

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

**AN ORDINANCE**

**FOR THE FRANK WING HVAC CONTROL UPGRADE PROJECT,  
ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A  
CONSTRUCTION CONTRACT TO K-AIR CORPORATION IN THE  
AMOUNT OF \$215,445.00, AN FY 2017 DEFERRED MAINTENANCE  
PROGRAM FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT  
5.**

\* \* \* \* \*

**WHEREAS**, this project will upgrade the existing HVAC control units which will allow schedules to be programmed as well as provide remote access to adjust temperatures and improve overall system efficiency for courtrooms, administration and public areas at the Frank Wing Municipal Courts; and

**WHEREAS**, the Frank Wing HVAC Control Upgrade project is anticipated to begin December 2017 and estimated to be completed by March 2018; and

**WHEREAS**, this project was advertised for bids in September 2017, with bids opened on October 10, 2017, and of the two bidders which responded, one bidder was deemed non-responsive, and K-Air Corporation submitted the lowest responsive bid; and

**WHEREAS**, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program and K-Air Corporation has committed to 24% Minority/Women Business Enterprise (M/WBE) subcontractor participation; and

**WHEREAS**, this ordinance for the Frank Wing HVAC Control Upgrade project accepts the lowest responsive bid and awards a construction contract for a one-time capital improvement expenditure in the total amount of \$215,445.00 to K-Air Corporation; and

**WHEREAS**, funds are available from the FY 2017 Deferred Maintenance Program; **NOW THEREFORE:**

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

**SECTION 1.** The lowest responsive bid from K-Air Corporation in the amount not to exceed \$215,445.00 for the Frank Wing HVAC Control Upgrade Project is hereby accepted. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

**SECTION 2.** A construction contract is hereby awarded to K-Air Corporation.

**SECTION 3.** Payment in the amount of \$215,445.00 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 35-00069, DM - Frank Wing, is authorized to be encumbered and made payable to K-Air Corporation, for construction services.

**SECTION 4.** The financial allocations in this ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this ordinance.

**SECTION 5.** 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 \_\_\_\_\_, 2017.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney