

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

**AN ORDINANCE**

**AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF \$322,000.00: (1A) MOSTY BROTHERS NURSERY AND BOB WELLS NURSERY LLC AND (1B) AGH2O HOLDINGS LLC AND SITEONE LANDSCAPE SUPPLY TO SUPPLY FIVE, SEVEN AND FIFTEEN GALLON SHADE, ORNAMENTAL, FRUIT AND NUT TREES; AND (2) THE WATERMARK GROUP FOR SOLID WASTE MANAGEMENT DEPARTMENT “PAY AS YOU THROW” PROGRAM DOOR HANGERS.**

\* \* \* \* \*

**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**, these bids are from the following companies to furnish the City with: (1A) Mosty Brothers Nursery and Bob Wells Nursery LLC and (1B) AgH2O Holdings LLC and SiteOne Landscape Supply to supply five, seven and fifteen gallon shade, ornamental, fruit and nut trees; and (2) The Watermark Group for Solid Waste Management Department (SWMD) “Pay as You Throw” program door hangers; and

**WHEREAS**, one of the bids submitted by AgH2O Holdings LLC (1A) failed to meet the City’s specifications and/or requirements for five, seven and fifteen gallon shade, ornamental, fruit and nut trees; and

**WHEREAS**, the bid submitted by Quad Graphics Inc. failed to meet the City’s specifications and/or requirements for SWMD “Pay as You Throw” program door hangers; and

**WHEREAS**, this ordinance approves three low qualifying bid contracts and two low bid contracts; 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 bids from the following companies to furnish the City with: (1A) Mosty Brothers Nursery and Bob Wells Nursery LLC and (1B) AgH2O Holdings LLC and SiteOne Landscape Supply to supply five, seven and fifteen gallon shade, ornamental, fruit and nut trees; and (2) The Watermark Group for SWMD “Pay as You Throw” program door hangers. 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 bid submitted by AgH2O Holdings LLC (1A) failed to meet the City’s specifications and/or requirements.

**SECTION 3.** It has been found and declared that the bid submitted by Quad Graphics Inc. failed to meet the City’s specifications and/or requirements.

**SECTION 4.** 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 2017 budget and such other appropriations necessary to fund the contracts through their terms as evidenced by subsequent ordinances.

**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 \_\_\_\_, 2016.

**M A Y O R**  
Ivy R. Taylor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

\_\_\_\_\_  
City Attorney