

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

**AN ORDINANCE**

**AUTHORIZING AN ON-CALL SOLID WASTE CONSULTING SERVICES AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC., IN AN AMOUNT NOT TO EXCEED \$150,000.00 ANNUALLY, FOR A TERM OF THREE YEARS WITH ONE TWO-YEAR RENEWAL OPTION, FOR AS-NEEDED PROJECTS IN VARIOUS COUNCIL DISTRICTS, FUNDED BY THE SOLID WASTE OPERATING AND MAINTENANCE FUND.**

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**WHEREAS**, due to the highly regulated and complex nature of the solid waste industry, and the quantity of work, the Solid Waste Management Department (SWMD) utilizes a consultant to provide objective, third-party advice that will enable the City to make well-informed and educated decisions, and to assist the City with developing and evaluating various aspects of the City's current recycling and solid waste operations and programs, as well as other solid waste and recycling issues which may be identified by the City; and

**WHEREAS**, the SWMD and the Purchasing division of the Finance Department jointly developed a Request for Proposals for On-Call Solid Waste Consulting Services (RFP 17-035) which was issued January 18, 2017; four firms responded and, based on the evaluation conducted by members of the review panel, Burns & McDonnell Engineering Company, Inc., was the most qualified respondent; and

**WHEREAS**, the initial term of the agreement shall be for a period of three years with one optional two-year renewal under the same terms and conditions; this is an on-call contract and there is no minimum value guaranteed; the maximum value for this agreement is not to exceed \$150,000.00 annually, or \$750,000.00 if the renewal is exercised; and

**WHEREAS**, this ordinance authorizes the execution of an On-Call Solid Waste Consulting Services agreement with Burns & McDonnell Engineering Company, Inc., in an amount not to exceed \$150,000.00 per year, to be used on an as needed basis to provide objective, third-party advice to the SWMD, with an initial term of three years, with the option for one additional two-year renewal, under the same terms and conditions, and a total contract value of not to exceed \$750,000.00 if the renewal is exercised by the City, funded by the Solid Waste Operating and Maintenance Fund; **NOW THEREFORE**,

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

**SECTION 1.** The City Manager, or her designee, or the Director, Solid Waste Management Department, or his designee, is hereby authorized to take all actions necessary to negotiate and execute an Agreement with Burns & McDonnell Engineering Company, Inc., to provide services

in relation to the “Request for Proposals for On-Call Solid Waste Consulting Services (RFP 17-035), issued by the City on January 18, 2017, for a term of three years, with the option for the City to renew the contract for one additional two-year term, under the same terms and conditions, with no further action by the City Council. The initial term of the Agreement shall begin after approval by the City and shall end on September 30, 2020. A copy of the Agreement, in substantially final form, is attached and incorporated herein for all purposes as **ATTACHMENT I**. The execution authority granted by this ordinance shall expire 90 days from the effective date.

**SECTION 2.** Funding in the amount of \$150,000.00 for this ordinance is available in Fund 55001000, Cost Center 5501010001 and General Ledger 5201040, as part of the Fiscal Year 2017 Budget. Additional funding for this ordinance is contingent upon City Council approval of the City’s operating budget and the availability of funds for subsequent Fiscal Years.

**SECTION 3.** Payment not to exceed of \$150,000.00 is authorized Burns & McDonnell Engineering Company, Inc., and should be encumbered with a purchase order.

**SECTION 4.** Additional funding for this ordinance is contingent upon City Council approval of the City’s operating budget and the availability of funds for Fiscal Years 2018, 2019, 2020, 2021 and 2022.

**SECTION 5.** 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 6.** This ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

**PASSED and APPROVED this 22<sup>nd</sup> day of June, 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