

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

AN ORDINANCE

ACCEPTING THE OFFER FROM RUSH TRUCK CENTER TO PROVIDE SIX ADDITIONAL AND TWO REPLACEMENT REAR LOADER REFUSE COLLECTION TRUCKS TO THE CITY'S SOLID WASTE MANAGEMENT DEPARTMENT FOR A TOTAL COST OF \$1,178,948.00, FUNDED FROM THE SOLID WASTE MANAGEMENT DEPARTMENT FUND AND THE SOLID WASTE MANAGEMENT DEPARTMENT EQUIPMENT ACQUISITION FUND THROUGH A MUNICIPAL LEASE PROGRAM.

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WHEREAS, an offer was submitted by Rush Truck Center to provide the City of San Antonio Solid Waste Management Department with eight rear loader refuse collection trucks for a total cost of \$1,178,948.00; 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 offer from Rush Truck Center to provide the City with eight rear loader refuse collection trucks for a total cost of \$1,178,948.00 is hereby accepted, subject to and contingent upon the deposit of all required bonds, performance deposits, insurance certificates and endorsements, and execution of a lease purchase agreement or other financing for payment of the obligations stated in the contracts. The bid tabulations and contracts are attached hereto and incorporated herein for all purposes as **Exhibit I**.

SECTION 2. Funding in the amount of \$231,884.00 for this ordinance is available in Fund 55001000, Cost Center 5557010001 and General Ledger 5501050 as part of the Fiscal Year 2016 Budget. Funding in the amount of \$947,064.00 for this ordinance is contingent upon execution of a lease purchase agreement for Fund 55005007, Cost Center 5501320001 and General Ledger 5709090. Payment not to exceed \$1,178,948.00 is authorized to Rush Truck Center 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 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 passage by eight affirmative votes; otherwise it is effective on the tenth day after passage hereof.

PASSED AND APPROVED this ____ day of _____, 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney

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