

**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 \$2,555,507.85 IN YEAR 1, AND \$1,420,298 ANNUALLY THEREAFTER INCLUDED IN THE RESPECTIVE DEPARTMENT'S FY 2024 ADOPTED BUDGET: (A) AIRBUS HELICOPTERS, INC., AND AIR FLITE, INC., FOR HELICOPTER PARTS, ENGINES, AND REPAIR SERVICES; AND (B) NEC CORPORATION OF AMERICA FOR THE UPGRADE, MAINTENANCE AND HOSTING FOR THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS).

* * * * *

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 contracts with: (A) Airbus Helicopters, Inc., and Air Flite, Inc., for helicopter parts, engines, and repair services; and (B) NEC Corporation of America for the upgrade, maintenance and hosting for the Automated Fingerprint Identification System (AFIS); and

WHEREAS, the Texas Local Government Code indicates that competitive bidding is not required under section 252.022(a)(2), which provides for a procurement necessary to protect the public health or safety; 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, approval of this ordinance authorizes two low responsive bid contracts and one contract on the basis of sole source; 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 contracts with: (A) Airbus Helicopters, Inc., and Air Flite, Inc., for helicopter parts, engines, and repair services; and (B) NEC Corporation of America for the upgrade, maintenance and hosting for the Automated Fingerprint Identification System (AFIS), are hereby approved, subject to and contingent upon the deposit of all required bonds, performance deposits, insurance certificates and endorsements. Copies of the bid tabulation sheets and contract are attached hereto and incorporated herein for all purposes as **Exhibit I**.

SECTION 2. Funds will be encumbered upon issuance of purchase orders, and payment is authorized to Airbus Helicopters, Inc., and Air Flite, Inc., for an estimated annual cost of \$1,200,000.00. All expenditures will be in accordance with the Fiscal Year 2024 budget, and such other appropriations necessary to fund the contracts through their terms as evidenced by subsequent ordinances.

SECTION 3. Payment for the NEC Corporation of America contract in an amount up to \$982,210.00 for implementation and \$152,999.85 for additional services is authorized to be encumbered with purchase orders and made payable to NEC Corporation of America. Payment is in support of Project 09-00144, AFIS Upgrade, using WBS 09-00144-01-01 with GL Account 5201040. Funding is provided by the Fiscal Year 2021 SMP Program funds and is in the FY 2024 - FY 2029 CIP Budget.

SECTION 4. Payment for additional annual maintenance is contingent upon City Council approval of the Fiscal Year 2025 and subsequent budgets that fall within the term of the contract with NEC Corporation of America.

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 the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and 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 _____, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney