

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

**ORDINANCE**

**APPROVING A PURCHASE CONTRACT WITH PROFORCE MARKETING, INC., TO PROVIDE REPLACEMENT HANDGUNS AND ACCESSORIES FOR THE POLICE DEPARTMENT, AVIATION POLICE, PARKS POLICE AND ARSON UNIT FOR A COST OF \$2,379,286.00. THE DEPARTMENTS ANTICIPATE RECEIVING A DISCOUNT IN AN ESTIMATED AMOUNT OF \$533,400.00 FROM THE OFFICER HANDGUN BUYBACK PROGRAM, FOR A TOTAL ESTIMATED COST FOR ALL DEPARTMENTS OF \$1,845,886. FUNDING IN THE AMOUNT OF \$36,060.00 IS AVAILABLE FROM THE FY 2022 AIRPORT OPERATING AND MAINTENANCE FUND BUDGET AND \$1,809,826.00 IS FROM THE FY 2022 GENERAL FUND BUDGET. THIS ORDINANCE ALSO APPROVES AN ANNUAL CONTRACT WITH GT DISTRIBUTORS, INC., FOR 9MM AMMUNITION FOR POLICE AND OTHER LAW ENFORCEMENT OFFICERS FOR AN ESTIMATED COST OF \$1,347,307.32 ANNUALLY, TOTALING AN ESTIMATED \$6,736,536.60 OVER THE ENTIRE CONTRACT PERIOD INCLUDING RENEWAL OPTIONS. FUNDING FOR THIS CONTRACT IS AVAILABLE FROM THE FY 2023 GENERAL FUND BUDGET. FUNDING FOR SUBSEQUENT YEARS IS CONTIGENT UPON CITY COUNCIL APPROVAL OF THE ANNUAL BUDGET.**

**\* \* \* \* \***

**WHEREAS**, the City issued (A) a Request for Offer (RFO) for handguns and accessories is for the San Antonio Police Department, Aviation Police, Park Police, and Arson Unit and (B) an RFO for 9mm ammunition for Police and other law enforcement officers; and

**WHEREAS**, three responses were received and evaluated for (A) handguns and accessories and two responses were received and evaluated for (B) 9mm ammunition; and

**WHEREAS**, staff recommends accepting the offer submitted by ProForce Marketing, Inc., to provide 9mm Smith & Wesson M&P 2.0 handguns and accessories for the Police Department, Aviation Police, Park Police, and Arson Unit for an estimated total cost of \$1,845,886.00 after an anticipated discount in the amount of \$533,400.00 from the Buyback Program, which allows Officers to purchase their currently issued .40 caliber service weapon at fair market value; and

**WHEREAS**, staff recommends accepting the offer submitted by GT Distributors, Inc., to provide 9mm Hornady ammunition for Police and other Law Enforcement for an estimated cost of \$1,347,307.32 annually; 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**, 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 offer submitted by ProForce Marketing, Inc., to provide 9mm Smith & Wesson M&P 2.0 handguns and accessories for the Police Department, Aviation Police, Park Police, and Arson Unit for a cost of \$2,379,286.00 with anticipated discounts in the amount of \$533,400.00 is hereby accepted, subject to and contingent upon the deposit of all required bonds, performance deposits, insurance certificates and endorsements. The bid tabulation and contract are attached hereto and incorporated herein for all purposes as **Exhibit I**.

The offer submitted by GT Distributors, Inc., to provide 9mm Hornady ammunition for Police and other law enforcement officers for an estimated cost of \$1,347,307.32 annually is hereby accepted, subject to and contingent upon the deposit of all required bonds, performance deposits, insurance certificates and endorsements. The bid tabulation and contract are attached hereto and incorporated herein for all purposes as **Exhibit II**.

**SECTION 2.** Funding for this ordinance in the amount of \$18,799.00 is available in Fund 11001000, Cost Center 2015030003 and General Ledger 5304050 as part of the Fiscal Year 2022 Adopted Budget approved by City Council.

**SECTION 3.** Funding for this ordinance in the amount of \$36,060.00 is available in Fund 51001000, Cost Center 3305040003 and General Ledger 5501055 as part of the Fiscal Year 2022 Adopted Budget approved by City Council.

**SECTION 4.** Funding for this ordinance in the amount of \$67,193.00 is available in Fund 11001000, Cost Center 2608010001 and General Ledger 5304050 as part of the Fiscal Year 2022 Adopted Budget approved by City Council.

**SECTION 5.** Funding for this ordinance in the amount of \$54,834.00 is available in Fund 11001000, Cost Center 2608010001 and General Ledger 5501055 as part of the Fiscal Year 2022 Adopted Budget approved by City Council.

**SECTION 6.** Funding for this ordinance in the amount of \$1,669,000.00 is available in Fund 11001000, Cost Center 1703020001 and General Ledger 5501055 as part of the Fiscal Year 2022 Adopted Budget approved by City Council.

**SECTION 7.** Additional funding is contingent upon City Council approval of the Fiscal Year 2023 and subsequent budgets that fall within the contract terms of this ordinance.

**SECTION 8.** Payment is authorized to ProForce Marketing, Inc., and GT Distributors, Inc., and should be encumbered with purchase orders.

**SECTION 9.** 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 10.** 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 \_\_\_\_\_, 2022.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney