

AN ORDINANCE      **2012 - 06 - 14 - 0434**

**AUTHORIZING AN AMENDMENT TO A CONTRACT WITH SAN ANTONIO BIKE SHARE, IN AN INCREASED AMOUNT OF \$27,000.00, FOR A TOTAL CONTRACT VALUE OF \$1,287,746.00, TO PROCURE ADDITIONAL BIKE SHARE BICYCLES, STATIONS, AND RELATED COSTS FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 THROUGH THE CENTERS FOR DISEASE CONTROL COMMUNITIES PUTTING PREVENTION TO WORK INITIATIVE.**

\* \* \* \* \*

**WHEREAS**, President Obama signed the American Recovery and Reinvestment Act of 2009 (ARRA) into law on February 17, 2009, which provides a total of \$787 billion in spending and tax cuts; on December 1, 2009, the Department of Energy awarded the City of San Antonio \$12,897,000.00 in ARRA funds through the Energy Efficiency Conservation Block Grant (EECBG) to manage and implement a program that will result in the reduction of fossil fuel emissions and improve energy efficiency; on April 1, 2010, the Centers for Disease Control and Prevention awarded the City of San Antonio Metropolitan Health District \$15,612,353.00 through the 2009 Communities Putting Prevention to Work Initiative (CPPW) funded by the ARRA for obesity prevention; and

**WHEREAS**, Ordinance 2010-06-17-0563 authorized a contract, funded by the ARRA, with the non-profit San Antonio Bike Share to implement, manage and operate the bike share program in and around the downtown; and

**WHEREAS**, Ordinance 2011-06-23-0583 authorized an amendment to the contract with San Antonio Bike Share to procure additional bike share bicycles, stations, and related costs for the Phase II implementation, and provided additional funding through the ARRA by the EECBG and the CPPW grants; and

**WHEREAS**, the Office of Environmental Policy has coordinated with the San Antonio Metropolitan Health District to allocate an additional \$27,000.00 through the CPPW grant to fund additional bike share bicycles, stations and related costs; and

**WHEREAS**, this Ordinance authorizes an amendment to the contract with San Antonio Bike Share, in an increased amount of \$27,000.00, for a total contract value up to \$1,287,746.00 to procure additional bike share bicycles, stations, and related costs, funded through the ARRA by the CPPW grant; **NOW THEREFORE**,

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

**SECTION 1.** The City Manager, or her designee, or the Director, Office of Environmental Policy (OEP), or his designee is hereby authorized to negotiate and execute an amendment to the contract with San Antonio Bike Share, in an increased amount of \$27,000.00, for a total contract

value up to \$1,287,746.00, to procure additional bike share bicycles, stations, and related costs, funded through the ARRA by the CPPW grant. A copy of the Amendment Three is attached and incorporated herein for all purposes as **Attachment I**.

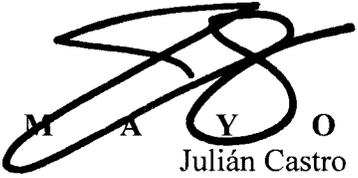
**SECTION 2.** Fund 2302236001 entitled “ARRA - CPPW” and Internal Order 136000000465, are hereby designated for use in the accounting for the fiscal transaction in the amendment of this contract.

**SECTION 3.** The sum of \$27,000.00 is hereby appropriated in the above designated fund and will be disbursed from 5202020 “Contractual Services”. This will increase the total contract value to \$1,287,746.00. Payment is authorized to San Antonio Bike Share upon adjustment of purchase orders.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's 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 5.** This ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

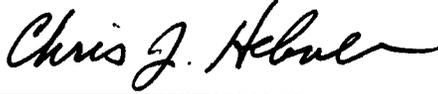
**PASSED and APPROVED** this 14th day of June, 2012.

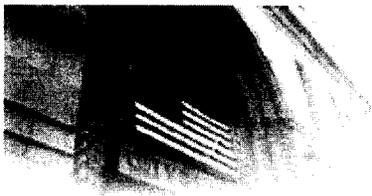
  
M A Y O R  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

  
\_\_\_\_\_  
*for* Michael D. Bernard, City Attorney



Request for  
**COUNCIL**  
**ACTION**

City of San Antonio



## Agenda Voting Results - 18

<b>Name:</b>	18						
<b>Date:</b>	06/14/2012						
<b>Time:</b>	09:44:58 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing an amendment to a contract with San Antonio Bike Share, in an increased amount of \$27,000.00, for a total contract value of \$1,287,746.00, to procure additional bike share bicycles, stations, and related costs funded by the American Recovery and Reinvestment Act of 2009 through the Centers for Disease Control Communities Putting Prevention to Work Initiative. [ Edward Benavides , Chief of Staff; Laurence Doxsey , Director, Office of Environmental Policy ]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4	x					
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x			x	
W. Reed Williams	District 8	x					
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

**AMENDMENT THREE  
TO AGREEMENT BETWEEN THE CITY OF SAN ANTONIO  
AND SAN ANTONIO BIKE SHARE  
FOR BIKE SHARE/RENTAL AND BIKE TOURS PROGRAM**

The City of San Antonio, a Texas Municipal Corporation ("CITY") presently contracts with San Antonio Bike Share ("BIKE SHARE"), for services for the Bike Share/Rental and Bike Tours Program, pursuant to an Agreement ("AGREEMENT") approved by City Council June 17, 2010, through Ordinance No. 2010-06-17-0563, for an amount not to exceed \$841,579.00.

On June 23, 2011, City Council Ordinance No. 2011-06-23-0583 approved Amendment 1 to the Agreement. Included in Amendment 1 is an increase to the original budget of an additional \$403,522.00, for a new budget sum not to exceed \$1,245,101.00.

On January 19, 2012, Amendment 2 to the AGREEMENT was approved by City Council Ordinance No. 2012-01-19-0033. Amendment 2 included an increase of \$15,645.00 in funds from the Communities Putting Prevention To Work (CPPW) Grant for a total compensation amount not to exceed \$1,260,746.00.

This Amendment Three of the AGREEMENT ("AMENDMENT THREE") adds an additional \$27,000.00 in funds from the Communities Putting Prevention To Work (CPPW) Grant to be used for contractual services for the Bike Share Program. This Amendment Three is entered into by and between the CITY, acting by and through its designated representative, and BIKE SHARE. The undersigned hereby agree to amend said contract, as amended, as follows:

1. Page two, paragraph one of the Compensation Section, the amended budget sum of \$1,260,746.00 is increased by an additional \$27,000.00, for a new budget sum not to exceed \$1,287,746.00 as authorized by the San Antonio City Council under Ordinance No. 2012-\_\_\_-\_\_\_-\_\_\_, passed and approved on \_\_\_\_\_, 2012. References to the original compensation amount throughout the AGREEMENT shall reflect the increased amount.
2. This AMENDMENT to the contract shall not prejudice any present or future rights, remedies, benefits, or powers belonging to or accruing to CITY under the terms of the Contract herein amended.
3. Except as provided otherwise herein, the AGREEMENT shall remain unaffected, unchanged, and unimpaired by reason of the foregoing AMENDMENT.

AMENDMENT AGREED TO this 11 of May

CITY OF SAN ANTONIO, A TEXAS  
MUNICIPAL CORPORATION

SAN ANTONIO BIKE SHARE

By \_\_\_\_\_

By CM Snell

\_\_\_\_\_  
Title

Executive Director  
Title

APPROVED AS TO FORM  
Michael D. Bernard  
City Attorney

\_\_\_\_\_  
By: Assistant City Attorney