

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

**ORDINANCE**

**AUTHORIZING AN ANNUAL CONTRACT FOR THREE YEARS FOR LABOR AND MATERIALS FOR FENCING SERVICES TO NBM DEVELOPMENT, INC., FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$499,715.50. THIS ORDINANCE PROVIDES THE PROCUREMENT AND PURCHASE OF FENCING SERVICES BY PARKS AND RECREATION AND OTHER CITY DEPARTMENTS FOR NEW FENCING AND REPAIRS ON AN AS-NEEDED BASIS DEPENDENT UPON AVAILABLE FUNDS WITHIN THE ANNUAL ADOPTED BUDGET. FUNDING FOR SUBSEQUENT YEARS OF THIS CONTRACT IS SUBJECT TO CITY COUNCIL APPROVAL OF THE ANNUAL BUDGET AND FUNDS.**

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**WHEREAS**, the City of San Antonio utilizes annual contracts for procuring high volume repetitive purchases; and

**WHEREAS**, annual contracts are an efficient method of securing the best prices though volume purchasing and reducing large amounts of work related to the bid process; and

**WHEREAS**, utilization of annual contracts allows the City to procure numerous different commodities in support of the normal daily operations; and

**WHEREAS**, the formal competitive bid was advertised on October 25, 2019 and October 30, 2019 in the San Antonio Hart Beat, the City's website, and on TVSA; and

**WHEREAS**, bids were opened on November 26, 2019, with two (2) responsive bidders submitting their bid. NBM Development, Inc. was the lowest responsive bidder; and

**WHEREAS**, the summary of the bid is shown on Attachment 1; and

**WHEREAS**, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program; and

**WHEREAS**, NBM Development, Inc. is a small, minority-owned firm that will be self-performing the 25% Minority and/or Women-Owned Business Enterprise (M/WBE) subcontracting goal; **NOW THEREFORE:**

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

**SECTION 1.** The City Manager or designee, or the Director of the Parks and Recreation Department or designee, is authorized to accept the annual contract for three years to NBM Development, Inc., for a total contract amount not to exceed \$499,715.50. This ordinance provides the procurement and purchase of fencing services by Parks and Recreation and other City departments for new fencing and repairs on an as-needed basis dependent upon available funds within the annual adopted budget.

**SECTION 2.** Funds will be encumbered upon issuance of purchase orders, and payment is authorized to NBM Development, Inc. All expenditures will be in accordance with the Fiscal Year 2020 and subsequent budgets for the duration of this contract 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.

**SECTION 4.** This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney