

AN ORDINANCE 2017-11-30-0907

**AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH
WASTE MANAGEMENT OF TEXAS, INC., TO EXTEND THE
CONTRACT FOR AN ADDITIONAL 60 DAYS FOR AN ESTIMATED
AMOUNT OF \$146,000.00, FUNDED FROM THE FY 2018 OPERATING
BUDGET**

* * * * *

WHEREAS, on October 18, 2012, the City Council approved Ordinance 2012-10-18-0817, which selected Waste Management of Texas, Inc., to provide municipal commercial garbage collection, disposal and recycling services, and authorized the execution of a contract pursuant to the City's Request for Proposal for "Municipal Commercial Garbage Collection, Disposal and Recycling Services for the City of San Antonio" (RFP 6100001491) issued by the City on July 26, 2012; and

WHEREAS, the term of the contract was for a period of two years to November 30, 2014 with two additional one year renewal terms, and the City exercised both of the renewal options and the contract was to terminate on November 30, 2016; and

WHEREAS, Amendment One to the contract was approved by Ordinance 2016-11-10-0888 and extended the contract for an additional one year, with a new termination date of November 30, 2017; and

WHEREAS, in order to provide continued services to the City facilities during the transition period, the City and Waste Management have agreed to extend the current contract, under the same terms and conditions, as amended, for an additional 60 day period, with a new termination date of January 31, 2018; and

WHEREAS, this Ordinance authorizes and approves Amendment Two to the municipal commercial garbage collection, disposal and recycling services contract with Waste Management of Texas, Inc., to extend the current contract for an additional 60 days, and increase the contract by \$146,000.00, to provide continued service to City facilities, under the same terms and conditions; **NOW THEREFORE**,

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

SECTION 1. The current contract for municipal commercial garbage collection, disposal and recycling services with Waste Management of Texas, Inc., is amended to extend the term of the contract by an additional 60 days, from November 30, 2017 to a new termination date of January 31, 2018, under the same terms and conditions, and increase the contract by \$146,000.00. A copy of the contract Amendment is attached as **EXHIBIT "A"** and made a part hereof and incorporated herein for all purposes.


SECTION 2. This ordinance amends the current contract with Waste Management, Inc. to increase the contract by \$146,000.00. The amount will be encumbered upon issuance of purchase orders, and payment is authorized to Waste Management, Inc. All expenditures will be in

accordance with the Fiscal Year 2018 and subsequent budgets that fall within the term period of this contract approved by City Council.

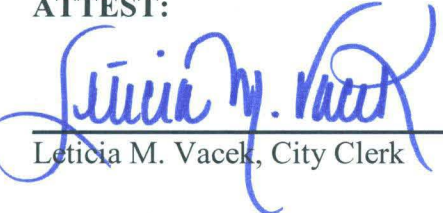
SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 shall become effective immediately upon passage by eight (8) or more affirmative votes or, if passed by fewer than eight (8) affirmative votes, shall be effective ten (10) days after passage.

PASSED and APPROVED this 30th day of November, 2017.



M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Andrew Segovia, City Attorney

Agenda Item:	9B (in consent vote: 4, 5, 6, 7, 8, 9A, 9B, 10, 11, 12, 13, 16, 18, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32)						
Date:	11/30/2017						
Time:	09:43:16 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing an amendment to the contract with Waste Management of Texas, Inc. to extend the term of the contract for an additional 60 days for an estimated amount of \$146,000.00, funded from the FY 2018 Operating Budget.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2		x				x
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

Item No. 9B
FILE NO. 17-6168

EXHIBIT “A”

AMENDMENT TWO

Municipal Commercial Garbage Collection, Disposal and Recycling Services for the City of San Antonio (RFP 6100001491)

On October 18, 2012, the City Council approved Ordinance 2012-10-18-0817, which selected Waste Management of Texas, Inc., ("Contractor") to provide municipal commercial garbage collection, disposal and recycling services and authorized the execution of a contract pursuant to the City's Request for Proposal for "Municipal Commercial Garbage Collection, Disposal and Recycling Services for the City of San Antonio" (RFP 6100001491) issued by the City on July 26, 2012. The Integration Agreement ("Agreement" or "Contract") was executed by the City on October 29, 2012.

The Term of the Agreement was for a period of two years to November 30, 2014. At the City's sole option the Agreement could be renewed for two additional one year terms, with the same terms and conditions as the original agreement, with the optional terms to commence on December 1st and terminate on November 30th. The City exercised both of the renewal options and the Agreement was to terminate on November 30, 2016.

Amendment One to the Agreement was approved by Ordinance 2016-11-10-0888 and extended the Agreement, under the same terms and conditions save for a five percent increase for the front loader containers, for an additional one year, with a new termination date of November 30, 2017.

The City has issued a Request for Proposals but the final selection and award has not been completed. In order to provide continued services to the City facilities, the City and the Contractor have agreed to extend the current Agreement, under the same terms and conditions, as amended, for an additional 60 day period, with a new termination date of February 1, 2018.

1. This Amendment Two is entered into by and between the City, acting by and through its designated representative, and the Contractor. The undersigned hereby agree to amend said Contract to extend the current Agreement for an additional 60 day period from November 30, 2017, for a new termination date of February 1, 2018. The terms and conditions for the Contract, as amended, will remain as in the current Contract with no price increase.

2. This Amendment Two shall not prejudice any present or future rights, remedies, benefits, or powers belonging to or accruing to the Parties under the terms of the Contract herein amended.

3. Except as provided otherwise herein, the Contract shall remain unaffected, unchanged, and unimpaired by reason of the foregoing Amendment Two.

Amendment Two AGREED to this _____th day of November, 2017.


CITY:

CITY OF SAN ANTONIO
A TEXAS MUNICIPAL CORPORATION

CONTRACTOR:

WASTE MANAGEMENT OF TEXAS,
INC.

By: _____
Troy Elliott
Deputy Chief Financial Officer


NAME Albert R. Perez
TITLE Public Sector Mgr. III

APPROVED AS TO FORM:

Andrew Segovia
City Attorney

By: Assistant City Attorney