

AN ORDINANCE 2016-06-09-0446

AUTHORIZING AN AMENDMENT TO THE CONTRACT FOR ADVERTISING, MARKETING, AND PUBLIC RELATIONS WITH PROOF ADVERTISING, L.L.C. TO PROVIDE FOR A ONE-YEAR EXTENSION THROUGH SEPTEMBER 30, 2017.

* * * * *

WHEREAS, Ordinance No. 2011-09-01-0704, passed and approved September 1, 2011, authorized a three-year contract (“Agreement”) with Proof Advertising, L.L.C. (“Proof”) beginning October 1, 2011 to September 30, 2014 with an option to renew for one additional two-year term; and

WHEREAS, Ordinance No. 2014-05-29-0378, passed and approved on May 29, 2014, authorized the exercise of the available renewal option and extend the Agreement through September 30, 2016; and

WHEREAS, the proposed First Amendment to the Contract for Advertising, Marketing and Public Relations (“First Amendment”) would extend the Agreement for one year, through September 30, 2017, and afford the City the opportunity to engage in a more strategic and comprehensive approach to marketing San Antonio, the ability to incorporate key outcomes associated to overall San Antonio branding effort led by the San Antonio Economic Development Foundation, and maintain a market presence to help ensure that the Convention and Visitors Bureau continues to aggressively market and promote San Antonio; **NOW THEREFORE:**

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

SECTION 1. The terms and conditions of the First Amendment with Proof are authorized and approved. The City Manager, or her designee, is authorized to sign the First Amendment, a copy of which is attached as **Exhibit I**.

SECTION 2. The amounts will be encumbered upon issuance of a purchase order, and payment is authorized to Proof Advertising, LLC. All expenditures will be in accordance with the Fiscal Year 2017 budget, once approved by City Council.

SECTION 3. 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.

LB
6/9/16
Item No. 22

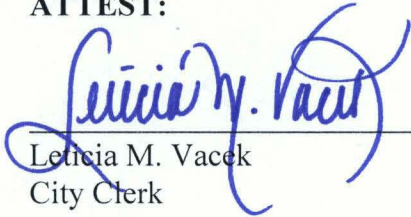
SECTION 4. This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

PASSED AND APPROVED this 9th day of June, 2016.



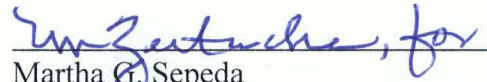
M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek
City Clerk

APPROVED AS TO FORM:



Martha G. Sepeda
Acting City Attorney

Agenda Item:	22 (in consent vote: 5, 6, 7, 8, 9, 10, 11A, 11B, 13, 14, 15, 17, 18, 20, 21, 22, 23)						
Date:	06/09/2016						
Time:	09:38:37 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing an amendment to the current Contract for Advertising, Marketing and Public Relations with Proof Advertising, LLC to provide for a one-year extension through September 30, 2017. [Lori Houston, Assistant City Manager; Casandra Matej, Director, Convention & Visitors Bureau]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				x
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x			x	
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8	x					
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

EXHIBIT I

**FIRST AMENDMENT TO CONTRACT FOR ADVERTISING, MARKETING
AND PUBLIC RELATIONS WITH PROOF ADVERTISING, L.L.C.**

THIS INSTRUMENT is made and entered into by and between the City of San Antonio ("CITY") and Proof Advertising, L.L.C. ("CONTRACTOR").

A. Under authority granted by Ordinance No. 2011-09-01-0704, passed and approved on September 1, 2011, CITY and CONTRACTOR entered into a three-year Contract for Advertising, Marketing and Public Relations, with one two-year renewal, for the purpose of providing advertising services for the Convention and Visitors Bureau and, if needed, other City departments ("Agreement"); and

B. The initial term of the Agreement ended September 30, 2014 and the Parties entered into a Renewal Agreement extending the term through September 30, 2016; and

C. The Parties desire to amend the Agreement to extend the term for an additional year and provide for assignment of the Agreement to a new Convention and Visitors Bureau entity, should one be created.

City and Consultant agree to amend specific provisions of the Agreement as set out in this First Amendment.

1. **Section 7.1 shall be amended to extend the term and the Agreement shall now have a termination date of September 30, 2017.**
2. **Section 17.2 shall be added to the Agreement as follows:**

"In the event a new 501(c)(6) Convention and Visitors Bureau entity is formed and that entity contracts with CITY to provide the services covered by the Agreement, the Agreement may be assigned to such entity by written agreement. No further approval by City Council shall be necessary."

Except as otherwise expressly modified in this First Amendment, all terms and provisions of the Agreement are ratified and confirmed and shall remain in full force and effect, enforceable in accordance with their terms.

EXECUTED AND SIGNED this __ day of June, 2016.

CITY OF SAN ANTONIO

PROOF ADVERTISING, L.L.C.

Sheryl Sculley
City Manager



Bryan Christian
President

ATTEST:

Leticia M. Vacek
City Clerk

APPROVED:

City Attorney