

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

ORDINANCE

APPROVING AN AGREEMENT WITH SOUTHWEST RESEARCH INSTITUTE TO CONDUCT AIR SAMPLING, ANALYSIS AND PROVIDE OZONE MITIGATION RECOMMENDATIONS IN AN AMOUNT UP TO \$250,000.00 FOR A ONE YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL YEAR.

* * * * *

WHEREAS, on October 1, 2015, the EPA released a more stringent “health-based” air pollution standard of 70 parts per billion (ppb) for ground-level ozone; and

WHEREAS, the EPA officially announced that Bexar County was in marginal nonattainment of federal ground-level ozone standards on September 24, 2018; and

WHEREAS, this was based on ozone exceedance readings at two regulatory air monitors in Northwest Bexar County; and

WHEREAS, marginal nonattainment communities are those closest to meeting the ozone standard and have fewer mandatory planning and control requirements at the local level; and

WHEREAS, if Bexar County does not reach the attainment standard by the end of 2020, the area will be moved to the moderate designation, resulting in federal regulatory requirements; and

WHEREAS, in response to the EPA designation, the City of San Antonio created an Ozone Attainment Master Plan; and

WHEREAS, in addition, the City issued a Request for Information (RFI) on October 17, 2018 to assist the City in creating an appropriate acquisition strategy to identify Volatile Organic Compounds (VOCs) and Oxides of Nitrogen (NOx) point sources and to mitigate those sources; and

WHEREAS, the RFI responses were reviewed and used to assist in creating a Request for Proposal (RFP) for a contract to conduct air sampling, analysis and ozone mitigation services; and

WHEREAS, the City issued a Request for Proposal (RFP) for Air Sampling, Analysis and Mitigation in NW Bexar County (RFP 019-037; RFX# 6100011275) to secure these services on March 13, 2019 and posted on the City’s Bidding and Contracting Opportunities webpage; and

WHEREAS, the City received three (3) responses for evaluation on April 24, 2019; and

WHEREAS, Southwest Research Institute received the highest ranking and was recommended for award by the evaluation committee; and

WHEREAS, this Ordinance authorizes an Agreement with the Southwest Research Institute to conduct air sampling, analysis, and recommend ozone mitigation strategies in the amount of \$250,000.00 for the initial twelve month term of the contract, with the option for the City to renew for an additional year, under the same terms and conditions; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director of the San Antonio Metropolitan Health District or designee, is authorized to negotiate and execute an agreement with Southwest Research Institute to conduct air sampling, analysis and provide ozone mitigation recommendations in response to RFP 019-037, in an amount not to exceed \$250,000.00 for a one year term, with the option to renew the agreement, without further Council action, for an additional year under the same terms and conditions. The agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**. The execution authority granted by this ordinance shall expire 60 days after the effective date.

SECTION 2. [FINANCIAL LANGUAGE PENDING]

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 the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this ____ day of _____.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney