

**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 \$437,000.00, INCLUDED IN THE RESPECTIVE DEPARTMENT'S FY 2021 ADOPTED BUDGET: (A) ERGON ASPHALT & EMULSIONS, INC., FOR ASPHALT, OIL AND EMULSION; (B) PETROLEUM SOLUTIONS, INC., DBA JF PETROLEUM GROUP, FOR TANK LEVEL SENSING AND LEAK DETECTION PARTS AND SERVICE; (C) SWARCO REFLEX LLC FOR AVIATION GLASS BEADS; (D) HD SUPPLY CONSTRUCTION SUPPLY LTD FOR BAGGED PORTLAND AND MASONRY CEMENT AND READY MIX CONCRETE; AND (E) OXFORD IMMUNOTEC USA, INC., FOR TB TEST KITS AND SUPPLIES.

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WHEREAS, the City is able to obtain significant savings by purchasing various materials and services on an annual contract basis; and

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

WHEREAS, this ordinance approves contracts with (A) Ergon Asphalt & Emulsions, Inc., for asphalt, oil and emulsion; (B) Petroleum Solutions, Inc., dba JF Petroleum Group, for tank level sensing and leak detection parts and service; (C) Swarco Reflex LLC for Aviation glass beads; (D) HD Supply Construction Supply LTD for bagged Portland and masonry cement and ready mix concrete; and (E) Oxford Immunotec USA, Inc., for TB test kits and supplies; 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 contract 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) Ergon Asphalt & Emulsions, Inc., for asphalt, oil and emulsion; (B) Petroleum Solutions, Inc., dba JF Petroleum Group, for tank level sensing and leak detection parts and service; (C) Swarco Reflex LLC for Aviation glass beads; (D) HD Supply Construction Supply LTD for bagged Portland and masonry cement and ready mix concrete; and (E) Oxford Immunotec USA, Inc., for TB test kits and supplies. The bid tabulation sheets are attached hereto and incorporated herein for all purposes as **Exhibit I**. Copies of the bids is available for inspection in the offices of the Purchasing Division of the Finance Department.

SECTION 2. 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 2021 budget, and such other appropriations necessary to fund the contracts through their terms as evidenced by subsequent ordinances.

SECTION 3. 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 _____, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney