

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

ORDINANCE

RATIFYING A CHANGE ORDER IN THE AMOUNT OF \$74,410.00 WITH CREATIVE BUS SALES, INC., FOR FIVE WHEELCHAIR ACCESSIBLE BUSES FOR THE DEPARTMENT OF HUMAN SERVICES INCREASING THE TOTAL CONTRACT PRICE FROM \$572,395.00 TO \$646,805.00. FUNDING IN THE AMOUNT OF \$44,646.00 IS FROM THE FY 2023 EQUIPMENT RENEWAL AND REPLACEMENT FUND BUDGET AND \$29,764.00 IS FROM THE FY 2023 GENERAL FUND BUDGET.

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WHEREAS, pursuant to Ordinance No. 2021-08-05-0510, the San Antonio City Council accepted the bid submitted by Creative Bus Sales, Inc., and awarded a contract for the purchase of replacement wheelchair accessible buses for the City of San Antonio's (City's) Department of Human Services (DHS) at a price of \$114,479.00 per bus; and

WHEREAS, the City issued Purchase Order (PO) No. 8000406099 in August 2021 for one bus and issued PO No. 8000414037 in October 2021 for five additional buses and, all buses should have been delivered by April and May 2022, respectively; and

WHEREAS, Creative Bus Sales, Inc., claimed it was unable to fulfill the order due to manufacturer's early cut-off date for 2021 models; and

WHEREAS, in order to mitigate the City's damages and as wheelchair accessible buses are critical to the front-line operations of DHS, the City issued a change order to proceed with ordering new 2022/2023 model year vehicles with a cost difference of \$14,882.00 per bus; and

WHEREAS, approval of this ordinance will ratify a change order in the amount of \$74,410.00 to the contract with Creative Bus Sales, Inc., for five wheelchair accessible buses for the Department of Human Services increasing the total contract price from \$572,395.00 to \$646,805.00; **NOW THEREFORE:**

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

SECTION 1. A change order in the amount of \$74,410.00 to the contract with Creative Bus Sales, Inc., for five wheelchair accessible buses for the Department of Human Services increasing the total contract price from \$572,395.00 to \$646,805.00 is hereby ratified.

SECTION 2. Funding for this ordinance in the amount of \$44,646.00 is available in Fund 72001000, Cost Center 3503200001 and General Ledger 5709080 as part of the Fiscal Year 2023 Adopted Budget approved by City Council.

SECTION 3. Funding for this ordinance in the amount of \$29,764.00 is available in Fund 11001000, Cost Center 3806060101 and General Ledger 5709080 as part of the Fiscal Year 2023 Adopted Budget approved by City Council.

SECTION 4. Payment is authorized to Creative Bus Sales, Inc., for five wheelchair accessible buses.

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 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 6. This ordinance is effective immediately upon passage by eight or more affirmative votes; otherwise, it is effective on the tenth day after passage.

PASSED and APPROVED this __ day of _____, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney