

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

**ORDINANCE**

**APPROVING CONTRACTS WITH ARIENS COMPANY, DEWINNE EQUIPMENT COMPANY, EWALD KUBOTA, INC., HCOP, LLC AND TELLUS EQUIPMENT SOLUTIONS, LLC, FOR LANDSCAPING EQUIPMENT FOR THE AVIATION, PARKS & RECREATION, PUBLIC WORKS AND SOLID WASTE MANAGEMENT DEPARTMENTS FOR A TOTAL COST OF \$926,087.32. FUNDING IN THE AMOUNT OF \$279,905.98 IS FROM THE EQUIPMENT RENEWAL & REPLACEMENT FUND, \$307,647.58 FROM THE AIRPORT OPERATING & MAINTENANCE FUND, \$309,733.76 FROM THE STORMWATER OPERATING FUND, AND \$28,800 FROM THE SAN ANTONIO RIVER AUTHORITY WATERSHED WISE REBATE PROGRAM.**

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**WHEREAS**, bids were submitted to provide the City of San Antonio with landscaping equipment for City departments to mow runway greenspaces, rights of way, and stormwater drainage areas; and

**WHEREAS**, the bid submitted by Tellus Equipment Solutions, LLC, for items 1 and 5 failed to meet the City's specifications and/or requirements for the 4x4 utility tractor and 7 ft. shredder mower deck, respectively; and

**WHEREAS**, the bid submitted by HCOP, LLC, for item 4A failed to meet the City's specifications and/or requirements for the 60-inch zero turn gas mower; and

**WHEREAS**, the bid submitted by Top Gunn Equipment Rentals, Inc., for item 7 failed to meet the City's specifications and/or requirements for the zero-turn mower with 144" batwing mower; and

**WHEREAS**, the bid submitted by DeWinne Equipment Company (Item 10), a City Business as defined by the City's Local Preference Program, is within 3 percent of the lowest bid, which was from Top Gunn Equipment Rentals, Inc., a bidder which is not a City Business; and

**WHEREAS**, Ewald Kubota, Inc., submitted the lowest responsive bid for item 1, 5, 6, 8, and 9 for a total cost of \$744,449.16; and

**WHEREAS**, Tellus Equipment Solutions, LLC, submitted the lowest bid for item 2 for a cost of \$28,800.00; and

**WHEREAS**, Dewinne Equipment Company submitted the lowest bid for items 3A and 10 for a total cost of \$45,687.00; and

**WHEREAS**, Ariens Company submitted the lowest responsive bid for item 4A for a total cost of \$39,602.16; and

**WHEREAS**, HCOP, LLC, submitted the lowest bid for item 7 for a cost of \$67,549.00; **NOW THEREFORE**:

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

**SECTION 1.** The bids submitted by Ewald Kubota, Inc., (Item 1, 5, 6, 8, and 9) for a total cost of \$744,449.16, Tellus Equipment Solutions, LLC, (Item 2) for a cost of \$28,800.00, Dewinne Equipment Company (Items 3A and 10) for a total cost of \$45,687.00, Ariens Company (Item 4A) for a total cost of \$39,602.16 and HCOP, LLC, (Item 7) for a cost of \$67,549.00, are hereby accepted, subject to and contingent upon the deposit of all required bonds, performance deposits, insurance certificates and endorsements. The bid tabulation is attached hereto and incorporated herein for all purposes as **Exhibit I**.

**SECTION 2.** It has been found and declared that the bid submitted by Tellus Equipment Solutions, LLC, for items 1 and 5, HCOP, LLC, for item 4A, and Top Gunn Equipment Rentals, Inc., for item 7 failed to meet the City's specifications and/or requirements for the requested landscaping equipment.

**SECTION 3.** It has been found and declared that, pursuant to the City's Local Preference Program, passed by ordinance number 2013-03-21-0167 and as amended by ordinance numbers 2014-11-13-0923 and 2022-12-15-0981, DeWinne Equipment Company (Item 10), a City Business, is entitled to award.

**SECTION 4.** Funding for this ordinance in the amount of \$279,905.98 is available in Fund 72001000, Cost Center 3503200001 and General Ledger 5709080 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

**SECTION 5.** Payment in the amount of \$279,905.98 is authorized to Ewald Kubota, Inc., and should be encumbered with a purchase order.

**SECTION 6.** Funding for this ordinance in the amount of \$28,800.00 is available in Fund 29826000, Internal Order 826000000085 and General Ledger 5501055 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

**SECTION 7.** Payment in the amount of \$28,800.00 is authorized to Tellus Equipment Solutions, LLC, and should be encumbered with a purchase order.

**SECTION 8.** Funding for this ordinance in the amount of \$184,360.04 is available in Fund 51001000, Cost Center 3305040010 and General Ledger 5709080 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

**SECTION 9.** Funding for this ordinance in the amount of \$123,287.54 is available in Fund 51001000, Cost Center 3305050002 and General Ledger 5709060 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

**SECTION 10.** Payment in the amount of \$307,647.58 is authorized to DeWinne Equipment Company, Ewald Kubota, Inc., and HCOP, LLC, and should be encumbered with a purchase orders.

**SECTION 11.** Funding for this ordinance in the amount of \$12,894.00 is available in Fund 29070000, Cost Center 2304050001 and General Ledger 5501055 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

**SECTION 12.** Funding for this ordinance in the amount of \$148,266.52 is available in Fund 29070000, Cost Center 2304020001 and General Ledger 5501055 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

**SECTION 13.** Funding for this ordinance in the amount of \$148,266.52 is available in Fund 29070000, Cost Center 2304020001 and General Ledger 5501055 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

**SECTION 14.** Payment in the amount of \$309,733.76 is authorized to Ariens Company and Ewald Kubota, Inc., and should be encumbered with a purchase orders.

**SECTION 15.** 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 16.** 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:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney