

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

**ORDINANCE**

**APPROVING A CONTRACT WITH AIRBUS HELICOPTERS, INC., IN AN AMOUNT NOT TO EXCEED A 4-YEAR SPEND OF \$23,262,371.00 (\$7,136,175.00 IN FY 2024, \$7,788,474.00 IN FY 2025 AND \$8,337,722.00 IN FY 2027), FOR THE PURCHASE OF UP TO THREE REPLACEMENT SINGLE ENGINE TURBINE AIRBUS H125 HELICOPTERS AND SUBSEQUENT TRAINING AND TRAVEL COSTS FOR THE SAN ANTONIO POLICE DEPARTMENT. THE HELICOPTERS WILL BE ORDERED DURING FISCAL YEARS 2023, 2024 AND 2026, WITH DELIVERY AND FUNDING ANTICIPATED THE YEAR FOLLOWING THE RESPECTIVE ORDER. FUNDING FOR THE FIRST HELICOPTER IN THE AMOUNT OF \$6,456,706.00 SHALL BE APPROPRIATED IN THE HELICOPTER REPLACEMENT PROJECT AS PART OF THE FY 2023 – FY 2028 CAPITAL IMPROVEMENT PROGRAM FUNDED THROUGH TAX NOTES. FUNDING IN THE AMOUNT OF \$679,469.00 FOR TRAINING AND TRAVEL COSTS WILL BE FROM THE GENERAL FUND IN FY 2024 AND IS CONTINGENT UPON CITY COUNCIL APPROVAL OF THE ANNUAL BUDGET. FUNDING FOR THE REMAINING HELICOPTERS AND TRAINING IS CONTINGENT UPON CITY COUNCIL APPROVAL OF THE ANNUAL BUDGET.**

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**WHEREAS**, an offer was submitted by Airbus Helicopters, Inc., to provide the San Antonio Police Department up to three replacement single engine turbine Airbus H125 helicopters and subsequent training and travel costs for the San Antonio Police Department (SAPD); 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**, approval of this ordinance will authorize a contract beginning upon award and ending May 31, 2024, with the option for the City to renew for up to four additional, one-year periods; 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 from Airbus Helicopters, Inc., to provide the San Antonio Police Department with up to three replacement single engine turbine helicopters during fiscal years 2023, 2024 and 2026 for a total cost not to exceed of \$23,262,371.00 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**.

**SECTION 2.** Funding for this ordinance in the amount of \$679,469.00 is contingent upon approval of the Fiscal Year 2024 budget in Fund 11001000, Cost Center 1704050001 and General Ledger 5201040.

**SECTION 3.** The amount of \$6,456,706 is authorized to be transferred from Fund XXXXXXXX FY24 Tax Notes Fund, IO 39000000XXXX, SAP GL account 6102100 Transfer out to Fund 40099000.

**SECTION 4.** The budget in SAP Fund 40099000 Other Capital Projects, Project 17-00044 Helicopter Replacement shall be revised by increasing WBS 17-00044-90-03-23 with GL 6101100 and WBS 17-00044-05-08 with GL 5709060 each by \$6,456,706.00.

**SECTION 5.** Payment is authorized to be encumbered and made payable to Airbus Helicopters, Inc., in an amount not to exceed \$6,456,706.00. Payment is in support of the Helicopter Replacement Project using Fund 40099000 with the WBS element 17-00044-05-08 and GL 5709060. Funding for this project is provided by FY 2024 Tax Notes and is in the FY 2023 – FY 2028 CIP Budget as amended above.

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved Operating and/or Capital Budgets for current and future fiscal years.

**SECTION 6.** Additional funding in the amount of \$16,805,665.00, for subsequent years is contingent upon City Council approval of subsequent budgets within the term of this contract.

**SECTION 7.** 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 8.** This ordinance is effective immediately upon passage by eight or more affirmative votes; otherwise, it is effective on the tenth day after passage.

LC  
\_\_/\_\_/23  
Item No. \_\_

**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

DRAFT