

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

ORDINANCE

RATIFYING A CONTRACT AND PAYMENT TO NUECES POWER EQUIPMENT FOR THE RENTAL OF A MILLING MACHINE FOR THE PUBLIC WORKS DEPARTMENT'S STREET DIVISION FOR A TOTAL COST OF \$58,600.00. FUNDING IS FROM THE GENERAL FUND.

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WHEREAS, the Street Maintenance Asphalt Overlay Program is a top priority for City Council and the Public Works Department to complete the annual program by September 30th of every year; and

WHEREAS, submitted for City Council consideration and ratification is a contract and payment of \$58,600.00 to Nueces Power Equipment for the rental of one Wirtgen W200Fi Milling Machine used by the Public Works Department to continue the Street Maintenance Asphalt Overlay Program while the Public Works Department's milling machine was being repaired; and

WHEREAS, the procurement of the rental milling machine was necessary due to unforeseen damage to public machinery or equipment; and

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

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

SECTION 1. The contract and payment of \$58,600.00 to Nueces Power Equipment for rental of one Wirtgen W200Fi Milling Machine used by the Public Works Department is hereby ratified, subject to and contingent upon the deposit of all required bonds, performance deposits, insurance certificates and endorsements. A copy of the invoices is attached hereto and incorporated herein for all purposes as **Exhibit I**.

SECTION 2. Funding for this ordinance in the amount of \$58,600.00 is available in Fund 11001000, Cost Center 2303020001 and General Ledger 5206010 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

SECTION 3. 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 4. This ordinance is effective immediately upon passage by eight affirmative votes;

LC

__/__/24

Item No. __

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

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