

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

ORDINANCE

APPROVING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR AN ESTIMATED ANNUAL COST OF \$1,970,165.00, AVAILABLE AND INCLUDED IN THE RESPECTIVE DEPARTMENTS' FY 2019 OR FY 2020 ADOPTED BUDGET: (A) DRILECK ENTERPRISES INCORPORATED DBA FAST SIGNS SAN ANTONIO NW FOR SOLID WASTE MANAGEMENT DEPARTMENT CART STICKERS; (B) KENT POWERSPORTS, L.P. AND OVERSEAS PARTS DISTRIBUTING INC., DBA ALAMO BMW FOR POLICE MOTORCYCLES PARTS & SERVICES; (C) NEWSBANK, INC. FOR NEWSBANK DATABASE & NEWSPAPER ARCHIVE SERVICE; (D) CLIMATEC, LLC FOR HVAC MONITORING; (E) CREATIVE SOFTWARE SOLUTIONS, LLC DBA MJM INNOVATIONS FOR SENIOR CENTER SOFTWARE & EQUIPMENT UPDATES; (F) INNOVYZE, INC FOR XPSTORM SOFTWARE & XPERTCARE; AND (G) ATLAS BODY SHOP, COLLISION SAN ANTONIO, EXPRESS COLLISION CENTER, PRO CARE AUTOMOTIVE, LLC, RED MCCOMBS FORD, DBA RED MCCOMBS COLLISION CENTER, STAR COLLISION REPAIR, LLC, AND SOUTHWEST PAINT AND BODY FOR ON-CALL COLLISION REPAIRS FOR SEDANS & LIGHT-DUTY PICKUP TRUCKS.

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WHEREAS, the City is able to obtain significant savings by purchasing various materials and services on an annual contract basis; and

WHEREAS, this ordinance approves the following contracts: (A) Drileck Enterprises Incorporated dba Fast Signs San Antonio NW for Solid Waste Management Department cart stickers; (B) Kent Powersports, L.P. and Overseas Parts Distributing Inc., dba Alamo BMW for Police motorcycles parts and services; (C) NewsBank, Inc. for Newsbank database and newspaper archive service; (D) Climatec, LLC for HVAC monitoring; (E) Creative Software Solutions, LLC dba MJM Innovations for Senior Center software and equipment updates; (F) Innovyze, Inc. for XPSTORM software and XPERTCARE; and (G) Atlas Body Shop, Collision San Antonio, Express Collision Center, Pro Care Automotive, LLC, Red McCombs Ford, dba Red McCombs Collision Center, Star Collision Repair, LLC, and Southwest Paint and Body for on-call collision repairs for sedans and light-duty pickup trucks; and

WHEREAS, the bid submitted by Trinity Graphic & Packaging Solutions, LLC failed to meet the City's specifications and/or requirements for Solid Waste Management Department cart stickers; and

WHEREAS, the bid submitted by EMS Express Collision & Automotive failed to meet the City's specifications and/or requirements for on-call collision repairs for sedans and light-duty pickup trucks; and

WHEREAS, the Texas Local Government Code indicates that competitive bidding is not required under section 252.022(a)(7)(A), which provides for any items that are available only from a sole source of supply; and

WHEREAS, the Texas Local Government Code indicates that competitive bidding is not required under section 252.022(a)(3), which provides a procurement necessary because of unforeseen damage to public machinery, equipment, or other property; and

WHEREAS, this ordinance approves three low bid contracts, four contracts procured on the basis of the sole source exemption, and establishes seven contracts to utilize for unforeseen damage to public equipment or property; and

WHEREAS, all expenditures will be in accordance with the applicable fiscal year's budget approved by City Council; **NOW THEREFORE**:

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

SECTION 1. The following bids and contracts to furnish the City with goods and services on an annual basis 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: (A) Drileck Enterprises Incorporated dba Fast Signs San Antonio NW for Solid Waste Management Department cart stickers; (B) Kent Powersports, L.P. and Overseas Parts Distributing Inc., dba Alamo BMW for Police motorcycles parts and services; (C) NewsBank, Inc. for Newsbank database and newspaper archive service; (D) Climatec, LLC for HVAC monitoring; (E) Creative Software Solutions, LLC dba MJM Innovations for Senior Center software and equipment updates; (F) Innovyze, Inc. for XPSTORM software and XPERTCARE; and (G) Atlas Body Shop, Collision San Antonio, Express Collision Center, Pro Care Automotive, LLC, Red McCombs Ford, dba Red McCombs Collision Center, Star Collision Repair, LLC, and Southwest Paint and Body for on-call collision repairs for sedans and light-duty pickup trucks. 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 Purchasing Division of the Finance Department.

SECTION 2. It has been found and declared that the bid submitted by Trinity Graphic & Packaging Solutions, LLC failed to meet the City's specifications and/or requirements for Solid Waste Management Department cart stickers.

SECTION 3. It has been found and declared that the bid submitted by EMS Express Collision & Automotive failed to meet the City's specifications and/or requirements on-call collision repairs for sedans and light-duty pickup trucks.

SECTION 4. Funds will be encumbered upon issuance of purchase orders, and payment is authorized to the vendors identified herein. All expenditures will be in accordance with the Fiscal Year 2019 or Fiscal Year 2020 budget, and such other appropriations necessary to fund the contracts through their terms as evidenced by subsequent ordinances.

SECTION 5. The financial allocations in this ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or 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 6. This ordinance is effective immediately upon passage by eight affirmative votes; otherwise it is effective on the tenth day after passage.

PASSED and APPROVED this __ day of ____, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney