

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

**AN ORDINANCE**

**RATIFYING A CONTRACT WITH PERENNIAL ENERGY, LLC FOR PROVIDING THE UPGRADE TO THE EXISTING RIGSBY LANDFILL GAS CANDLESTICK FLARE STATION FOR A TOTAL COST OF \$81,202.00, FUNDED FROM THE SOLID WASTE MANAGEMENT DEPARTMENT OPERATING AND MAINTENANCE FUND.**

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**WHEREAS**, an offer was submitted by Perennial Energy, LLC to provide the City of San Antonio Solid Waste Management Department with an upgrade to the existing Rigsby Landfill Gas Candlestick Flare Station for a total cost of \$81,202.00; and

**WHEREAS**, the Flare Station is necessary to flare methane and provide migration control to protect the adjacent property owners from methane migration; and

**WHEREAS**, a fire damaged some of the flare components and safety controls of the existing Flare Station, and repair was rendered impossible due to obsolete parts; and

**WHEREAS**, the Texas Local Government Code indicates that competitive bidding is not required under section 252.022(a)(2), which provides for a procurement necessary to protect the public health or safety; **NOW THEREFORE:**

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

**SECTION 1.** The contract with Perennial Energy, LLC to provide the City of San Antonio Solid Waste Management Department with an upgrade to the existing Rigsby Landfill Gas Candlestick Flare Station for a total cost of \$81,202.00 is hereby ratified. A copy of the contract is attached hereto and incorporated herein for all purposes as **Exhibit I**.

**SECTION 2.** Funding in the amount of \$81,202.00 is available in Fund 55001000, Cost Center 5556020001 and General Ledger 5204080 as part of the FY 2015 Carry Forward. Payment not to exceed the budgeted amount is authorized to Perennial Energy, LLC and should be encumbered with a purchase order.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

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Item No.

**SECTION 4.** This ordinance is effective immediately upon passage by eight or more affirmative votes; otherwise, it is effective on the tenth day after passage.

**PASSED and APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2015.

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

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Martha G. Sepeda, Acting City Attorney