

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

**AN ORDINANCE**

**ACCEPTING THE BIDS FROM ASCO, INC., BRIGGS EQUIPMENT, ANDERSON MACHINERY COMPANY, HOLT CAT, COOPER EQUIPMENT CO., DOGETT FREIGHTLINER OF SOUTH TEXAS, ASSIGNEE OF FREIGHTLINER OF SAN ANTONIO, LTD AND GRANDE TRUCK CENTER TO PROVIDE CITY DEPARTMENTS WITH HEAVY EQUIPMENT FOR A TOTAL COST OF \$2,951,882.00, FUNDED WITH EQUIPMENT RENEWAL AND REPLACEMENT FUND, SOLID WASTE MANAGEMENT DEPARTMENT OPERATING FUND PAID THROUGH A MUNICIPAL LEASE AND THE AVIATION OPERATING AND MAINTENANCE FUND.**

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**WHEREAS**, bids were submitted to provide various City departments with heavy equipment; and

**WHEREAS**, the bid submitted by Waukesha-Pearce for item 11 failed to meet the City's specifications regarding minimum horsepower and was deemed non-responsive; and

**WHEREAS**, the bid from Doggett Freightliner of South Texas, assignee of Freightliner of San Antonio, LTD, ("Freightliner") a city business, was within 3% of the lowest bid submitted by Niece Equipment, a non-city business; therefore, award for item 14 is recommended to Freightliner in accordance with the Local Preference Program adopted by Ordinance No. 2013-12-05-0865; and

**WHEREAS**, Asco Inc., (Item 5); Briggs Equipment (Items 1B, 12), Anderson Machinery Company (Items 6, and 9), Holt Cat (Items 8, 10, and 11), Cooper Equipment Co. (Item 13), Doggett Freightliner of South Texas, assignee of Freightliner of San Antonio, LTD (Item 14) and Grande Truck Center (Item 15), were the low responsive bidders for a total cost of \$2,951,882.00; and **NOW THEREFORE:**

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

**SECTION 1.** The bids submitted by Asco Inc., (Item 5); Briggs Equipment (Items 1B, 12), Anderson Machinery Company (Items 6, and 9), Holt Cat (Items 8, 10, and 11), Cooper Equipment Co. (Item 13), Doggett Freightliner of South Texas, assignee of Freightliner of San Antonio, LTD (Item 14) and Grande Truck Center (Item 15) to provide City departments with heavy equipment for a total cost of \$2,951,882.00, 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. 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 Finance Department, Purchasing Division.

**SECTION 2.** It has been found and declared that the bid submitted by Waukesha-Pearce for item 11 failed to meet the City's specifications regarding minimum horsepower and was deemed non-responsive.

**SECTION 3.** Funding in the amount of \$2,401,353.00 is available in Fund 72001000, Cost Center 3503200001 and General Ledger 5501055, as part of the Fiscal Year 2014 Budget.

**SECTION 4.** Funding in the amount of \$89,151.00 is available in Fund 51001000, Cost Center 3305030005 and General Ledger 5701080, as part of the Fiscal Year 2014 Budget.

**SECTION 5.** Funding in the amount of \$143,115.00 is available in Fund 51001000, Cost Center 3305030006 and General Ledger 5701080, as part of the Fiscal Year 2014 Budget.

**SECTION 6.** Expenses not to exceed \$318,263.00 associated with this ordinance are available in Fund 55005005 through a purchase lease agreement. Principal and interest payments will be charged to Cost Center 5501290001 and General Ledgers 5709090.

**SECTION 7.** Payment not to exceed the budgeted amount of \$67,075.00 is authorized to Briggs Equipment and should be encumbered with a purchase order.

**SECTION 8.** Payment not to exceed the budgeted amount of \$129,768.00 is authorized to Asco Inc., and should be encumbered with a purchase order.

**SECTION 9.** Payment not to exceed the budgeted amount of \$1,162,784.00 is authorized to Anderson Machinery Company and should be encumbered with a purchase order.

**SECTION 10.** Payment not to exceed the budgeted amount of \$1,212,873.00 is authorized to Holt Cat and should be encumbered with a purchase order.

**SECTION 11.** Payment not to exceed the budgeted amount of \$147,116.00 is authorized to Cooper Equipment Co. and should be encumbered with a purchase order.

**SECTION 12.** Payment not to exceed the budgeted amount of \$143,115.00 is authorized to Freightliner of San Antonio, LTD and should be encumbered with a purchase order.

**SECTION 13.** Payment not to exceed the budgeted amount of \$89,151.00 is authorized to Grande Truck Center and should be encumbered with a purchase order.

**SECTION 14.** 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 15.** 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 \_\_\_\_\_, 2014.

**M A Y O R**  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Robert F. Greenblum, City Attorney