

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

AN ORDINANCE

**APPROVING A CONTRACT WITH BRAINFUSE, INC. TO PROVIDE
INTERNET TUTORING SERVICES FOR THE SAN ANTONIO PUBLIC
LIBRARY FOR AN ESTIMATED ANNUAL AMOUNT OF \$117,00.00,
FUNDED FROM THE DEPARTMENT'S FY 2019 OPERATING BUDGET.**

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WHEREAS, the City issued a Request for Competitive Sealed Proposal (RFCSP) for “Annual Contract for Internet Tutoring Service - San Antonio Public Library” on April 30, 2018 with a submission deadline of May 25, 2018. The Library began this internet tutoring program in 2008 and the service has been endorsed by the public. The contract provides online homework help, adult education, and career assistance products accessible to library patrons through the internet. Online access will be provided as a link through the library website. Two proposals were received and deemed responsive for evaluation; and

WHEREAS on July 18, 2018, an evaluation committee consisting of individuals from the San Antonio Public Library Department reviewed the two responsive proposals. The Finance Department, Purchasing Division facilitated by ensuring compliance with City procurement policies and procedures. The evaluation committee then evaluated the proposals based on all published criteria which included respondents’ qualifications, experience, and quality of service, previous performance, proposed plan, price schedule, references and financial qualifications; and

WHEREAS, after committee review and discussion, individual scores were submitted and aggregate scores presented. The evaluation committee determined that interviews were not necessary. After the selection committee agreed upon an award, the pricing was revealed. Brainfuse, Inc. received the highest ranking and the evaluation committee recommended that it be awarded the contract; and

WHEREAS, the Small Business Economic Development Advocacy (SBEDA) Ordinance requirements were waived due to the lack of small, minority, and/or women businesses available to provide these goods and services; and

WHEREAS, this contract is an exception to the Local Preference Program and the Veteran-Owned Small Business (VOSB) Preference Program is inapplicable to non-professional service contracts. **NOW THEREFORE**,

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

SECTION 1. City Council hereby authorizes the City Manager and designee, severally, to contract with Brainfuse, Inc. for internet tutoring services to the San Antonio Public Library with an initial term commencing November 1, 2018 and ending September 30, 2021 and also

authorizes two additional one-year renewals for the estimated amount of \$117,000.00 annually as detailed in the attached agreement incorporated herein for all purposes as Exhibit A.

SECTION 2. Funding in the amount of \$117,000.00 for this ordinance is contingent upon approval of the Fiscal Year 2019 Budget for Fund 110010000, Cost Center 0402010001 and General Ledger 5304060.

SECTION 3. Payment not to exceed the budgeted amount is authorized to Brainfuse, Inc. and should be encumbered with a purchase order. All expenditures will be in accordance with the Fiscal Year 2019 and subsequent budgets that fall within the term period of this contract approved by City Council.

SECTION 4. 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 5. This Ordinance shall become effective immediately upon its passage by eight affirmative votes; otherwise it shall become effective on the tenth day after passage thereof.

PASSED and APPROVED this th day of _____, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

Exhibit A

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