ETHNIC COMPOSITION - Group One/VAI Architects, L.L.P.

White Male	8	White Female	5
Black Male	0	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	1	Other Female	1

OWNERS - Group One/VAI Architects, L.L.P.

Valentine Okammor
Donald Gardner
William Vidaud

RECOMMENDATION

Staff recommends approval of this item. Please contact me at 670-3390 if you have any questions.



David O. Brown
Interim Assistant City Manager

- c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, City Attorney
Craig Kinton, City Auditor
Judge Jay Robinson, Judiciary
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Ramon Miguez, P.E., Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Interim Director, Office of Financial Services
David Cook, Chief Financial Officer
Paul D. Dyer, Director, Park and Recreation Department
Chandra Marshall-Henson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

Date May 9, 2008

To Honorable Members of the Quality of Life Committee: Pauline Medrano, Chair
Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane,
David A. Neumann, Steve Salazar

Subject Agenda Item No. 33 - Council District: 2
Authorize an amendment to the lease agreement with the County of Dallas for
an additional area of approximately 270 square feet of space and improvements
for a total of approximately 10,854 square feet of office space in the Dallas
County Health and Human Services building located at 2377 North Stemmons
Freeway, to be used as a Women, Infants, and Children Clinic, office and
training center
May 14, 2008 City Council Agenda

BACKGROUND

This item authorizes an amendment to the lease agreement with the County of Dallas to expand the current lease space by approximately 270 square feet, for a total of approximately 10,854 square feet of office space. The amendment also provides for the County of Dallas to make certain leasehold improvements at its sole cost and expense to the expansion space and to make certain additional leasehold improvements, repairs and refurbishments at its sole cost and expense to the lease premises.

The WIC program is a USDA program administered in Texas by the Department of State Health Services. The countywide program has been administered by the City of Dallas' Environmental and Health Services Department since 1974. The WIC program provides vouchers for nutritious food, nutrition education, breastfeeding promotion and support, referrals to health services, and immunization. The program serves infants and children under age 5, and pregnant, postpartum and breastfeeding women.

The City of Dallas WIC program operates a regional WIC Training Center in this location. The center provides training not only to Dallas WIC staff, but also includes training for other local public agencies.

The training center includes a distance-based learning environment, computer laboratory, classrooms and conference rooms.

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May 9, 2008

Agenda Item No. 33 - Council District: 2

Authorize an amendment to the lease agreement with the County of Dallas for an additional area of approximately 270 square feet of space and improvements for a total of approximately 10,854 square feet of office space in the Dallas County Health and Human Services building located at 2377 North Stemmons Freeway, to be used as a Women, Infants, and Children Clinic, office and training center

May 14, 2008

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized an extension to the lease agreement with the County of Dallas for office space in the Dallas County Health and Human Services building on September 13, 2006, by Resolution No. 06-2482.

Authorized a renewal to the lease agreement with the County of Dallas for office space in the Dallas County Health and Human Services building on August 22, 2001, by Resolution No. 01-2393.

Authorized a lease agreement with the County of Dallas for office space in the Dallas County Health and Human Services building on June 26, 1996, by Resolution No. 96-2181.

FISCAL INFORMATION

\$458,741.54 -Texas Department of State Health Services Grant Funds (subject to annual appropriations)

MAPS

Attached



for David O. Brown
Interim Assistant City Manager

Page 3

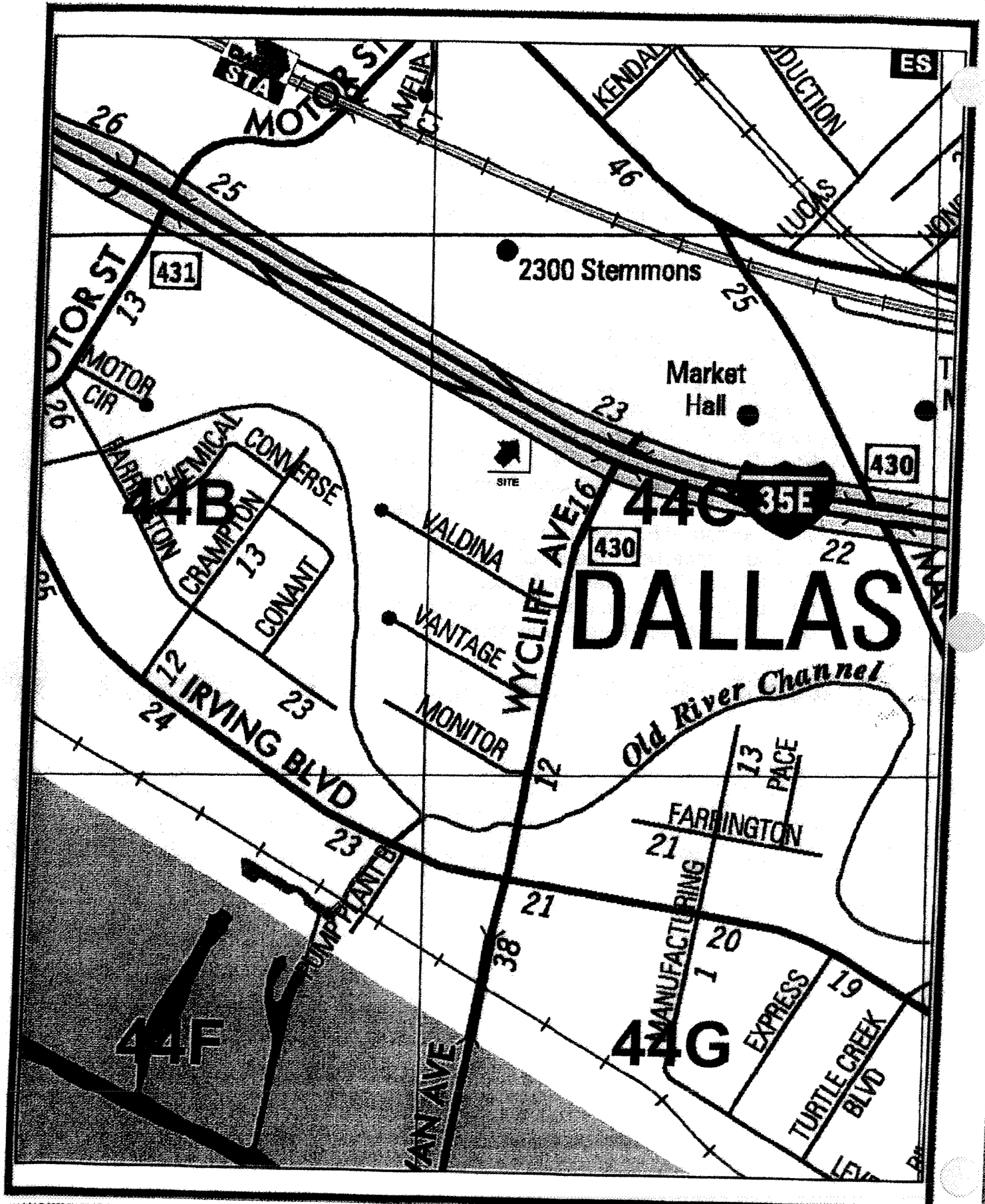
May 9, 2008

Agenda Item No. 33 - Council District: 2

Authorize an amendment to the lease agreement with the County of Dallas for an additional area of approximately 270 square feet of space and improvements for a total of approximately 10,854 square feet of office space in the Dallas County Health and Human Services building located at 2377 North Stemmons Freeway, to be used as a Women, Infants, and Children Clinic, office and training center

May 14, 2008

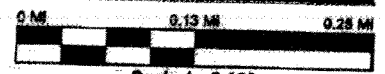
cc: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, Jr., City Attorney
Craig Kinton, City Auditor
Judge Jay Robinson, Judiciary
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Ramon Miguez, P.E., Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Interim Director, Office of Financial Services
David Cook, Chief Financial Officer
Paul D. Dyer, Director, Park and Recreation Department
Chandra Marshall-Henson, Assistant to the City Manager



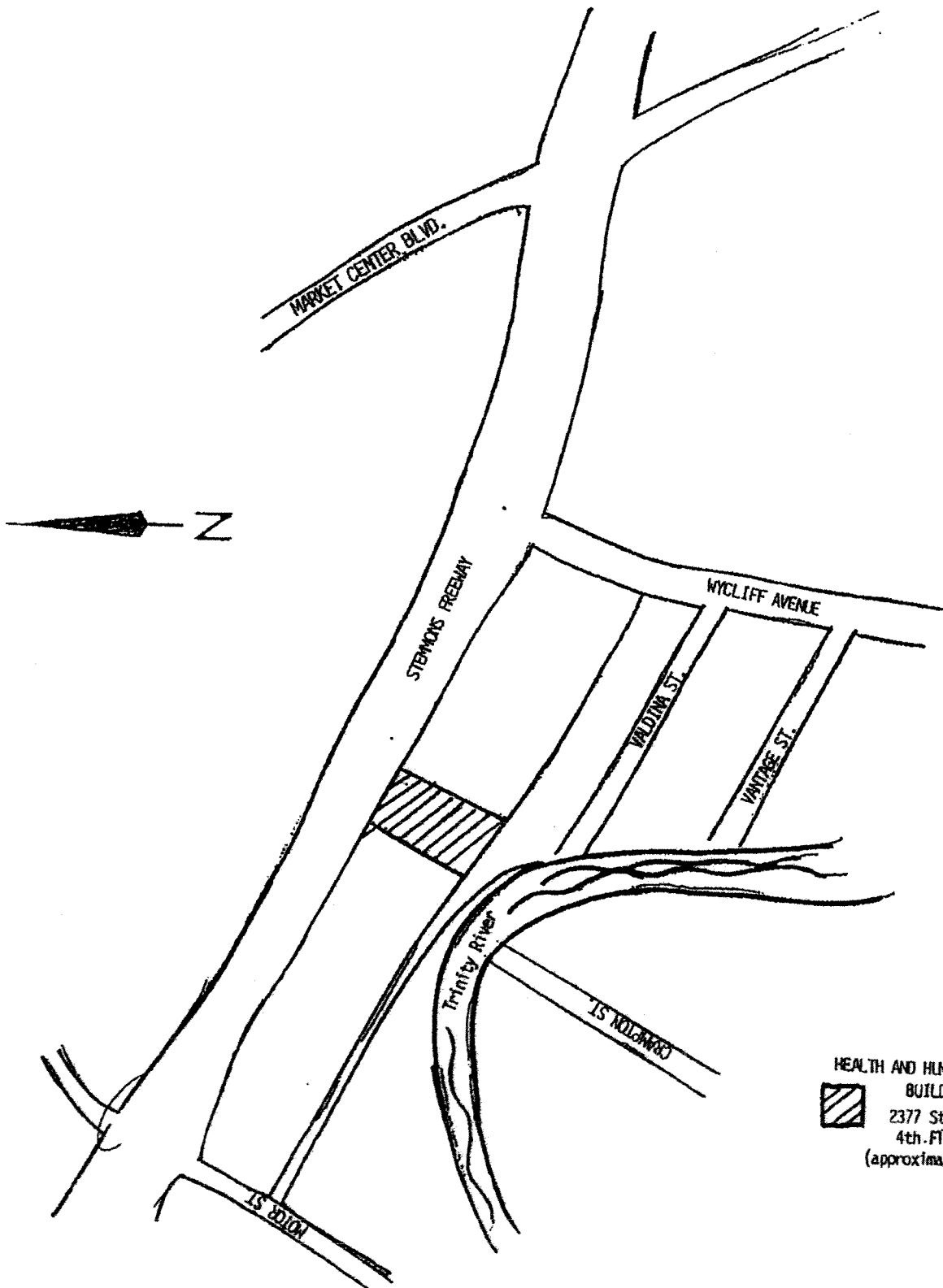
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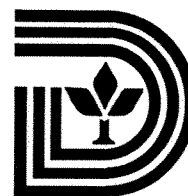


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HEALTH AND HUMAN SERVICES
BUILDING NORTH
2377 Stemmons Freeway
4th Floor
(approximately 10,584 s. f.)

Memorandum



CITY OF DALLAS

DATE May 9, 2008

TO Quality of Life Committee:
Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis, Angela Hunt,
Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT Council Agenda May 14, 2008 – Agenda Item #5

SUBJECT

Authorize a twenty-four-month master agreement for animal food for Code Compliance - Hill's Pet Nutrition Sales, Inc., lowest responsible bidder of two - Not to exceed \$161,390 - Financing: Current Funds

BACKGROUND

This master agreement will allow for the purchase of food for animals in the care of Dallas' animal shelter and provide "hand-out" food with each adoption.

Hill's Pet Nutrition Sales, Inc. will provide in-shelter food at a nominal charge to offset shipping charges in exchange for exclusive advertising rights at the shelter. Hand-out food will be provided at no charge. In turn, the City will:

- feed exclusively the chosen supplier's product to animals being cared for by the shelter
- distribute hand-out food and literature (coupon, etc.) with each cat and dog adoption
- prominently display the supplier's products exclusively in the reception and adoption areas
- not promote, display, distribute or endorse any food product other than the product supplied by Hill's Pet Nutrition Sales, Inc.

Dallas Animal Services impounds thousands of animals each year from animals running at large, confiscated animals and owners surrendering their pets to the Shelter. Fiscal year (FY) 2006-2007 saw nearly 35,000 animals impounded. Release of animals, whether by adoption, redemption, rescue placement or wildlife release, is up from approximately 15% in FY 2006-2007 to approximately 19% in the first half of this fiscal year.

This procurement was competitively bid in FY 2004-2005 and awarded in an amount not requiring City Council approval. The successful bidder was Hill's Pet Nutrition Sales, Inc. with a nominal charge to cover shipping for shelter food and free hand-out food. The City was bound by similar requirements as stated in this contract.

This bid has a 40% increase over the bid awarded in 2005. If purchased wholesale, the cost for the same quantity and quality of product would be approximately \$464,410.00.

BACKGROUND (Continued)

As part of the bid process, 17 vendor notices were sent electronically by the City's web based procurement system. In an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, and two advocacy groups (i.e. DFW Minority Business Council and Women's Business Council – Southwest).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$161,389.66 - Current Funds

M/WBE INFORMATION

- 1 - Vendor contacted
- 0 - No response
- 1 - Response (Bid)
- 0 - Response (No bid)
- 0 - Successful

17 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Good Faith Effort Plan adopted by Council Resolution #84-3501 as amended.

ETHNIC COMPOSITION

Hill's Pet Nutrition Sales, Inc.

Hispanic Female	0	Hispanic Male	0
Black Female	17	Black Male	8
Other Female	3	Other Male	4
White Female	131	White Male	100

BID INFORMATION

The following bids were received from solicitation number BL0820 and were opened on March 5, 2008. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

BID INFORMATION (Continued)

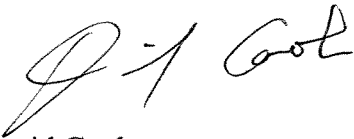
*Denotes successful bidder

<u>Bidder</u>	<u>Address</u>	<u>Amount of Bid</u>
*Hill's Pet Nutrition Sales, Inc.	400 SW 8th Street Topeka, KS 66601	\$161,389.66
DC Lovelace, Inc. dba Platinum Pet	126 Natches Trace Coppell, TX 75019	\$511,934.19

OWNER

Hill's Pet Nutrition Sales, Inc.

Neil Thompson, President
Stuart D. Burkhead, Vice-President



David Cook
Chief Financial Officer

- c: Mary K. Suhm, City Manager
- Deborah Watkins, City Secretary
- Thomas Perkins, Jr., City Attorney
- Craig Kinton, City Auditor
- Judge Jay Robinson, Judiciary
- Ryan S. Evans, First Assistant City Manager
- Jill A. Jordan, P.E., Assistant City Manger
- A.C. Gonzalez, Assistant City Manager
- David O. Brown, Interim Assistant City Manager
- Chandra Marshall-Henson, Assistant to the City Manger
- Ade Williams, Director, Business Development and Procurement Services

Memorandum



CITY OF DALLAS

DATE May 9, 2008

TO Members of Quality of Life Committee: Pauline Medrano, Chair; Vonciel Jones Hill, Vice Chair; Carolyn R. Davis; Angela Hunt; Sheffie Kadane; David A. Neumann; Steve Salazar

SUBJECT Animal Services and Adoption Center
May 14, 2008 Council Meeting – Agenda Item 57

The new Dallas Animal Services and Adoption Center began public operations on November 28, 2007. The General Contractor is currently addressing “punch list” work identified by the architect, which is required for final completion.

Authorization of an increase to the scope of the construction contract through this change order is necessary to complete modifications due to variances in field conditions with the construction documents, including steel framing revisions required to accommodate weight changes in rooftop HVAC equipment and installation of a sump pump to alleviate an unanticipated ground water condition at the reclaimed water storage tank; modifications required by building code and State regulatory agencies include addition of full-height stainless steel wall panels at every kennel in the Quarantine and Protective Custody holding areas; and modifications required by Animal Services staff for daily operational needs, including relocation of surgery lights, door hardware revisions, addition of wire glass at clinic doors, addition of convenience outlets for small equipment needs, and relocation of phone and data outlets.

Please let me know if you need additional information.



Ramon F. Míguez, P.E.
Assistant City Manager

c: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney
Deborah Watkins, City Secretary
Craig Kinton, City Auditor
Judge Jay Robinson, Judiciary
Ryan S. Evans, First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
A.C. González, Assistant City Manager
David O. Brown, Interim Assistant City Manager
David Cook, Chief Financial Officer
Jeanne Chipperfield, Interim Director, Office of Financial Services
Edward Scott, Interim Director, Office of Financial Services
Chandra Marshall-Henson, Assistant to the City Manager, Mayor and Council Office
Rick Galcerán, P.E., Director, Public Works and Transportation
Forest Turner, Interim Director, Code Compliance

Memorandum



CITY OF DALLAS

DATE: May 7, 2008

TO: Members of the Quality of Life Committee:
Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair; Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT: **Agenda Item No. 46 (Council District No. 5) – Twin Falls Park -
– Authorize a contract for the construction of gabion retaining wall at Twin Falls Park located at 6300 South Polk Street – Erosion and Retaining Wall Structures, Inc., lowest responsible bidder of five – Not to exceed \$247,870 – Financing: 2006 Bond Funds
May 14, 2008 City Council Agenda**

BACKGROUND

On February 28, 2008, five bids were received for the construction of gabion retaining walls at Twin Falls Park located at 6300 South Polk Street. This item authorizes award of the construction contract to Erosion and Retaining Wall Structures, Inc. for Base Bid and Alternate No. 1, with a bid of \$247,869.50.

Erosion and Retaining Wall Structures, Inc. has had no contractual activities with the City of Dallas for the past three years.

ESTIMATED SCHEDULE OF PROJECT

Began Design	November 2006
Completed Design	April 2007
Begin Construction	May 2008
Complete Construction	September 2008

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the advertisement for bids on June 21, 2007.

The Park and Recreation Board authorized award of the contract on April 17, 2008.

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May 7, 2008

Twin Falls Park – Authorize a contract for the construction of gabion retaining wall at Twin Falls Park located at 6300 South Polk Street

May 14, 2008 City Council Agenda

FISCAL INFORMATION

2006 Bond Funds - \$247,869.50

ETHNIC COMPOSITION

Erosion and Retaining Wall Structures, Inc.

White Male	5	White Female	1
Black Male	1	Black Female	0
Hispanic Male	37	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following five bids with quotes were received and opened on February 28, 2008:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alter. No. 1**</u>	<u>Total Bid</u>
*Erosion & Retaining Wall Structures, Inc. (2126 Hamilton, Argyle, TX)	\$139,111.80	\$108,757.70	\$247,869.50
Ark Contracting Services, Inc.	\$168,175.00	\$83,430.00	\$251,605.00
Craig Olden, Inc.	\$185,950.00	\$83,750.00	\$269,700.00
2L Construction, LLC	\$274,044.00	\$127,296.00	\$401,340.00
Hydromulch Services, Inc.	\$252,308.72	\$203,470.95	\$455,779.67

**Alternate No. 1- provides for additional gabion retaining walls.

OWNERS

Erosion and Retaining Wall Structures, Inc.

James E. Fee, President

James A. Fee, Vice President/Treasurer

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May 7, 2008

Twin Falls Park – Authorize a contract for the construction of gabion retaining wall at Twin Falls Park located at 6300 South Polk Street

May 14, 2008 City Council Agenda

RECOMMENDATION

Staff recommends approval of this item. Please contact me at 670-3390 if you have any questions.



David O. Brown

Interim Assistant City Manager

- c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, City Attorney
Craig Kinton, City Auditor
Judge Jay Robinson, Judiciary
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Ramon Miguez, P.E., Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Interim Director, Office of Financial Services
David Cook, Chief Financial Officer
Paul D. Dyer, Director, Park and Recreation Department
Chandra Marshall-Henson, Assistant to the City Manager

MEMORANDUM



CITY OF DALLAS

DATE: May 8, 2008

TO: Members of the Quality of Life and Government Services Committee:
Pauline Medrano, Chair; Vonciel Jones Hill, Vice Chair;
Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann,
Steve Salazar

SUBJECT: Agenda Item No. 59 (Council District No. 6) - Authorize a public hearing to be held on June 11, 2008 to receive comments on the proposed use of a portion of Trinity Park for the installation of a new 345 kV power transmission line – Financing: No cost consideration to the City – May 14, 2008 City Council Agenda

BACKGROUND

Oncor is planning a new 345 kV power transmission line connecting the Norwood Switching Station, located in Irving, with the West Levee Switching Station, located on Beckley Avenue in Dallas. The West Levee Switching Station serves the electrical demands for the Central Business District and surrounding areas. Currently, an existing 345 kV transmission line serves the West Levee Switching Station, and to ensure continued safe and reliable electricity and to accommodate for future growth in the project area, an additional 345 kV transmission line is needed. The project is currently planned for completion in 2009.

Since major public and private investment is planned for the Trinity River Corridor that will result in this area becoming an extension of, and connecting to, the existing Central Business District, City Staff worked closely with Oncor over a period of several years to determine a preferred route for the new transmission line. On March 3, 2004, the City Council approved a locally preferred route for the proposed Norwood to West Levee transmission line to avoid routes along the river levees that would conflict with planned high density development along the levees, along Canada Drive and in the vicinity of the future Woodall Rodgers Signature Bridge. The proposed route would also accommodate future consolidation of existing transmission lines currently along the East Levee, thereby reducing the cost of relocating lines that would be in conflict with planned development. This action was included in Oncor's submission of the application for a Certificate of Convenience and Necessity (CNN) to the Public Utility Commission in March 2006.

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May 8, 2008

Authorize a public hearing to be held on June 11, 2008 to receive comments on the proposed use of a portion of Trinity Park for the installation of a new 345 kV power transmission line – Financing: No cost consideration to the City

May 14, 2008 City Council Agenda

BACKGROUND (Continued)

In June 2007, the Public Utility Commission of Texas (PUCT) approved the West Levee Norwood transmission line along the City Council's locally preferred route using:

- Aerial structures along the median of Irving Boulevard, from approximately Regal Row to Sylvan Avenue;
- Aerial structures across the Trinity River east on the downstream side of the Sylvan Bridge to near the West Levee and Canada Drive; and
- Underground along the West Levee of the Trinity River (below Canada Drive) from near the Sylvan Bridge to the West Levee Switching Station.

The route was deemed best because it:

- Avoids routing of the new transmission line along the levees of the Trinity River;
- Provides for underground installation of the segment from the West Levee switching station to near Sylvan Avenue below Canada Drive; and
- Creates the opportunity to consolidate the existing 138 kV transmission lines along the East Levee from Sylvan Avenue with the new transmission line along Irving Boulevard.

The PUCT approved route calls for a portion of the new line to be constructed on City property parallel to and approximately 130 feet east of the centerline of the proposed Sylvan Avenue Bridge between the Trinity River Levee system. The route also crosses City property at a second location West of Regal Row and North of Irving Boulevard. In order for the transmission line to cross the Trinity River on aerial structures in these two locations, Oncor has submitted a request for easements from the City of Dallas.

Oncor will provide a survey for both requested easements and will pay the City of Dallas the fair market value of the easements, in accordance with State Law.

In compliance with the Law, Oncor in cooperation with the City of Dallas has determined that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of park services.

Page 3

May 8, 2008

Authorize a public hearing to be held on June 11, 2008 to receive comments on the proposed use of a portion of Trinity Park for the installation of a new 345 kV power transmission line – Financing: No cost consideration to the City – May 14, 2008 City Council Agenda – Item #59

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of park land.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 3, 2004, City Council approved the locally preferred route for the West Levee Norwood transmission line by Resolution No. 04-0855.

On April 14, 2004, City Council authorized a Memorandum of Understanding between the City and Oncor by Resolution No. 04-1251.

On May 23, 2007, City Council authorized an agreement with Oncor permitting the escrow of \$4.5 M in City funds to pay for the City's 25% share of the incremental cost to place a portion of the West Norwood transmission line underground by Resolution No. 07-1589.

Briefed the Trinity River Corridor Project Committee on March 4, 2008.

Briefed the Trinity River Corridor Project Committee on April 22, 2008.

On April 17, 2008, the Park and Recreation Board approved the placement of the transmission line.

FISCAL INFORMATION

No cost consideration to the City.

RECOMMENDATION

Staff recommends approval of the item. Please contact me at 670-3390 should you have any questions.



David O. Brown
Interim Assistant City Manager

c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, City Attorney
Craig Kinton, City Auditor

Page 4

May 8, 2008

Authorize a public hearing to be held on June 11, 2008 to receive comments on the proposed use of a portion of Trinity Park for the installation of a new 345 kV power transmission line – Financing: No cost consideration to the City – May 14, 2008 City Council Agenda – Item #59

Judge Jay Robinson, Judiciary

Ryan S. Evans, First Assistant City Manager

A.C. Gonzalez, Assistant City Manager

Ramon F. Miguez, P.E., Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager

Jeanne Chipperfield, Interim Director, Office of Financial Services

David Cook, Chief Financial Officer

Paul Dyer, Director, Park and Recreation Department

Chandra Marshall-Henson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

DATE: May 7, 2008

TO: Members of the Quality of Life Committee:
Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair; Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT: **Agenda Item No. 47 (Council District No. 10) – Arbor Park – Authorize a contract for the installation of a new playground and site furnishings at Arbor Park located at 7701 Skillman Street – A S Con, Inc., lowest responsible bidder of three – Not to exceed \$139,900 – Financing: 2003 Bond Funds**
May 14, 2008 City Council Agenda

BACKGROUND

On February 21, 2008, three bids were received for the installation of a new playground and site furnishings at Arbor Park located at 7701 Skillman Street. This item authorizes award of the construction contract to A S Con, Inc. for Base Bid and Alternate Nos. 1, 2, 4, 5, 7, 9 11, 12, 13 and 14, with a bid of \$139,900.

The following chart illustrates A S Con, Inc.'s contractual activities with the City of Dallas for the past three years:

	<u>PWT</u>	<u>DWU</u>	<u>PKR</u>
Projects Completed	0	0	12
Change Orders	0	0	16
Projects Requiring Liquidated Damages	0	0	0
Project Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2007
Completed Design	October 2007
Begin Construction	June 2008
Complete Construction	August 2008

Page 2

May 7, 2008

Arbor Park – Authorize a contract for the installation of a new playground and site furnishings at Arbor Park located at 7701 Skillman Street

May 14, 2008 City Council Agenda

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the advertisement for bids on October 18, 2007.

The Park and Recreation Board authorized award of the contract on April 17, 2008.

FISCAL INFORMATION

2003 Bond Funds - \$139,900

ETHNIC COMPOSITION

A S Con, Inc.

White Male	0	White Female	0
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	1	Other Female	1

BID INFORMATION

The following three bids with quotes were received and opened on February 21, 2008:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alter. Nos. A1, A2,A4,A5,A7, A9,A11,A12, A13 and A14**</u>	<u>Total Bid</u>
*A S Con, Inc. (2300 Leta Way, Mesquite, TX)	\$73,000	\$66,900	\$139,900
Henneberger Construction, Inc.	\$73,971	\$74,955	\$148,926
Wall Enterprises	\$108,425	\$87,252	\$195,677

**Alternate No. 1 - provides for faux stone bridge.

**Alternate No. 2 - provides for Oklahoma flagstone bands.

**Alternate No. 4 - provides for flagstone walks and decomposed granite base.

Page 3

May 7, 2008

Arbor Park – Authorize a contract for the installation of a new playground and site furnishings at Arbor Park located at 7701 Skillman Street

May 14, 2008 City Council Agenda

BID INFORMATION (Continued)

**Alternate No. 5 - provides for flagstone plaza steps.

**Alternate No. 7 - provides for Playworld Systems playground equipment.

**Alternate No. 9 - provides for Victor Stanley benches.

**Alternate No. 11 - provides for Victor Stanley litter receptacles.

**Alternate No. 12 - provides for a drinking fountain.

**Alternate No. 13 - provides for Eastern Red Cedars.

**Alternate No. 14 - provides for black chain link fencing.

OWNER – A S Con, Inc.

Ali Safdarinia

RECOMMENDATION

Staff recommends approval of this item. Please contact me at 670-3390 if you have any questions.



David O. Brown
Interim Assistant City Manager

- c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, City Attorney
Craig Kinton, City Auditor
Judge Jay Robinson, Judiciary
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Ramon Miguez, P.E., Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Interim Director, Office of Financial Services
David Cook, Chief Financial Officer
Paul D. Dyer, Director, Park and Recreation Department
Chandra Marshall-Henson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

DATE: May 7, 2008

TO: Members of the Quality of Life Committee:
Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair; Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT: **Agenda Item No. 48 (Council District No. 10) – R.P. Brooks Park – Authorize a contract for the installation of a new playground and site furnishings at R.P. Brooks Park located at 7101 Merriman Parkway – A S Con, Inc., lowest responsible bidder of four – Not to exceed \$152,200 – Financing: 2003 Bond Funds
May 14, 2008 City Council Agenda**

BACKGROUND

On March 20, 2008, four bids were received for the installation of a new playground and site furnishings at R.P. Brooks Park located at 7101 Merriman Parkway. This item authorizes award of the construction contract to A S Con, Inc. for Base Bid and Alternate Nos. 2, 5, 6 and 7, with a bid of \$152,200.

The following chart illustrates A S Con, Inc.'s contractual activities with the City of Dallas for the past three years:

	<u>PWT</u>	<u>DWU</u>	<u>PKR</u>
Projects Completed	0	0	12
Change Orders	0	0	16
Projects Requiring Liquidated Damages	0	0	0
Project Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2007
Completed Design	November 2007
Begin Construction	June 2008
Complete Construction	August 2008

May 7, 2008

R.P. Brooks Park – Authorize a contract for the installation of a new playground and site furnishings at R.P. Brooks Park

May 14, 2008 City Council Agenda

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the advertisement for bids on October 18, 2007.

The Park and Recreation Board authorized award of the contract on April 17, 2008.

FISCAL INFORMATION

2003 Bond Funds - \$152,200

ETHNIC COMPOSITION

A S Con, Inc.

White Male	0	White Female	0
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	1	Other Female	1

BID INFORMATION

The following four bids with quotes were received and opened on March 20, 2008:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alter. Nos. 2,5,6&7**</u>	<u>Total Bid</u>
*A S Con, Inc. (2300 Leta Way, Mesquite, TX)	\$71,000	\$81,200	\$152,200
Henneberger Construction, Inc.	\$87,000	\$98,222	\$185,222
Robinson Landscape & Construction, LLC	\$187,670	\$101,766	\$289,436
Phoenix I Restoration and Construction, Ltd.	\$280,000	\$121,000	\$401,000

**Alternate No. 2 - provides for Playworld Systems playground equipment.

Page 3

May 7, 2008

R.P. Brooks Park – Authorize a contract for the installation of a new playground and site furnishings at R.P. Brooks Park

May 14, 2008 City Council Agenda

BID INFORMATION (Continued)

**Alternate No. 5 - provides for installation of a drinking fountain.

**Alternate No. 6 - provides for installation of site furnishings.

**Alternate No. 7 - provides for non-Dry-Kiln Portland Cement.

OWNER

A S Con, Inc.

Ali Safdarinia

RECOMMENDATION

Staff recommends approval of this item. Please contact me at 670-3390 if you have any questions.



David O. Brown

Interim Assistant City Manager

- c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, City Attorney
Craig Kinton, City Auditor
Judge Jay Robinson, Judiciary
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Ramon Miguez, P.E., Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Interim Director, Office of Financial Services
David Cook, Chief Financial Officer
Paul D. Dyer, Director, Park and Recreation Department
Chandra Marshall-Henson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

DATE May 9, 2008

TO Honorable Members of the Quality of Life Committee:
Pauline Medrano, Chair; Vonciel Jones Hill, Vice-Chair; Carolyn R. Davis; Angela Hunt; Sheffie Kadane; David A. Neumann; and Steve Salazar

SUBJECT **Agenda Item No. 34 – Council District: 14**
Ratify an emergency purchase for maintenance and repair of the cooling tower at the Dallas Museum of Art located at 1901 North Harwood Street - Trane, U.S., Inc. only bidder - Not to exceed \$93,644 - Financing: Current Funds

BACKGROUND

A purchase order was issued to Trane, U.S., Inc., on January 10, 2008 for maintenance including cleaning; replacing inlet airflow screens; replacing the two electric motors; painting and coating the metal surfaces; and changing the gear lube on the cooling tower at the Dallas Museum of Art. The contractor proceeded to clean the towers and prepare the metal for resurfacing. During the course of the work, it was discovered that the gear boxes had so much corrosion that the integrity of the mounts would not hold causing the tower to fail in the immediate future if not replaced. Failure of the cooling tower would result in a lack of heating, ventilation and air conditioning which would place valuable art work at risk.

The towers are vital for providing cooling and humidity control for the art and patrons. Trane, was unable to complete the original scope of work due to the unforeseen problem with the gear box. As a result, a new scope of work was developed on March 19, 2008 to include replacement of the gear box which had to be manufactured. This item authorizes Trane to complete all the necessary maintenance and repairs.

Bids were received in December to complete the original scope of work for maintenance on the cooling towers. Trane, was the low bidder. Since the unforeseen condition was discovered during the process of Trane's work, the original work authorization was cancelled and a new scope of work was issued to Trane. Due to the emergency gear replacement, Trane was requested to begin work on the new scope as soon as possible.

ESTIMATED SCHEDULE OF PROJECT

Began Construction January 2008
Complete Construction May 2008

PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Current Funds - \$93,644

ETHNIC COMPOSITION

Trane, U.S., Inc.

Hispanic Female	1	Hispanic Male	15
African American Female	1	African American Male	13
Other Female	1	Other Male	0
White Female	30	White Male	166

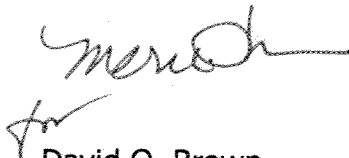
OWNER

Trane, U.S., Inc.

David Smith, Manager

Recommendation

Staff recommends approval of this item.



David O. Brown
Interim Assistant City Manager

Page 3

Quality of Life and Government Services Committee

May 9, 2008

cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas P. Perkins, City Attorney
Deborah A. Watkins, City Secretary
Craig Kinton, City Auditor
Judge Jay Robinson
Ryan S. Evans, First Assistant City Manager
Ramon F. Miguez, P.E., Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
A.C. Gonzalez, Assistant City Manager
David K. Cook, Chief Financial Officer
Chandra Marshall-Henson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

DATE May 9, 2008

TO Quality of Life Committee:
Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis, Angela Hunt,
Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT Council Agenda May 14, 2008 – Agenda Item #3

SUBJECT

Authorize (1) a twenty-four-month service contract for scrap tire removal and disposal from McCommas Bluff Landfill (Bid Group B) – Liberty Tire Recycling, LLC. in the amount of \$217,500, and (2) a twenty-four-month service contract for scrap tire removal and disposal from various City facilities (Bid Group A) - Tex-American Recycling, Inc. in the amount of \$127,075, lowest responsible bidders of two - Total not to exceed \$344,575 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

The City is a registered Scrap Tire Generator with the Texas Commission on Environmental Quality (TCEQ) and as such requires the services of a TCEQ registered vendor to dispose of scrap tires. This service contract for scrap tire removal will be utilized by Sanitation Services to properly dispose of approximately 765 tons yearly of scrap tires deposited at the McCommas Bluff Landfill by citizens of Dallas. Additionally, departments such as Equipment and Building Services, Street Services, Park and Recreation and Fire dispose of approximately 12,275 used tires yearly.

Liberty Tire Recycling, LLC. and Tex-American Recycling, Inc. are TCEQ registered and approved scrap tire processors, storage facilities, and transporters of scrap tires in the State of Texas. Scrap tire processors shred or bale scrap tires for delivery to a scrap tire storage site, a facility that recycles, reuses or recovers the energy from the tire pieces. This is an approved method by TCEQ to recycle scrap tires

Liberty Tire Recycling, LLC. and Tex-American Recycling, Inc. recycle the scrap tires into tire derived fuel, crumb rubber, mulch and playground material. Tire derived fuel is used as alternative fuels in power plants and paper mills. The wire from the tire is recycled back into the steel industry. Both vendors recycle 99.9% of all tires collected.

This bid has a 30% increase over the bid awarded in 2005.

BACKGROUND (Continued)

As part of the bid process, 170 vendor notices were sent electronically by the City's web based procurement system. In an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, and two advocacy groups (i.e. DFW Minority Business Council and Women's Business Council – Southwest).

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On January 26, 2005, City Council authorized a twenty-four-month service contract for scrap tire removal by Resolution #05-0346.

FISCAL INFORMATION

\$344,575.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

- 93 - Vendors contacted
- 93 - No response
 - 0 - Response (Bid)
 - 0 - Response (No bid)
 - 0 - Successful

170 M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Good Faith Effort Plan adopted by Council Resolution #84-3501 as amended.

ETHNIC COMPOSITION

Liberty Tire Recycling, LLC.

Hispanic Female	1	Hispanic Male	58
Black Female	0	Black Male	2
Other Female	0	Other Male	0
White Female	3	White Male	12

Tex-American Recycling, Inc.

Hispanic Female	6	Hispanic Male	34
Black Female	2	Black Male	4
Other Female	0	Other Male	0
White Female	0	White Male	4

BID INFORMATION

The following bids were received from solicitation number BC0807 and opened on February 28, 2008. This service contract was awarded to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Liberty Tire Recycling, LLC.	5302 Wade Road Baytown, TX 77521	Group A - \$303,850.00 Group B - \$217,500.00
*Tex-American Recycling, Inc.	3801 N. Commerce Fort Worth, TX 76106	Group A - \$127,075.00 Group B - Non-responsive**

**Tex-American Recycling, Inc. was deemed non-responsive on Group B due to the vendor not bidding according to the requirement of the bid sheet.

OWNERS

Liberty Tire Recycling, LLC.

Donald E. Rea, President
C. Andrew Russell, Vice President
Loretta M. Chahade, Secretary
Ronald B. Carlson, Treasurer

Tex-American Recycling, Inc.

Mike Stanislawsky, President



David Cook
Chief Financial Officer

- c: Mary K. Suhm, City Manager
- Deborah Watkins, City Secretary
- Thomas Perkins, Jr., City Attorney
- Craig Kinton, City Auditor
- Judge Jay Robinson, Judiciary
- Ryan S. Evans, First Assistant City Manager
- Jill A. Jordan, P.E., Assistant City Manger
- A.C. Gonzalez, Assistant City Manager
- David O. Brown, Interim Assistant City Manager
- Chandra Marshall-Henson, Assistant to the City Manger
- Ade Williams, Director, Business Development and Procurement Services

Memorandum



CITY OF DALLAS

DATE May 9, 2008

TO Quality of Life Committee:
Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis, Angela Hunt,
Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT Council Agenda May 14, 2008 – Agenda Item #4

SUBJECT

Authorize a thirty-six-month master agreement for Carrier heating, ventilation and air conditioning equipment and parts - Carrier North Texas, Sole Source - Not to exceed \$352,389 - Financing: Current Funds

BACKGROUND

This master agreement will be utilized to purchase various Carrier brand original equipment manufacturer (OEM) heating, ventilation and air conditioning (HVAC) equipment and parts. It is essential for the repair and maintenance of 830 Carrier HVAC systems at Citywide facilities such as:

- Morton Meyerson Symphony Center
- Equipment & Building Services
- City Hall
- Fire Stations
- Libraries
- Recreation Centers
- Sanitation
- Zoo
- Police Stations
- Water Department
- Animal Control Shelter
- Various other facilities

This agreement will provide Carrier equipment and parts such as:

- circuit boards
- compressors
- condenser units
- motors
- furnaces
- package units
- heat pumps, etc.

BACKGROUND (Continued)

In order to maintain the integrity of the units SEER ratings or maintain any warranties OEM parts must be used. These HVAC systems range in size from 1.5 to 50 tons. When replacing HVAC roof top equipment, it is cost effective to replace the unit with the same manufacturer. All HVAC units do not have the same dimensions or ratings. In addition to the cost of the unit, changing manufacturers frequently necessitates purchase of curb adaptor, relocation of electrical and condensate lines.

Carrier is the manufacturer of the equipment and will only sell directly to licensed contractors and governmental agencies. Carrier North Texas is the manufacturer outlet for the entire North Central Texas marketplace in Carrier OEM equipment and parts. Buying direct from the manufacturer assures the City the lowest possible prices because there is no second party mark-up added.

The average discount given by the awardee on this agreement is 59.38%. The average discount given on the previous agreement was 49.00%.

PRIOR ACTION/REVIEW COUNCIL, BOARDS, COMMISSIONS

On December 8, 2003, City Council authorized thirty-six-month master agreement for Carrier heating, ventilation and air conditioning equipment and parts for heating and cooling systems in City-owned and operated facilities by Resolution #03-3332.

FISCAL INFORMATION

\$352,389.00 - Current Funds

M/WBE INFORMATION

This is a sole source procurement and requires no bidding.

ETHNIC COMPOSITION

Carrier North Texas

Hispanic Female	15	Hispanic Male	51
Black Female	17	Black Male	46
Other Female	5	Other Male	4
White Female	65	White male	304

BID INFORMATION

<u>Bidder</u>	<u>Address</u>	<u>Amount</u>
Carrier North Texas	1411 Walnut Hill Irving, Texas 75038	\$352,389.00

NOTE: The City Auditor has reviewed this sole source procurement and has no objection to awarding to Carrier North Texas.

OWNER

Carrier North Texas

Louis Chenevert, President
George David, Chairman/Chief Executive Officer
James Geisler, Vice President
Gregory Hayes, Vice President



David Cook
Chief Financial Officer

c: Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, Jr., City Attorney
Craig Kinton, City Auditor
Judge Jay Robinson, Judiciary
Ryan S. Evans, First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manger
A.C. Gonzalez, Assistant City Manager
David O. Brown, Interim Assistant City Manager
Chandra Marshall-Henson, Assistant to the City Manger
Ade Williams, Director, Business Development and Procurement Services

Memorandum



CITY OF DALLAS

DATE May 9, 2008

TO Quality of Life Committee:
Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis, Angela Hunt,
Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT Council Agenda May 14, 2008 – Agenda Item #7

SUBJECT

Authorize a twenty-four-month service contract, with two twelve-month renewal options, for database access for Real-Time Live Homework Support On-line Service for the Dallas Public Library - Tutor.com, Inc., lowest responsive and responsible bidder of two - Not to exceed \$285,000 - Financing: Current Funds (\$242,150) (subject to annual appropriations), Lone Star Libraries Grant Funds (\$42,850)

BACKGROUND

The contract with Tutor.com, Inc. will provide Real-Time Live Homework Support On-Line Service, a database access service, that will allow patrons of the Dallas Public Library to connect with subject experts in a customized on-line classroom. This internet-based service includes core academic assistance in math, science, social studies and english for grades four through twelve and introductory college courses in english and spanish.

The City's Library website, www.dallaslibrary.org, is utilized to access Real-Time Live Homework Support under the program name "DASH" (Dallas After School Homework). DASH workshops are provided to Dallas Independent School District (DISD) teachers, private school instructors and home school parents. The Library staff promote the DASH program to students and teachers by visiting schools to introduce the program and provide detailed instructions. Students are provided with promotional materials such as: flyers bookmarks, and brochures to assist them with the program. Additionally, Teen Centers are provided with live presentations from Tutor.com, Inc.

Real-Time Live Homework Support On-Line Service has unlimited access from 2:00 p.m. - 12:00 midnight local time, seven days a week. The program is accessible through remote home access and in all twenty-five branches of the Dallas Public Library.

To access the Live Homework Support On-Line Service, the student must have a Dallas Library card. A library card for Dallas residents is free; non-residents pay \$200.00 a year for a library card.

BACKGROUND (Continued)

Tutor.com, Inc. is utilized at 1,600 library locations across the country. Real-Time Live Homework Support On-Line Service is an affordable after-school service that connects a student with a professional tutor for live, one-to-one help with homework questions and test preparation on-line. Tutor.com, Inc. provides a secure and safe environment for students. All interaction between tutors and students are anonymous and communication is through instant messaging only.

This twenty-four month contract reflects a savings of \$130.00 per year over the previous twelve month contract.

As part of the bid process, 28 vendor notices were sent electronically by the City's web based procurement system. In an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, and two advocacy groups (i.e. DFW Minority Business Council and Women's Business Council - Southwest).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 12, 2006, City Council authorized a twelve-month service contract for Real-Time Live Homework Support On-line Service for the Dallas Public Library by Resolution #06-1062.

FISCAL INFORMATION

\$242,150.00 - Current Funds (subject to annual appropriations)
\$ 42,850.00 - Lone Star Libraries Grant Funds

M/WBE INFORMATION

- 3 - Vendors contacted
- 3 - No response
- 0 - Response (Bid)
- 0 - Response (No bid)
- 0 - Successful

28 M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Good Faith Effort Plan adopted by Council Resolution #84-3501 as amended.

ETHNIC COMPOSITION

Tutor.com, Inc.

Hispanic Female	0	Hispanic Male	0
Black Female	0	Black Male	2
Other Female	0	Other Male	4
White Female	19	White Male	23

BID INFORMATION

The following bids were received from solicitation number BW0802 and opened on November 28, 2007. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Tutor.com, Inc.	40 Fulton St. New York, NY 10038	\$285,000.00
Global Tutors, Inc.	227 East Holly Ave. Suite #111 Sterling, VA 20164	Non-responsive**

**Global Tutors, Inc. was deemed non-responsive due to failure to meet bid specifications.

OWNER

Tutor.com, Inc.

George Cigale, President
Kevin Donalds, Vice President/Treasurer
Bart Epstein, Secretary



David Cook
Chief Financial Officer

c: Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, Jr., City Attorney
Craig Kinton, City Auditor
Judge Jay Robinson, Judiciary
Ryan S. Evans, First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manger
A.C. Gonzalez, Assistant City Manager
David O. Brown, Interim Assistant City Manager
Chandra Marshall-Henson, Assistant to the City Manger
Ade Williams, Director, Business Development and Procurement Services

Memorandum



DATE May 9, 2008

TO Quality of Life Committee:
Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis,
Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

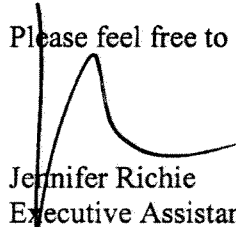
SUBJECT Agenda Item #17

On May 14, 2008, the Dallas City Council will consider agenda item #17, an ordinance amending Chapter 27 of the Dallas City Code to expand the definition of "urban nuisance" in accordance with state law to include a structure that, regardless of structural condition, is unoccupied and unsecured from unauthorized entry and a structure that is secured but either constitutes a danger to the public or is secured by inadequate means. There is no cost consideration to the City.

City Attorney Thomas P. Perkins, Jr. briefed the Council in closed session on this proposed ordinance on April 2, 2008.

The proposed ordinance would amend Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code to expand the definition of "urban nuisance" in accordance with state law to include a structure that, regardless of structural condition, is unoccupied and unsecured from unauthorized entry and a structure that is secured but either constitutes a danger to the public or is secured by inadequate means. The ordinance would take effect on May 19, 2008.

Please feel free to contact me if you have any questions.

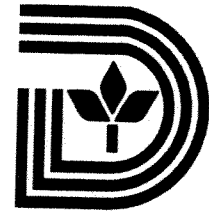

Jennifer Richie
Executive Assistant City Attorney

cc: Honorable Mayor and Members of the City Council
Thomas P. Perkins, Jr., City Attorney
Mary K. Suhm, City Manager
Deborah A. Watkins, City Secretary
Craig D. Kinton, City Auditor
Judge Jay E. Robinson
Christopher Bowers, First Assistant City Attorney
Jesus Toscano, Administrative Assistant City Attorney
Ryan S. Evans, First Assistant City Manager
David O. Brown, Interim Assistant City Manager
A.C. Gonzalez, Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Ramon F. Miguez, P.E., Assistant City Manager
David K. Cook, Chief Financial Officer
Forest Turner, Acting Director, Code Compliance Department
Lisa Christopherson, Assistant City Attorney
Chandra Marshall-Henson, Assistant to the City Manager, Mayor & Council Office



Memorandum



CITY OF DALLAS

DATE May 9, 2008

TO Quality of Life Committee:
Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis,
Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT An ordinance amending sections 18-13 and 18-141 of Chapter 18 of the Dallas City Code reducing from 12 inches to eight inches the maximum allowable height of weeds and grass on premises in the city; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date -

This memorandum is to provide you with information on a Council Agenda Item for the May 14, 2008 Council Agenda meeting.

BACKGROUND

The proposed ordinance would amend sections 18-13 and 18-14.1 of Chapter 18 of the Dallas City Code reducing from 12 inches to eight inches the maximum allowable height of weeds and grass on premises in the city.

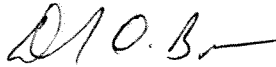
PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On April 2, 2008, the City Council was briefed on the proposed code amendment.

FISCAL INFORMATION

No cost consideration to the City.

Please let me know if you have any questions.



David O. Brown
Interim Assistant City Manager

c: Quality of Life Committee Members
 Honorable Mayor and Members of the City Council
 Mary K. Suhm, City Manager
 Deborah Watkins, City Secretary
 Thomas P. Perkins, Jr., City Attorney
 Craig D. Kinton, City Auditor
 Judge Jay E. Robinson
 Ryan S. Evans, First Assistant City Manager
 David O. Brown, Interim Assistant City Manager
 A.C. Gonzalez, Assistant City Manager
 Ramon F. Miguez, P.E., Assistant City Manager
 Jill A. Jordan, P.E., Assistant City Manager
 David K. Cook, Chief Financial Officer
 Chandra Marshall-Henson, Assistant to the City Manager, Mayor & Council Office
 Forest E. Turner, Acting Director, Code Compliance Department

ORDINANCE NO. _____

An ordinance amending Sections 18-13 and 18-14.1 of CHAPTER 18, "MUNICIPAL SOLID WASTES," of the Dallas City Code, as amended; reducing from 12 inches to eight inches the maximum allowable height of weeds and grass on premises in the city; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 18-13, "Growth to Certain Height Prohibited; Offenses," of Article II, "Weeds, Grass, and Vegetation," of CHAPTER 18, "MUNICIPAL SOLID WASTES," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 18-13. GROWTH TO CERTAIN HEIGHT PROHIBITED; OFFENSES.

(a) A person commits an offense if he is an owner, occupant, or person in control of occupied or unoccupied premises in the city and:

- (1) permits weeds or grass located on the premises to grow to a height greater than eight [~~12~~] inches; or
- (2) fails to remove weeds or grass from the premises after they have been cut.

(b) It is a defense to prosecution under:

- (1) Subsection (a)(1) that the weeds and grass are maintained at or below a height of eight [~~12~~] inches at all points on the premises within 100 feet of its perimeters; and
- (2) Subsection (a)(2) that the weeds and grass have been mulched, raked, or composted in a manner approved by the director.

(c) For purposes of this article, PREMISES means the lot, plot, or parcel of land, plus the front or side parkway between the property line or sidewalk and the curb or traveled way, and the rear or side parkway between the property line and the center line of an adjacent alley."

SECTION 2. That Section 18-14.1, "Vegetation in Alley, Street, or Sidewalk," of Article II, "Weeds, Grass, and Vegetation," of CHAPTER 18, "MUNICIPAL SOLID WASTES," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 18-14.1. VEGETATION IN ALLEY, STREET, OR SIDEWALK.

(a) An owner, occupant, or person in control of any private premises abutting an alley, street, or sidewalk within the city commits an offense if he allows any vegetation, including, but not limited to, trees, shrubbery, bushes, and vines, to grow on the premises so as to project across the property line over or into the right-of-way of the alley, street, or sidewalk.

(b) It is a defense to prosecution under Subsection (a) that:

(1) the vegetation consisted solely of weeds or grass not more than eight [12] inches high;

(2) no part of the vegetation projected over or into the alley or street at a height of less than 15 feet above the ground; or

(3) no part of the vegetation projected over or into the sidewalk at a height of less than eight feet above the ground, except that this defense does not apply if the vegetation obstructed the visibility of a traffic control sign, signal, or device or interfered with garbage or trash collection adjacent to the sidewalk.

(c) Vegetation growing in violation of this section is a nuisance and may be abated by the city in accordance with Section 18-17 of this article."

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 4. That CHAPTER 18 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By _____
Assistant City Attorney

Passed _____

LC/DCC/00436A

Memorandum



DATE May 9, 2008

TO Quality of Life Committee:
Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis,
Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT

An ordinance amending Chapter 27 of the Dallas City Code to (1) provide correct violations found in the original graded inspection or failure to pass a supplemental graded inspection of the property; and (2) eliminate the fee for a first reinspection of a multi-tenant property - Financing: No cost consideration to the City

This memorandum is to provide you with information on a Council Agenda Item for the May 14, 2008 Council Agenda meeting.

BACKGROUND

The proposed ordinance would amend Section 27-42 of Chapter 27 of the Dallas City Code to (1) provide that inspection fees for a multi-tenant property will only be assessed after failure to correct violations found in the original graded inspection or failure to pass a supplemental graded inspection of the property; and (2) eliminate the fee for a first reinspection of a multi-tenant property.

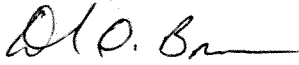
PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On April 2, 2008, the City Council was briefed on the proposed code amendment.

FISCAL INFORMATION

No cost consideration to the City.

Please let me know if you have any questions.



David O. Brown
Interim Assistant City Manager

- c: Quality of Life Committee Members
 Honorable Mayor and Members of the City Council
 Mary K. Suhm, City Manager
 Deborah Watkins, City Secretary
 Thomas P. Perkins, Jr., City Attorney
 Craig D. Kinton, City Auditor
 Judge Jay E. Robinson
 Ryan S. Evans, First Assistant City Manager
 David O. Brown, Interim Assistant City Manager
 A.C. Gonzalez, Assistant City Manager
 Ramon F. Miguez, P.E., Assistant City Manager
 Jill A. Jordan, P.E., Assistant City Manager
 David K. Cook, Chief Financial Officer
 Chandra Marshall-Henson, Assistant to the City Manager, Mayor & Council Office
 Forest E. Turner, Acting Director, Code Compliance Department

ORDINANCE NO. _____

An ordinance amending Section 27-42 of CHAPTER 27, "MINIMUM URBAN REHABILITATION STANDARDS," of the Dallas City Code, as amended; providing that inspection fees for a multi-tenant property will only be assessed after failure to correct violations found in the original graded inspection or failure to pass a supplemental graded inspection of the property; eliminating the fee for a first reinspection of a multi-tenant property; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 27-42, "Property Inspections; Inspection and Reinspection Fees," of Article VII, "Registration and Inspection of Multi-Tenant Properties," of CHAPTER 27, "MINIMUM URBAN REHABILITATION STANDARDS," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 27-42. PROPERTY INSPECTIONS; INSPECTION AND REINSPECTION FEES.

(a) The director may inspect any multi-tenant property in the city for code violations in accordance with Section 27-5 of this chapter. At least once every three years, the director shall conduct a graded inspection of each multi-tenant property, except for one that was constructed and issued a certificate of occupancy within the preceding five years. Graded inspections may be conducted more frequently by the director, but not more than once during a property's annual registration period, when determined to be in the interest of the public health, safety, and welfare. The director, in accordance with Subsection (b) of this section, shall also conduct a supplemental graded inspection of any property failing the graded inspection. After completing a graded inspection or a supplemental graded inspection, the director shall enter the inspection score on the property's certificate of registration. The director may conduct nongraded inspections on a multi-tenant property at any time the director determines necessary.

(b) Supplemental graded inspections.

(1) If a multi-tenant property scores lower than 85 on a graded inspection, the director shall give the owner or operator of the property 45 days from the date of the inspection to correct all substandard conditions and other premises violations specifically listed in the inspection report.

(2) After the 45-day correction period, the director shall conduct:

(A) a first reinspection of the property to determine whether the owner or operator has corrected the specific substandard conditions and other premises violations listed in the inspection report; and

(B) a supplemental graded inspection of the property.

(3) If the multi-tenant property scores 85 or higher on the supplemental graded inspection and the director determines that all substandard conditions and other premises violations specifically listed in the report for the original graded inspection have been corrected, then no inspection fee will be charged under Subsection (c) to the owner or operator of the property.

(4) If the multi-tenant property scores lower than 85 on the supplemental graded inspection or the director determines that all substandard conditions and other premises violations specifically listed in the report for the original graded inspection have not been corrected, then inspection fees for the original graded inspection will be charged to the owner or operator of the property in accordance with Subsection (c)(2) or (c)(3), whichever applies.

(c) The owner or operator of a multi-tenant property shall pay to the director the following fees for a graded inspection of the property:

(1) For a graded inspection in which the property scores 85 or higher or where Subsection (b)(3) applies to the property, no inspection fee will be charged.

(2) For a graded inspection in which the property scores lower than 85 because of substandard conditions or other premises violations existing on the property and where Subsection (b)(4) applies to the property, the inspection fee is \$25 times the total number of units in the multi-tenant property.

(3) For a graded inspection in which the property scores lower than 85 only because of failure to have or display required documentation, including but not limited to permits, notices, licenses, records, or certificates of occupancy, and where Subsection (b)(4) applies to the property, the inspection fee is \$15 times the total number of units in the multi-tenant property.

(d) [(e)] Whenever a multi-tenant property is inspected by the director and a violation of this code is found, the building or premises will, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, be reinspected by the director to determine that the violation has been eliminated.

(e) [(d)] The owner, occupant, operator, or other person responsible for the violation shall pay to the director the following fees for each reinspection after the first reinspection that must be conducted before the violation is determined to be eliminated:

(1) For a reinspection conducted inside units of a multi-tenant property, the fee is \$45 times the number of units actually reinspected.

(2) For a reinspection of the exterior and common areas of a multi-tenant property, the fee is \$45 for each separate violation site reinspected.

(f) [(e)] The owner or operator of a multi-tenant property shall disclose, on a form provided by the director, the current inspection score for the property in accordance with the following requirements:

(1) A copy of the form containing the current score must be posted on the premises in a manner and location approved by the director.

(2) A copy of the form containing the current score must be given to every new and prospective tenant of the property.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 3. That CHAPTER 27 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By _____
Assistant City Attorney

Passed _____
LC/DCC/00438A