

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

APPROVING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF \$873,000.00, INCLUDED IN THE RESPECTIVE DEPARTMENT'S FY 2019 ADOPTED BUDGET: (A) HILL'S PET NUTRITION, LEGEND & WHITE ANIMAL HEALTH GROUP, AND MIDWEST VETERINARY SUPPLY FOR DOG AND CAT FOOD; (B) PREMIER COMFORT AIR CONDITIONING AND HEATING, INC. FOR HVAC PREVENTIVE MAINTENANCE AND REPAIR SERVICES AT CENTRO DE ARTES; (C) A.M. LEONARD, INC. FOR SLOW RELEASE WATERING BAGS; (D) MITSON AUTOMOTIVE, INC. FOR LIGHT-DUTY AUTOMATIC TRANSMISSION PARTS & SERVICE; AND E.J. WARD, INC. FOR SOFTWARE MAINTENANCE & SUPPORT, AND FUEL TERMINAL & VEHICLE PARTS FOR THE E.J. WARD AUTOMATED FUEL MANAGEMENT SYSTEM.

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WHEREAS, bids were submitted to provide the City of San Antonio with commodities and services on an annual basis for the terms of the contracts; and

WHEREAS, this Ordinance approves the following contracts: (A) Hill's Pet Nutrition, Legend & White Animal Health Group, and Midwest Veterinary Supply for dog and cat food; (B) Premier Comfort Air Conditioning and Heating, Inc. for HVAC preventive maintenance and repair services at Centro de Artes; (C) A.M. Leonard, Inc. for slow release watering bags; (D) Mitson Automotive, Inc. for light-duty automatic transmission parts & service; and (E) E.J. Ward, Inc. for software maintenance & support, and fuel terminal & vehicle parts for the E.J. Ward Automated Fuel Management System; and

WHEREAS, the bid submitted by Hill's Pet Nutrition for Item 2(c) failed to meet the City's specifications and/or requirements for dog and cat food; and

WHEREAS, the Texas Local Government Code indicates that competitive bidding is not required under section 252.022(a)(7)(A), which provides for the procurement of items that are available from only from a sole source of supply; and

WHEREAS, this Ordinance approves six low responsive bid contracts, and one sole source contract; and

WHEREAS, all expenditures will be in accordance with the applicable fiscal year's budget approved by City Council; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The following bids and amendments to furnish the City with goods and services on an annual basis as shown on the attached bid tabulation sheets are hereby accepted, subject to and contingent upon the deposit of all required bonds, performance deposits, insurance certificates and endorsements: (A) Hill's Pet Nutrition, Legend & White Animal Health Group, and Midwest Veterinary Supply for dog and cat food; (B) Premier Comfort Air Conditioning and Heating, Inc. for HVAC preventive maintenance and repair services at Centro de Artes; (C) A.M. Leonard, Inc. for slow release watering bags; (D) Mitson Automotive, Inc. for light-duty automatic transmission parts & service; and (E) E.J. Ward, Inc. for software maintenance & support, and fuel terminal & vehicle parts for the E.J. Ward Automated Fuel Management System. The bid tabulation sheets are attached hereto and incorporated herein for all purposes as **Exhibit I**. Copies of the bids are available for inspection in the offices of the Purchasing Division of the Finance Department.

SECTION 2. It has been found and declared that the low bid from Hill's Pet Nutrition for Item 2c failed to meet the City's specifications and/or requirements for dog and cat food.

SECTION 3. Funds will be encumbered upon issuance of purchase orders and payment is authorized to the vendors identified herein. All expenditures will be in accordance with the Fiscal Year 2019 budget and such other appropriations necessary to fund the contracts through their terms as evidenced by subsequent ordinances.

SECTION 4. This Ordinance is effective immediately upon passage by eight affirmative votes; otherwise it is effective on the tenth day after passage.

PASSED and APPROVED this ____ day of November, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney