

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

AN ORDINANCE

AUTHORIZING AN INTERLOCAL AGREEMENT WITH VIA METROPOLITAN TRANSIT AND AN INTEGRATION AGREEMENT WITH LONGHORN PROPANE, LP, TO PROVIDE THE BUILDING AND EQUIPMENT SERVICES DEPARTMENT, FLEET SERVICES DIVISION AND OTHER VARIOUS CITY DEPARTMENTS WITH HD-5 PROPANE MOTOR FUEL, FOR AN ESTIMATED ANNUAL COST OF \$60,000.00, FUNDED WITH THE BUILDING AND EQUIPMENT SERVICES ADOPTED BUDGET.

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WHEREAS, VIA Metropolitan Transit (“VIA”) has entered into a contract with Longhorn Propane, LP (“Longhorn”) that provides for Longhorn to provide VIA with HD-5 Propane Fuel for an initial term beginning on or about November 10, 2016 and ending October 31, 2019, with two (2) one (1) year renewal terms (“VIA Contract”); and

WHEREAS, VIA and Longhorn have agreed to allow the City to utilize the process, terms and conditions of the VIA Contract, as they may be modified between City and Longhorn pursuant to an Integration Agreement so that the City can purchase HD-5 Propane Motor Fuel from Longhorn; and

WHEREAS, the City and Longhorn have agreed upon terms and conditions of an Integration Agreement For HD-5 Propane Motor Fuel (“Integration Agreement”), under which City shall acquire HD-f Propane Motor Fuel from Longhorn for an initial term beginning on or about November 10, 2016, and ending October 31, 2016, with two (2) one (1) year renewal terms at the City’s option if the VIA contract is also renewed for the same year; and

WHEREAS, Chapter 791 of the Texas Government Code provides that units of local government may contract or agree with each other to perform governmental functions and services (including administrative services as defined therein), in order to promote efficiencies and effectiveness and thereby satisfying the requirements for competitive bidding; and

WHEREAS, the City and VIA desire to enter into an Interlocal Contract For Fuel Purchasing (“Interlocal Agreement”), in order to allow the City to acquire HD-5 Motor Fuel from Pinnacle under the terms and conditions of the VIA Contract, as modified by the Integration Agreement; and

WHEREAS, City Staff has recommended that the City enter into the Interlocal Agreement with VIA, and also enter into the Integration Agreement with Longhorn, so that HD-5 Motor Fuel can

be acquired for the Building and Equipment Services Department, Fleet Services Division and other various City departments under their terms; and

WHEREAS, the City Council, upon consideration of and deliberation on such recommendation, desires to accept City Staff's recommendation; **NOW THEREFORE:**

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

SECTION 1. The terms and conditions of the Interlocal Contract For Fuel Purchasing, between the City and VIA Metropolitan Transit, as set forth in **Attachment I** to this Ordinance, which **Attachment I** is incorporated herein and made a part hereof for all purposes, are hereby approved.

The City Manager, or her designee, or the Deputy Chief Financial Officer, or his designee, is hereby authorized to enter into and execute the Interlocal Agreement, under terms and conditions substantially in accordance with those set forth in Attachment I to this Ordinance.

SECTION 2. The terms and conditions of the Integration Agreement For HD-5 Propane Motor Fuel, between the City and Longhorn Propane, LP, as set forth in **Attachment II** to this Ordinance, which **Attachment II** is incorporated herein and made a part hereof for all purposes, are hereby approved.

The City Manager, or her designee, or the Director of Building and Equipment Service Department, or his designee, is hereby authorized to enter into and execute the Integration Agreement, under terms and conditions substantially in accordance with those set forth in **Attachment II** to this Ordinance.

SECTION 3. A true and correct copy of the VIA Contract is attached to this Ordinance as **Attachment III**, and is incorporated herein and made a part hereof for all purposes.

SECTION 4. The amounts will be encumbered upon issuance of a purchase order, and payment is authorized to Integration Agreement with Longhorn Propane, LP. All expenditures will be in accordance with the Fiscal Year 2017 Budget and subsequent budgets that fall within the term period of this contract approved by City Council.

SECTION 5. The financial allocations in this ordinance are subject to approval by the Director of Finance, City of San Antonio. The Deputy Chief Financial Officer 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.

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Item No.

SECTION 6. This Ordinance is effective immediately, upon passage by eight (8) affirmative votes; otherwise, said effective date shall be ten (10) days from the date of 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

City Attorney

ATTACHMENT I

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