

**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 GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF \$4,089,000.00, INCLUDED IN THE RESPECTIVE DEPARTMENT'S FY 2021 ADOPTED BUDGET: (A) GULF COAST PAPER CO., INC., DBA IMPERIAL DADE, AND SAFEWAY SUPPLY, INC., FOR JANITORIAL SUPPLIES; (B) OTTO ENVIRONMENTAL SYSTEMS NORTH AMERICA, INC., FOR REFUSE CONTAINERS; AND (C) MULTICULTURAL BOOKS & VIDEOS FOR SPANISH LANGUAGE BOOKS AND MEDIA.

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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, the bids submitted by Gateway Printing & Office Supply, Inc. (Categories 1-5), Feguson Facility Supply (Categories 1-5), U.S. Wholesale Products (Category 1), San Benito Textiles (Category 2), Commercial Beverage Concepts, LLC (Category 3), Safeway Supply, Inc. (Category 4), and Interboro Packaging Corp. (Category 5), failed to meet the City's specifications and/or requirements for janitorial supplies; and

WHEREAS, the bid submitted by Safeway Supply Inc. (Category 2), a City Business as defined by the City's Local Preference Program, is within 3 percent of the lowest bid, which was from Gulf Coast Paper Co., Inc., dba Imperial Dade, a bidder which is not a City Business; 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, this ordinance approves two low responsive bid contracts, a cooperative procurement, and a procurement on the basis of sole source with: (A) Gulf Coast Paper Co., Inc., dba Imperial Dade (for Categories 3 and 4), and Safeway Supply, Inc., for (Category 1 alternate, and Categories 2 and 5), for janitorial supplies; (B) Otto Environmental Systems North America, Inc., for refuse containers; and (C) Multicultural Books & Videos for Spanish language books and media, respectively; 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 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) Gulf Coast Paper Co., Inc., dba Imperial Dade (for Categories 3 and 4), and Safeway Supply, Inc., for (Category 1 alternate, and Categories 2 and 5), for janitorial supplies; (B) Otto Environmental Systems North America, Inc., for refuse containers; and (C) Multicultural Books & Videos for Spanish language books and media. 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 bids submitted by Gateway Printing & Office Supply, Inc. (Categories 1-5), Feguson Facility Supply (Categories 1-5), U.S. Wholesale Products (Category 1), San Benito Textiles (Category 2), Commercial Beverage Concepts, LLC (Category 3), Safeway Supply, Inc. (Category 4), and Interboro Packaging Corp. (Category 5), failed to meet the City’s specifications and/or requirements for janitorial supplies.

SECTION 3. It has been found and declared that, pursuant to the City’s Local Preference Program, passed by ordinance number 2013-3-21-0167 and as amended by ordinance 2014-11-13-0923, Safeway Supply Inc. (Category 2), a City Business, is entitled to award.

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 2021 budget, and such other appropriations necessary to fund the contracts through their terms as evidenced by subsequent ordinances.

SECTION 5. 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 _____, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney