

**STRATEGIC PRIORITY:** Quality of Life

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Cultural Affairs

**CMO:** Joey Zapata, 670-1204

**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** the acceptance of grants from the Texas Commission on the Arts (Grant Nos. 18-42139, 18-42384, 18-42394, 18-42382) in the amount of \$32,000 to provide cultural services for the period September 1, 2017 through August 31, 2018; **(2)** a local 1:1 match in the amount of \$32,000; **(3)** receipt and deposit of funds in an amount not to exceed \$32,000 in the Texas Commission on the Arts-Arts Create Grant 17-18 Fund; **(4)** establishment of appropriations in an amount not to exceed \$32,000 in the Texas Commission on the Arts-Arts Create Grant 17-18 Fund; and **(5)** execution of the grant agreements - Total not to exceed \$64,000 - Financing: Texas Commission on the Arts Grant Funds (\$32,000) and General Funds (\$32,000)

**BACKGROUND**

The Office of Cultural Affairs applied for Texas Commission on the Arts (TCA) funding for Fiscal Year 2017-18 through the Arts Create program for administrative, operational and/or program support for presentation, promotion or production of artistic disciplines. TCA has notified the City of Dallas Office of Cultural Affairs (OCA) that the following grant awards have been recommended for funding:

- \$6,000 through the Arts Create program for the Bath House Cultural Center programs and artist services.
- \$5,000 through the Arts Create program for the Latino Cultural Center programs and artist services.
- \$8,000 through the Arts Create program for the South Dallas Cultural Center programs and artist services.
- \$13,000 through the Arts Create / Core Support Programs for the Office of Cultural Affairs programs and artist services.

**BACKGROUND** (continued)

The TCA grants require a 1:1 match for which no new funds will be required. OCA will meet the TCA's requirements for the match with its General Fund appropriation in the approved FY 2017-18 budget.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on March 26, 2018.

**FISCAL INFORMATION**

Texas Commission on the Arts Grant Funds - \$32,000  
General Funds - \$32,000

March 28, 2018

**WHEREAS**, the Texas Commission on the Arts provides matching grants, through various programs under its purview, to public bodies to assist them in the development of culturally-oriented programs; and

**WHEREAS**, the City of Dallas therein has the opportunity to increase the amount of funds available to support the activities of the Office of Cultural Affairs in FY 2017-18; and

**WHEREAS**, the Texas Commission on the Arts has notified the City of Dallas Office of Cultural Affairs that it is recommending \$32,000 in grant funding to the Office of Cultural Affairs under the Arts Create programs to support arts and cultural services in the City of Dallas.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to accept the grants from the Texas Commission on the Arts in the amount of \$32,000 (Grant Nos. 18-42139, 18-42384, 18-42394, 18-42382) to provide cultural services for the period September 1, 2017 through August 31, 2018; provide a local 1:1 match in the amount of \$32,000; and sign the grant agreements, approved as to form by the City Attorney.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed \$32,000 in the Texas Commission on the Arts-Arts Create Grant 17-18 Fund, Fund S323, Department OCA, Units 3589, 3604, 3606 and 3607, Revenue Code 6516.

**SECTION 3.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$32,000 as follows:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Object</u>	<u>Amount</u>
S323	OCA	3589	3089	\$ 6,000
S323	OCA	3604	3089	\$ 5,000
S323	OCA	3606	3089	\$ 8,000
S323	OCA	3607	3089	\$13,000

March 28, 2018

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed \$32,000 from the following:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Object</u>	<u>Amount</u>
S323	OCA	3589	3089	\$ 6,000
S323	OCA	3604	3089	\$ 5,000
S323	OCA	3606	3089	\$ 8,000
S323	OCA	3607	3089	\$13,000

**SECTION 5.** That the Chief Financial Officer is hereby authorized to provide the required matching funds in an amount not to exceed \$32,000 in accordance with the terms and conditions of the grant agreements from the following:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Object</u>	<u>Amount</u>
0001	OCA	4833	3089	\$ 6,000
0001	OCA	4805	3089	\$ 5,000
0001	OCA	4832	3089	\$ 8,000
0001	OCA	4880	3089	\$13,000

**SECTION 6.** That the City Manager is hereby authorized to reimburse to the Texas Commission on the Arts, any expenditures identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

**SECTION 7.** That the City Manager shall keep the appropriate City Council Committee informed of all final Texas Commission on the Arts monitoring reports not later than 30 days after the receipt of the report.

**SECTION 8.** That the contract for the Arts Create program for the Bath House Cultural Center project is designated as Contract No. OCA-2018-00005718.

**SECTION 9.** That the contract for the Arts Create program for the Latino Cultural Center project is designated as Contract No. OCA-2018-00005719.

**SECTION 10.** That the contract for the Arts Create program for the South Dallas Cultural Center project is designated as Contract No. OCA-2018-00005720.

**SECTION 11.** That the contract for the Arts Create/Core Support Programs for the Office of Cultural Affairs is designated as Contract No. OCA-2018-00005721.

**SECTION 12.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**STRATEGIC PRIORITY:** Quality of Life

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Office of Cultural Affairs

**CMO:** Joey Zapata, 670-1204

**MAPSCO:** 45-A

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**SUBJECT**

Authorize the Third Amendment to the Lease Agreement with Sammons Center for the Arts for the Sammons Center for the Arts facility to memorialize the City's contributions for operations and utility costs of the facility, previously authorized on an annual basis, in the amount of \$76,000 per year for the period October 1, 2017 through June 30, 2034 - Not to exceed \$1,292,000 - Financing: General Funds (subject to annual appropriations)

**BACKGROUND**

On July 1, 1981, City Council authorized a Lease Agreement with Sammons Center for the Arts (formerly known as Turtle Creek Center for the Arts) for the Sammons Center for the Arts facility, located at 3630 Harry Hines Boulevard by Resolution No. 81-1895.

On November 14, 1990, City Council authorized the First Amendment to the Lease Agreement which revised the property description to include an additional parking area by Resolution No. 90-3593.

On January 14, 1998, City Council authorized the Second Amendment to the Lease Agreement which extended the term of the lease for an additional thirteen years, amended the annual rent, provided additional provisions and condition to the parking area, and provided additional provisions and conditions to the insurance coverage by Resolution No. 98-0122.

In FY 2014-15, the Dallas City Council authorized the annual Cultural Organizations Program (COP) contract with Sammons Center for the Arts, inclusive of an appropriation for operations and utility reimbursements up to \$31,000 for operation of the Sammons Center for the Arts facility. That increase was continued in FY 2015-16 and increased to \$76,000 in FY 2016-17. The Office of Cultural Affairs is working with the individual business partners and the City Attorney's Office to align each agreement with current expense reimbursement practices.

## **BACKGROUND** (continued)

This action seeks to memorialize the operation and utility reimbursement into the lease agreement.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On July 1, 1981, City Council authorized a Lease Agreement with Turtle Creek Center for the Arts (now known as Sammons Center for the Arts) by Resolution No. 81-1995.

On November 14, 1990, City Council authorized the First Amendment to the Lease Agreement with Sammons Center for the Arts by Resolution No. 90-3593.

On January 14, 1998, City Council authorized the Second Amendment to the Lease Agreement with Sammons Center for the Arts by Resolution No. 98-0122.

On October 22, 2014, City Council authorized a Cultural Organizations Program Service Contract with Sammons Center for the Arts inclusive of an appropriation for operations and utility reimbursements for operations of the Sammons Center for the Arts facility by Resolution No. 14-1795.

On October 28, 2015, City Council authorized a Cultural Organizations Program Service Contract with Sammons Center for the Arts inclusive of an appropriation for operations and utility reimbursements for operations of the Sammons Center for the Arts facility by Resolution No. 15-1949.

On October 26, 2016, City Council authorized a Cultural Organizations Program Service Contract with Sammons Center for the Arts inclusive of an appropriation for operations and utility reimbursements for operations of the Sammons Center for the Arts facility by Resolution No. 16-1749.

On October 25, 2017, City Council authorized a Cultural Organizations Program Service Contract with Sammons Center for the Arts inclusive of an appropriation for operations and utility reimbursements for operations of the Sammons Center for the Arts facility by Resolution No. 17-1658.

Information about this item will be provided to the Quality of Life, Arts & Culture Committee on March 26, 2018.

## **FISCAL INFORMATION**

General Funds - \$1,292,000 (\$76,000 per year for 17 years) (subject to annual appropriations)

March 28, 2018

**WHEREAS**, on July 1, 1981, City Council authorized a Lease Agreement with Sammons Center for the Arts for use of the Sammons Center for the Arts facility located at 3630 Harry Hines Boulevard by Resolution No. 81-1895; and

**WHEREAS**, on November 14, 1990, City Council authorized the First Amendment to the Lease Agreement to amend the property description to include an additional parking area by Resolution No. 90-3593; and

**WHEREAS**, on January 14, 1998, City Council authorized the Second Amendment to the Lease Agreement to (1) extend the term of the lease an additional thirteen years; (2) amend the annual rental fee; (3) include additional provisions and conditions to the parking area and additional provisions and conditions to the insurance coverage; and (4) add additional language in accordance with Section 2-1.1 of the Dallas City Code by Resolution No. 98-0122; and

**WHEREAS**, beginning in Fiscal Year 2014-15, the Dallas City Council authorized the annual Cultural Organizations Program (COP) contract with Sammons Center for the Arts inclusive of an appropriation for operations and utility reimbursements up to \$31,000 for operation of the Sammons Center for the Arts facility by Resolution No. 14-1795; and

**WHEREAS**, in Fiscal Year 2016-17, the Dallas City Council authorized an increase for operations and utility reimbursements of \$45,000 (total reimbursement \$76,000) for operation of the Sammons Center for the Arts facility by Resolution No. 16-1749; and

**WHEREAS**, the City desires to enter into the Third Amendment to the Lease Agreement to memorialize the City's contribution for operations and utility costs of the Sammons Center for the Arts facility.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to sign the Third Amendment to the Lease Agreement with Sammons Center for the Arts for the Sammons Center for the Arts facility, approved as to form by the City Attorney, to memorialize the City's contributions for operations and utility costs of the facility, up to \$76,000 per year for the period October 1, 2017 through June 30, 2034, and for related revisions.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,292,000 (subject to annual appropriations), in periodic payments, to the Sammons Center for the Arts from Fund 0001, Department OCA, Unit 4845, Object 3099, Encumbrance/Contract No. MASC OCA-2018-00005509, Vendor 265704.

March 28, 2018

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**STRATEGIC PRIORITY:** Quality of Life

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** Outside City Limits

**DEPARTMENT:** Office Of Environmental Quality

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 14L

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**SUBJECT**

Authorize a resolution of support for a Municipal Setting Designation application to the Texas Commission on Environmental Quality, provided by Univar USA, Inc. and approved by the City of Farmers Branch, that prohibits the use of groundwater as potable water beneath property owned by Univar USA, Inc., Bell & McCoy Companies, Inc., SEELCCO Street Partners, Ltd., SEELCCO Partners II, Ltd., Scott A. Hawkins Separate Property TR II LLC, Surinder Mittal, and Calandro Development, Inc., located near the intersection of Welch Road and Alpha Road in Farmers Branch, Texas - Financing: No cost consideration to the City

Recommendation of Staff: Approval

**BACKGROUND**

On September 26, 2017, the City of Farmers Branch approved Ordinance No. 3467 for a proposed Municipal Setting Designation (MSD) submitted by the applicant, Univar USA, Inc. The ordinance from the City of Farmers Branch authorizes support of the issuance of an MSD certification to Univar USA, Inc. by the Texas Commission on Environmental Quality (TCEQ) and to prohibit the use of groundwater beneath the referenced property as potable water. The issuance of an MSD to Univar USA, Inc. by the TCEQ will supplement closure under the TCEQ Corrective Action Program and will ensure protection of human health and the environment.

In October 2017, Univar USA, Inc. requested a resolution of support from the City of Dallas for its application to the TCEQ for an MSD certification in accordance with the Texas Health & Safety Code (Section 361.8065(a)(1)(A)), which states that the applicant must provide documentation that the MSD is supported by a resolution adopted by the city council of each municipality with a boundary located not more than 0.5 miles from the MSD designated property.

**BACKGROUND** (continued)

The designated property is located in the City of Farmers Branch in an area zoned for light industrial use and is located within a 0.5 mile radius from the City of Dallas city limits. City of Dallas Council Districts 11 and 13 have property within a 0.5 mile radius of the designated property in Farmers Branch.

Based on information provided by the applicant, the designated property is underlain by a perched shallow aquifer that is encountered at approximately 5 - 12 feet below ground surface (bgs) and extends to the top of the underlying Austin Chalk Formation. The anticipated direction of groundwater flow beneath the designated property is to the northeast, away from the City of Dallas city limits. A portion of this shallow groundwater has been affected by trichloroethene (TCE), tetrachloroethene (PCE), 1,1-dichloroethylene (1,1-DCE), cis-1,2-dichloroethylene (cis-1,2-DCE), 1,1,2-trichloroethane (1,1,2-TCA), 1,2-dichloroethane (1,2-DCA), methylene chloride (MC), benzene, and vinyl chloride (VC) at concentrations above groundwater ingestion standards. Potential onsite sources identified at the designated property include the former facility used for packing, blending, and distribution of chemical products that was located at 4707 Alpha Road. The property was historically developed and operated by Van Waters & Rogers in 1968, which became Univar USA, Inc. in approximately 1974 and operated the facility until 1986. The facility was decommissioned by early 1987 and investigations were initiated and determined that chemicals of concern have impacted groundwater. Multiple remediation activities have been conducted to address the soil and groundwater impact. No City of Dallas property is expected to be impacted by the release of chemicals at the MSD designated property in Farmers Branch.

The applicant's current plan is to obtain closure under the Corrective Action Program supported by an MSD. The designated property is currently occupied by multiple commercial businesses which include lighting and building control products, furniture and design showroom, office and warehouse space, import and wholesale of gemstones, manufacturer of sporting goods, and parking and storage for the retailer Tuesday Morning. The anticipated future use of the designated property will remain the same with future redevelopment plans for mixed commercial/residential use.

This item is a resolution supporting the MSD application to the TCEQ by the applicant, Univar USA, Inc., for designated property located near the intersection of Welch Road and Alpha Road in Farmers Branch and within 0.5 miles from the City of Dallas Council Districts 11 and 13. This resolution fulfills a regulatory requirement of the Texas Health and Safety Code for the applicant.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Information about this item will be provided to the Quality of Life, Arts & Culture Committee on March 26, 2018.

**FISCAL INFORMATION**

No cost consideration to the City.

**OWNERS**

**Univar USA, Inc.**

Stephen Landsman, Vice President

**Bell & McCoy Companies, Inc.**

Chris Coursey, President

**SEELCCO Street Partners, Ltd.**

Attoyac Investments, L.C., General Partner  
Henry Seeligson, President

**SEELCCO Partners II, Ltd.**

Attoyac Investments, L.C., General Partner  
Henry Seeligson, President

**Scott A. Hawkins Separate Property TR II LLC**

Scott Hawkins, President

**Surinder Mittal**

**Calandro Development, Inc.**

Christopher J Calandro, President

**MAP**

Attached

March 28, 2018

**WHEREAS**, Chapter 361, Subchapter W, of the Texas Solid Waste Disposal Act authorizes the Texas Commission on Environmental Quality (TCEQ) to certify Municipal Setting Designations (MSDs) for properties that have been the subject of contamination but that, due to the availability of other sources of potable water and because of restrictions on the use of ground water at and near the affected property, do not pose a threat to the public health, safety, and welfare; and

**WHEREAS**, an application to the TCEQ for an MSD requires the applicant to document that the application is supported by: (1) the city council of the city in which the site is located, (2) the city council of each municipality with a boundary located not more than one-half mile from the site, (3) the city council of each municipality that owns or operates a groundwater supply well located not more than five miles from the site, and (4) the governing body of each municipal or retail public entity, as defined by Section 13.002, Texas Water Code, that owns or operates a groundwater supply well located not more than five miles from the site; and

**WHEREAS**, on September 26, 2017, the City of Farmers Branch issued an ordinance establishing an MSD for property generally located near the intersection of Welch Road and Alpha Road on property described in Exhibit A, which is attached to and made a part of this resolution (the Designated Property); and

**WHEREAS**, the City of Dallas is a municipality with a boundary located less than one-half mile from the Designated Property; and

**WHEREAS**, following the issuance of resolutions of support from each additional municipality and retail public utility for which approval is required, the applicant will submit to the TCEQ an application for certification of the ordinance for the Designated Property pursuant to Texas Health and Safety Code, Chapter 361, Subchapter W.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

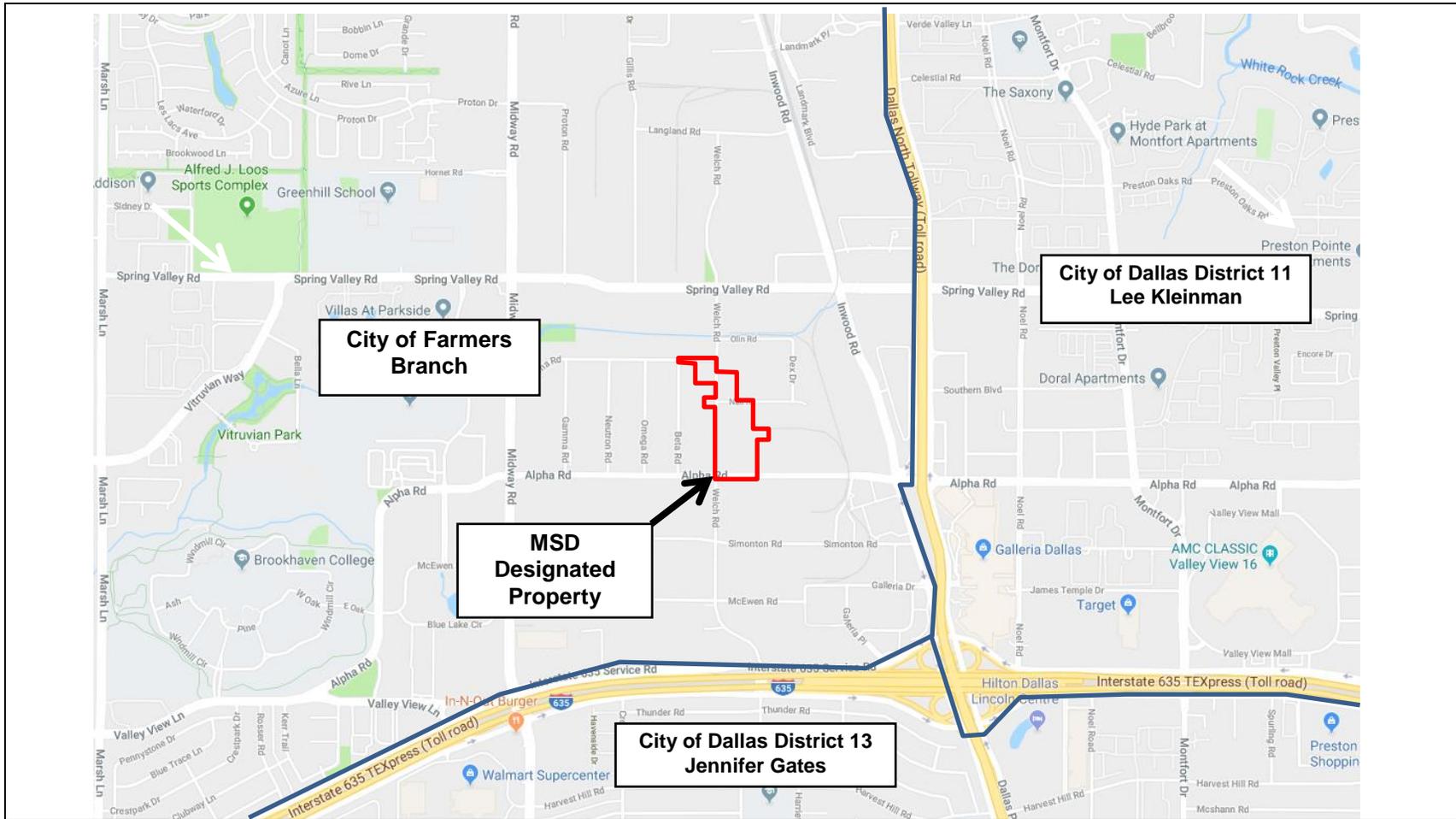
**SECTION 1.** That City of Dallas supports the application of the applicant to the TCEQ for certification of a Municipal Setting Designation for the Designated Property.

March 28, 2018

**SECTION 2.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:  
LARRY E. CASTO, City Attorney

BY: \_\_\_\_\_  
Assistant City Attorney



City of Dallas



**Municipal Setting Designation Resolution of Support**  
**Figure Farmers Branch Area Map**  
 MSD Designated Property - Univar USA, Inc.  
 Generally located at the intersection of Welch Road and Alpha Road  
 Farmers Branch, Texas

**STRATEGIC PRIORITY:** Quality of Life

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services  
Library

**CMO:** Elizabeth Reich, 670-7804  
Joey Zapata, 670-1204

**MAPSCO:** N/A

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**SUBJECT**

Authorize a three-year service contract for purchasing, labeling, and cataloging of best-selling books and access to vendors online catalog to view the latest best-seller list, search, check availability, and order for the Dallas Public Library - Ingram Library Services LLC, lowest responsible bidder of three - Not to exceed \$914,600 - Financing: General Funds (subject to annual appropriations)

**BACKGROUND**

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for service, for a specific term, which are ordered on an as needed basis.

This service contract will enable the Library to:

- Purchase best-selling and high demand books for all 28 branch library locations and the J. Erik Jonsson Central Library
- Ship City selected best-selling books through the vendors online catalog to the Library in time to coincide with their release to the general public through commercial booksellers
- Allow library customers to request and check-out best-selling books on the same "street" date that they are available from commercial booksellers
- Label and catalog all books by the vendor so that they arrive shelf-ready for immediate use by library patrons

In the last five years, more than 3,000 new titles and over 46,000 copies of best-seller books have been ordered based on demand and made available to an annual average of 7 million customers for check out at any branch library within the Dallas Public Library system.

**BACKGROUND** (continued)

In this solicitation, the Office of Procurement Services required bidders to submit a response using discounts from manufacturer’s price list. This bid resulted in a 43.60 percent discount compared to an 34.50 percent discount for the bid awarded in 2013.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 103 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of \$10.94, by Resolution No. 15-2141; the selected vendor meets this requirement.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On May 22, 2013, City Council authorized a two-year master agreement for best-selling books for the Dallas Public Library by Resolution No. 13-0803.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on March 26, 2018.

**FISCAL INFORMATION**

General Funds - \$914,600.00 (subject to annual appropriations)

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

<b><u>Contract Amount</u></b>	<b><u>Category</u></b>	<b><u>M/WBE Goal</u></b>	<b><u>M/WBE%</u></b>	<b><u>M/WBE \$</u></b>
\$914,600.00	Other Services	23.80%	0.00%	\$0.00

- This contract does not meet the M/WBE goal of 23.80%, but complies with good faith efforts

**BID INFORMATION**

The Office of Procurement Services received the following bids from solicitation number BT1804. We opened them on December 22, 2017. We recommend the City Council award this service contract in its entirety to the lowest responsive and responsible bidder.

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Ingram Library Services LLC	One Ingram Blvd. La Vergne, TN 37086	\$914,600.00
Baker & Taylor, Inc.	2550 West Tyvola Rd. Suite 300 Charlotte, NC 28217	\$917,000.00
Brodart Co.	500 Arch St. Williamsport, PA 17701	\$916,000.00

**OWNER**

**Ingram Library Services LLC**

Shawn R. Everson, President  
Daniel S. Sheehan, Vice President  
Eleanor G. McDonald, Secretary  
Jeffrey K. Belser, Treasurer

March 28, 2018

**WHEREAS**, on May 22, 2013, City Council authorized a two-year master agreement for best-selling books for the Dallas Public Library by Resolution No. 13-0803.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to sign a service contract with Ingram Library Services LLC (502317), approved as to form by the City Attorney, for purchasing, labeling, and cataloging of best-selling books and access to vendors online catalog to view the latest best-seller list, search, check availability, and order for the Dallas Public Library for a term of three years, in an amount not to exceed \$914,600. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Ingram Library Services LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Ingram Library Services LLC under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$914,600 (subject to annual appropriations) to Ingram Library Services LLC from Service Contract No. LIB-2018-00005264.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**STRATEGIC PRIORITY:** Quality of Life

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** 9

**DEPARTMENT:** Office of Procurement Services  
Park & Recreation Department

**CMO:** Elizabeth Reich, 670-7804  
Willis Winters, 670-4071

**MAPSCO:** 37 Q

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**SUBJECT**

Authorize a three-year concession contract for the operation of a watercraft rental service at White Rock Lake - Ask Ace, LLC dba White Rock Paddle Co., most advantageous proposer of two - Estimated Annual Net Revenue: \$59,800

**BACKGROUND**

This concession contract will provide for the operation of a watercraft rental service at White Rock Lake. Services included will require the concessionaire to make available through rental fees: kayaks, canoes, and/or stand-up paddle boards with life vests to lake visitors on a daily basis. Additionally, the concessionaire will be responsible for furnishing, maintenance, and storage of all equipment under this contract. The concessionaire will also provide major capital improvements totaling a minimum of 1.5% of gross revenues; such as, repairs to existing boat ramp and fishing piers, and installing electricity.

Additionally the concessionaire agrees to provide the following:

- All concessionaire’s employees and volunteers are required to have appropriate water safety certifications
- Utilize a lightning tracker App
- On-site Automated External Defibrillator
- A motor powered rescue boat to ensure the safety of clients

**BACKGROUND** (continued)

A six member committee from the following departments reviewed and evaluated the qualifications:

- Park & Recreation Department (2)
- Department of Equipment and Building Services (1)
- Water Utilities Department (1)
- Office of Cultural Affairs (1)
- Office of Procurement Services (1)\*

\*The Office of Procurement Services only evaluated revenue structure.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Revenue 35%
- Overall approach 40%
- Capability and experience 25%

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,747 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On February 15, 2018, the Park and Recreation Board authorized a three-year concession contract with Ask Ace, LLC dba White Rock Paddle Co.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on March 26, 2018.

**FISCAL INFORMATION**

Estimated Annual Net Revenue - \$59,800.00

## **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

<b><u>Contract Amount</u></b>	<b><u>Category</u></b>	<b><u>M/WBE Goal</u></b>	<b><u>M/WBE %</u></b>	<b><u>M/WBE \$</u></b>
\$59,800.00	Revenue	N/A	N/A	N/A

- The Business Inclusion and Development Plan does not apply to Revenue contracts, however, the prime contractor is a certified M/WBE

## **PROPOSAL INFORMATION**

The Office of Procurement Services received the following proposals from solicitation number BQZ1710. We opened them on March 17, 2017. We recommend the City Council award this concession contract in its entirety to the most advantageous proposer.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
*Ask Ace, LLC dba White Rock Paddle Co.	7154 Walling Lane Dallas, TX 75231	89.00%
LeLe Books	20005 Liedecke Road Suite 11103 San Antonio, TX 78264	58.20%

## **OWNER**

**Ask Ace, LLC dba White Rock Paddle Co.**

Amy Ebert, President  
Angeline Koh, Vice President

March 28, 2018**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to sign a concession contract with Ask Ace, LLC dba White Rock Paddle Co. (VC0000009815), approved as to form by the City Attorney, for the operation of a watercraft rental service at White Rock Lake for a term of three years, in an estimated annual net revenue amount of \$59,800. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Ask Ace, LLC dba White Rock Paddle Co. shall be based only on the amount of the services directed to be performed by the City and properly performed by Ask Ace, LLC dba White Rock Paddle Co. under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received from Ask Ace, LLC dba White Rock Paddle Co. from Contract No. PKR-2018-00005248, as follows:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Revenue Code</u>	<u>Amount</u>
0001	PKR	6868	7212	\$32,890
0469	PKR	6868	7212	\$26,910

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**STRATEGIC PRIORITY:** Quality of Life

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Park & Recreation Department

**CMO:** Willis Winters, 670-4071

**MAPSCO:** 46K, P

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**SUBJECT**

Authorize a professional services contract with M.E.P. Consulting Engineers, Inc. for lighting design and engineering services for the Music Hall Exterior Lighting Improvements Project at the Music Hall in Fair Park located at 909 First Avenue - Not to exceed \$92,485 - Financing: General Funds (subject to appropriations)

**BACKGROUND**

This engineering services contract will address the need for improved lighting for a safer night-time environment at the pedestrian areas around the Music Hall building. The contract will also address the need for improved lighting to highlight the unique architecture of the Music Hall building.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Design	April 2018
Complete Design	July 2018
Begin Construction	November 2018
Complete Construction	January 2019

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On February 15, 2018, the Park and Recreation Board authorized an engineering services contract with M.E.P. Consulting Engineers, Inc.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on March 26, 2018.

**FISCAL INFORMATION**

General Funds - \$92,485.00 (subject to appropriations)

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

<b><u>Contract Amount</u></b>	<b><u>Category</u></b>	<b><u>M/WBE Goal</u></b>	<b><u>M/WBE %</u></b>	<b><u>M/WBE \$</u></b>
\$92,485.00	Architecture & Engineering	25.66%	100.00%	\$92,485.00

- This contract exceeds the M/WBE goal of 25.66%

**OWNER**

**M.E.P. Consulting Engineers, Inc.**

Sheila Nemati, P.E., President

**MAP**

Attached

March 28, 2018

**WHEREAS**, the existing outdoor lights at the Music Hall located at 909 First Avenue are not illuminating certain pedestrian areas to the levels recommended by the Illumination Engineering Society; and

**WHEREAS**, on November 29, 2017, a solicitation for consulting services for the design of the Exterior Lighting Improvements at the Music Hall was developed and publicly advertised by the Park and Recreation Department; and

**WHEREAS**, on December 15, 2017, three statements of qualifications were received; and

**WHEREAS**, on December 22, 2017, a proposal request was issued to two firms; and

**WHEREAS**, on January 11, 2018, two proposals were received; and

**WHEREAS**, on January 17, 2018, M.E.P. Consulting Engineers, Inc. received the highest ranking, making them the most qualified proposer of the two respondents as the result of a qualifications-based selection process in accordance with City of Dallas Administrative Directive 4-5; and

**WHEREAS**, it is now desirable and in the best interest of the City of Dallas to authorize a professional services contract with M.E.P. Consulting Engineers, Inc. for lighting design and engineering services for design, design development, construction documents, bidding and negotiation, and construction administration for the Music Hall Exterior Lighting Improvements Project.

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to sign a professional services contract with M.E.P. Consulting Engineers, Inc., approved as to form by the City Attorney, to provide lighting design and engineering services for Music Hall Exterior Lighting Improvements Project, in an amount not to exceed \$92,485.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$92,485 (subject to appropriations) to M.E.P. Consulting Engineers, Inc. from General Fund, Fund 0001, Department PKR, Unit 5207, Object 4111, Activity FPRK, Program PKFPMHEL, Encumbrance/Contract No. PKR-2018-00005406, Commodity 92500, Vendor 515088.

March 28, 2018

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



**Music Hall Exterior Lighting Improvements Project**

Mapsc0 46 K, P  
Council District 7