

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

AN ORDINANCE

ACCEPTING THE OFFER FROM MUNICIPAL EMERGENCY SERVICES, LP., UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE CONTRACT, TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT WITH SELF CONTAINED BREATHING APPARATUSES AND ACCESSORIES FOR A TOTAL NET COST OF \$3,771,632.44, WHICH WILL BE FINANCED THROUGH A TAX-EXEMPT LEASE PURCHASE AGREEMENT, OR OTHER FINANCIAL OBLIGATIONS, CONTINGENT ON THE EXECUTION OF A LEASE PROGRAM SCHEDULE OR OTHER ISSUANCE APPROVED BY SUBSEQUENT ORDINANCE.

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WHEREAS, an offer was submitted by Municipal Emergency Services, LP. to provide the City of San Antonio Fire Department with self contained breathing apparatuses and accessories for a total cost of \$3,771,632.44, using the Houston-Galveston Area Council contract #EE08-13; and

WHEREAS, this purchase meets the requirements under the terms of the Houston/Galveston Area Council of Governments Cooperative Purchasing Agreement adopted by the City of San Antonio on October 10, 1996 through Resolution No. 96-41-48; **NOW THEREFORE:**

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

SECTION 1. The offer from Municipal Emergency Services, LP. to provide the City of San Antonio Fire Department with self contained breathing apparatuses and accessories for a cost of \$3,771,632.44 is hereby accepted, subject to and contingent upon the deposit of all required bonds, performance deposits, insurance certificates and endorsements, and execution of a third party lease purchase agreement or other financing for this purchase. A copy of the bid tabulation sheet and contract are attached hereto and incorporated herein for all purposes as **Exhibit I**.

SECTION 2. Expenses not to exceed \$3,771,632.44 will be available in Fund 29089013, 2015 Equipment Acquisition, contingent upon execution of a lease purchase agreement.

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 or more affirmative votes; otherwise, it is effective on the tenth day after passage.

PASSED and APPROVED this ____ day of _____, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney