

KEY FOCUS AREA: Clean, Healthy Environment
E-Gov

AGENDA DATE: April 13, 2016

COUNCIL DISTRICT(S): 1, 3, 4, 7, 8, 9

DEPARTMENT: Equipment & Building Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: Various

SUBJECT

Authorize a construction services contract to re-roof eight City of Dallas facilities with Restoration Specialist, dba RS Commercial Construction - Not to exceed \$433,616 - Financing: Capital Construction Funds

BACKGROUND

The City has identified eight buildings that need roof replacements. This contract will provide materials, equipment, labor and supervision to re-roof the following eight City facilities: Fire Station #12, Fruitdale Recreation Center, Mildred Dunn Recreation Center, Ridgewood Belcher Recreation Center, Samuel Farm, Sunset Inn Aquatic Facility, WRR and Eco Park Training Building. Restoration Specialist, dba RS Commercial Construction shall complete this work pursuant to Texas Cooperative Purchasing Network contract #5094.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	May 2016
Complete Construction	December 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

Information about this item will be provided to the Quality of Life & Environment Committee on April 11, 2016.

FISCAL INFORMATION

\$433,616.00 - Capital Construction Funds

FISCAL INFORMATION (Continued)

<u>Council District</u>	<u>Amount</u>
1	\$ 13,699.00
3	\$ 29,922.00
4	\$ 151,932.00
7	\$ 24,795.00
8	\$ 89,245.00
9	\$ 92,621.00
N/A	\$ 31,402.00
Total	\$ 433,616.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Restoration Specialist, dba RS Commercial Construction

White Male	13	White Female	5
Black Male	2	Black Female	0
Hispanic Male	3	Hispanic Female	1
Other Male	1	Other Female	0

OWNER

Restoration Specialist, dba RS Commercial Construction

Mark DeMattia, President
David DeMattia, Vice President

April 13, 2016

WHEREAS, it is necessary to authorize a contract for construction services to Restoration Specialist, dba RS Commercial Construction to perform re-roofing of eight City of Dallas facilities.

Now, Therefore,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a construction services contract with Restoration Specialist, dba RS Commercial Construction (VS0000044823) in an amount not to exceed \$433,616.00, upon approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriation in an amount not to exceed \$433,616.00:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object</u>	<u>Amount</u>	<u>Encumbrance</u>
0671	EBS	P717	3210	\$433,616.00	EBS16P717CT24

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.

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: April 13, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize an amendment to the one-hundred-twenty-six-month concession contract with Ira McGraw, dba IAMJ Enterprises, Inc., to define roles, responsibilities and compensation as a result of the closure of the Cedar Crest Golf Course and Banquet Facility located at 1800 Southerland Avenue – Not to exceed \$239,925 – Financing: Golf Improvement Funds

BACKGROUND

Cedar Crest Golf Course opened for play in 1918 and has not been renovated since 2003. The renovation of the existing golf course includes, bunker replacement, greens contouring and replacement, soil preparation, grassing, landscape form, planting selections, and tee box improvements. Golf course renovations are necessary to retain a product that will generate attendance and revenues required to sustain the golf system through operations and capital improvements. The City has successfully renovated courses with golf revenues, which are consistently recognized throughout the metroplex as top quality golf destinations and top performers.

This action will amend the one-hundred-twenty-six-month concession contract with Ira McGraw that was approved on June 11, 2008, by Resolution No. 08-1654 for the management of the pro shop operations. The City of Dallas golf course facility and grounds operations are managed through city forces and the business operations are managed by private contractors who are PGA Professionals. This public/private contractual partnership maximizes the revenue potential and return on investment for both the operator and the City of Dallas.

BACKGROUND (CONTINUED)

The golf course renovation will close the course during busy golfing season, during which time the golf pro will have no opportunity to generate revenue from the facilities but will continue to have financial responsibility for many aspects of the operation. During the period of the renovation, the golf pro will be preparing the marketing plan for the course re-opening and by providing professional input during the course construction regarding the final product including landscaping selection, greens, and tee box sculpting. The City proposes to compensate Mr. McGraw for professional services compensation not to exceed \$51,047 during the period of closure for his professional oversight during construction. The proposed professional compensation is based on previous amendments to management agreements with pros at both Stevens Park Golf Course and Luna Vista Golf Course during golf course renovations.

Substantiated and validated expenses of approximately \$88,909 will be incurred by Mr. McGraw, against which he has no opportunity to generate revenue. During the period the course will be closed, expenses include maintaining the telephone lines, liquor license, insurance, pest control and golf shop security system. The costs for staff to close and re-open the pro shop and café, and losses for merchandise liquidation are also considered for compensation.

During the term of the renovation and seven months after re-opening the course, the City will assume all utility costs for the golf course, pro shop and cart barn, in an amount not to exceed \$8,591.

The City, through its Park and Recreation Department, agrees to compensate Ira McGraw a sum of \$91,378 for Concessionaires closure relief as a result of loss of revenue during closure of the golf course and to account for the time it will take to regenerate the customer base of Cedar Crest Golf Course which has dropped during the course of the last few seasons. Over the course of the last three years, the rounds at Cedar Crest have declined due to the continued decline in the condition of the greens. This decline has impacted the perception of the golfing public and by allocating these funds to Mr. McGraw, he will have the opportunity to create new golf programs, invest in staff and create additional opportunities to generate interest in Cedar Crest Golf Course and to rebuild the customer base.

The City's proposed compensation breaks down as follows:

Pro compensation	\$ 51,047
Fixed cost reimbursement	\$ 88,909
Forego seven months of utilities beginning October 2016	\$ 8,591
Commissions waiver (five months waived)	\$ 18,749
Customer Base Regeneration	<u>\$ 72,629</u>
Total Proposed Supplemental Agreement	\$239,925

ESTIMATED SCHEDULE OF PROJECT

Begin Renovation	May 2016
Complete Renovation	September 2016

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

City Council authorized the concession agreement for management of Cedar Crest Golf Course on June 11, 2008, by Resolution No. 08-1654.

City Council authorized the banquet facility management agreement on August 27, 2008, by Resolution No. 08-2229.

The Park and Recreation Board authorized an amendment to the concession contract on March 10, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on April 11, 2016.

FISCAL INFORMATION

Golf Improvement Funds - \$239,925

April 13, 2016

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the Park and Recreation Board has developed a golf pro shop management plan which provides for the operation of the golf pro shops at Cedar Crest, Luna Vista, Stevens Park, Tenison Park and Grover C. Keeton Golf Courses through professional managers as independent contractors; and

WHEREAS, the City Charter requires that the City Council approve any contract which exceeds one year in duration; and

WHEREAS, on June 11, 2008, Resolution No. 08-1654 authorized a concession contract for the operation of the golf prop shop that provides for the full service golf facility at Cedar Crest to the citizens including merchandise, golf carts, club repairs, club rentals, food and drink, beer, driving range, lessons, and building reservations through Ira McGraw, a professional manager, as an independent contractor and any and all assignees including IAMJ Enterprises, Inc. a Texas Corporation (IAMJ Enterprises, Inc.); and

WHEREAS, the City is preparing to conduct a renovation of Cedar Crest Golf Course beginning on or about May 1, 2016 and ending on or about September 30, 2016; and

WHEREAS, pursuant to Section 22 of the Contract, the City will close down Cedar Crest Golf Course during the renovation; and

WHEREAS, this action authorizes an amendment to the one-hundred-twenty-six-month concession contract with Ira McGraw to define roles, responsibilities, compensation and reimbursement for professional services performed and costs incurred during the closure of the premises including presenting to the public on the golf course renovations; providing a marketing plan; and providing professional knowledge as to landscaping form and planting selections, green contouring and placement, bunkers and fairway sculpting and drainage which is consistent with previous amendments to management agreements with pros at both Stevens Park Golf Course and Luna Vista Golf Course.

Now, Therefore,

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

April 13, 2016

SECTION 1. That the City Manager is hereby authorized to enter into an amendment to the one-hundred-twenty-six-month concession contract with Ira McGraw, dba IAMJ Enterprises, Inc., to define roles, responsibilities and compensation as a result of the closure of the Cedar Crest Golf Course for renovation, in an amount not to exceed \$239,925.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a concession agreement with Ira McGraw, dba IAMJ Enterprises, Inc., after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to pay compensation in an amount not to exceed \$239,925 during closure of the premises to IAMJ Enterprises, Inc. from Golf Improvement Funds (subject to appropriations), Fund 0332, Department PKR, Unit 9363, Object 3070, Activity PK19, Commodity 92500.

<u>AMOUNT</u>	<u>UNIT</u>	<u>ENCUMBRANCE</u>	<u>VENDOR NO.</u>	<u>VENDOR</u>
\$239,925	9363	PKR16F018	VS0000032011	IAMJ Enterprises, Inc.

SECTION 4. 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.

KEY FOCUS AREA: E-Gov
AGENDA DATE: April 13, 2016
COUNCIL DISTRICT(S): N/A
DEPARTMENT: Sanitation Services
CMO: Joey Zapata, 670-3009
MAPSCO: N/A

SUBJECT

Authorize ordinances granting four franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$11,200

BACKGROUND

Each solid waste hauler operating in Dallas must apply for and receive a franchise to operate a solid waste collection service in the city. For a company to be submitted to City Council for franchise consideration, Sanitation Services requires the company to meet certain preliminary minimum provisions before a franchise application will be considered. Preliminary provisions include providing proof of meeting minimum insurance requirements, confirmation that the company is registered to do business in the State of Texas, the company's intent to pick up and haul solid waste in the City of Dallas, a list of vehicles that are Code compliant, payment of all city taxes (if applicable) and no past history by principals of the company operating a franchised hauling business as a principal that went out of business owing the City franchise fees or disposal fees. These businesses have met all of the preliminary requirements to be considered for a franchise ordinance.

These franchise ordinances, like the franchisees adopted on October 14, 2015, require the City to approve transfer of ownership or sale of assets in accordance with the City Charter, has tightened reporting and payment provisions for franchisees, requires strict compliance with annual certificate of insurance renewal submissions, is for a franchise term of 5 years, and allows the Council to amend the franchise if needed, more easily and has a clearer acceptance process.

There are currently 202 approved franchise ordinances in Dallas. As part of the franchise agreement, franchisees shall pay a fee of not less than four percent of the gross receipts resulting from the operation of the solid waste collection service within the City.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On September 27, 2006, Council authorized an amendment to the Dallas City Code to include a franchise fee method for regulating solid waste haulers, by Ordinance No. 26478.

On, October 12, 2015, the Quality of Life & Environment Committee was provided information regarding changes to ordinances related to new solid waste collection and hauling franchise agreements.

Information about this item will be provided to the Quality of Life & Environment Committee on April 11, 2016.

FISCAL INFORMATION

\$11,200.00 - Estimated Annual Revenue

Franchises for Solid Waste Collection and Hauling

Franchise Haulers

Estimated Annual Franchise Revenue

Custom Recycling Solutions, LLC	\$2,400.00
Demolition Specialties, LP	\$1,100.00
Mart, Inc.	\$ 300.00
Sunbelt Vacuum Service, Inc. dba	
Sunbelt Disposal & Recycling	\$7,400.00
Total	\$11,200.00