

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

AN ORDINANCE

AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF \$595,400.00: (A) BWI COMPANIES INC., KBW SUPPLY, AND LOWE'S HOME CENTERS, LLC FOR HORTICULTURAL SUPPLIES AND TOOLS, AND (B) CINTAS CORP. FOR THE PURCHASE OF UNIFORMS AND ACCESSORIES.

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WHEREAS, bids were submitted to provide the City of San Antonio with commodities and services on an annual basis for the terms of the contracts; and

WHEREAS, this ordinance approves the following contracts: (A) BWI Companies Inc., KBW Supply, and Lowe's Home Centers, LLC for horticultural supplies and tools, and (B) Cintas Corp. for the purchase of uniforms and accessories; and

WHEREAS, the bids submitted by Lowe's Home Centers, LLC (Items 3f and 5g) and KBW Supply (Item 4c) failed to meet the City's specifications and/or requirements for horticultural supplies and tools; and

WHEREAS, the bid submitted by Lowe's Home Centers, LLC (Item 5m), a City Business as defined by the City's Local Preference Program, is within 3 percent of the lowest bid, which was from BWI Companies Inc., a bidder which is not a City Business; and

WHEREAS, Texas Local Government Code section 271.102 provides for the City's participation in cooperative purchasing programs and such purchases satisfy any state law requiring competitive bidding; and

WHEREAS, this ordinance approves three low qualifying bid contracts and one contract procured through a purchasing cooperative; 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 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) BWI Companies Inc., KBW Supply, and Lowe's Home Centers, LLC for horticultural supplies and tools, and (B) Cintas Corp. for the purchase of uniforms and

accessories. The bid tabulation sheets are attached hereto and incorporated herein for all purposes as **Exhibit I**. Copies of the bids are available for inspection in the offices of the Purchasing Division of the Finance Department.

SECTION 2. It has been found and declared that the bids submitted by Lowe’s Home Centers, LLC (Items 3f and 5g) and KBW Supply (Item 4c) for horticultural supplies and tools failed to meet the City’s specifications and/or requirements.

SECTION 3. It has been found and declared that, pursuant to the City’s Local Preference Program, passed by ordinance number 2013-03-21-0167 and as amended by ordinance number 2014-11-13-0923, Lowe’s Home Centers, LLC (Item 5m), a City Business, is entitled to award.

SECTION 4. 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 2018 budget and such other appropriations necessary to fund the contracts through their terms as evidenced by subsequent ordinances.

SECTION 5. 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 ____, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney