

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

AN ORDINANCE

AUTHORIZING AND APPROVING AN AMENDMENT TO THE CONTRACT WITH SAN ANTONIO BIKE SHARE TO INCREASE FUNDING IN THE AMOUNT OF \$1,168,474.00, FOR A TOTAL CONTRACT VALUE OF \$4,125,994.00, TO BE USED FOR THE “B-CYCLE URBAN CORE EXPANSION”, AND EXTENDING THE TERM FOR TWO YEARS WITH AN OPTION FOR THE CITY TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS.

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WHEREAS, Ordinance 2010-06-17-0563 authorized a contract, funded by the American Recovery and Reinvestment Act of 2009 (ARRA) in an amount not to exceed \$841,579.00, with the non-profit San Antonio Bike Share to implement, manage and operate the bike share program in and around the downtown and the contract will expire on December 31, 2013; and

WHEREAS, amendments to the San Antonio Bike Share contract have increased the funding provided by the City from various federal and state grant programs to a current value of \$2,957,520.00; San Antonio Bike Share has also raised funds through advertising, corporate and private donations, and user fees; and

WHEREAS, Ordinance No. 2012-11-08-0876, authorized the submission of grant applications to the Texas Department of Transportation (TxDOT) for federal funds associated with the Transportation Enhancement Program including the “B-Cycle Urban Core Expansion”; the City was notified that funding was being provided to fund this project, which is eligible for reimbursement of up to 80% of allowable costs; the City will allocate \$934,779.00 in grant funds and will provide \$233,695.00 in local matching funds from the Energy Efficiency Fund, for a total project cost of \$1,168,474.00, and a new total contract value of \$4,125,994.00; and

WHEREAS, this Ordinance authorizes an amendment to a contract with San Antonio Bike Share, in an increased amount of \$1,168,474.00, funded by the TxDOT Transportation Enhancement Program grant and the City Energy Efficiency Fund, for a total contract value up to \$4,125,994.00, for the “B-Cycle Urban Core Expansion” project, deletes certain provisions of the contract that are no longer required, and extends the term for two additional years to December 31, 2015, with an option for the City to renew for two additional one-year periods, to continue operations of the B-Cycle Municipal Bike Share System; **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 Interim Director, Office of Sustainability (OS), or her designee, is hereby authorized to negotiate and execute a contract amendment with San Antonio Bike Share, in an additional amount up to \$1,168,474.00, for a total contract value up to \$4,125,994.00, for the “B-Cycle Urban Core Expansion Project”, to

delete certain provisions of the contract that are no longer required, and to extend the term of the contract for an additional two years to December 31, 2015, with the option for the City to renew for two additional one year periods. A copy of the amendment is attached hereto and incorporated herein as **Attachment 1**. The execution authority granted by this Ordinance expires 60 days after the effective date.

SECTION 2. The Interim Director, OS, or her designee, is hereby authorized to use the grant funds to reimburse San Antonio Bike Share for services for the implementation of the “B-Cycle Urban Core Expansion” project. The OS is authorized to make revisions or deviate from the budget as necessary to comply with local, state and federal regulations applicable to the implementation of the TxDOT grant program, to be supported by written justification, and where applicable, consistent with program guidelines and the concurrence of TxDOT.

SECTION 3. INSERT FISCAL ORDINANCE LANGUAGE HERE

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 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 ____ day of _____, 2013.

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Michael D. Bernard, City Attorney