

AN ORDINANCE 2012-11-08-0881

**AUTHORIZING THE AMENDMENT AND EXTENSION OF A CONTRACT WITH DOCUMENTATION, INC. FOR PHOTOCOPYING AND COMPUTER PRINTING SERVICES AT ALL SAN ANTONIO PUBLIC LIBRARY LOCATIONS ON A MONTH-TO-MONTH BASIS NOT TO EXCEED 12 MONTHS BEGINNING DECEMBER 2012 AND PROVIDING FOR THE CITY TO RECEIVE TEN PERCENT OF GROSS REVENUES FROM PHOTOCOPIES AND PRINTS.**

\* \* \* \* \*

**WHEREAS**, the City of San Antonio and DOCUmentation, Inc. entered into a License Agreement for Copier Services ("Original Agreement"), pursuant to Ordinance No. 96681, dated November 7, 2002; and

**WHEREAS**, the Original Agreement was later amended by Ordinance No. 2007-12-06-1262 to extend the term to November 18, 2012; and

**WHEREAS**, the Parties now wish to extend the term again, on the same terms and conditions, on a month to month basis, not to exceed 12 months, to allow continued services while the City conducts a new solicitation process in accordance with City policies; **NOW THEREFORE:**

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

**SECTION 1.** The Director of the San Antonio Public Library, or said director's designee, is hereby authorized to exercise the amendment extending the term of the Original Agreement on a month to month basis, not to exceed 12 months. A copy of the amendment is attached hereto and incorporated herein for all purposes as **Exhibit I**. Services provided prior to execution of the amendment are hereby ratified.

**SECTION 2.** Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 204000000526 and General Ledger 4406839.

**SECTION 3.** 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 4.** This ordinance is effective immediately upon passage by eight affirmative votes; otherwise it is effective on the tenth day after passage hereof.

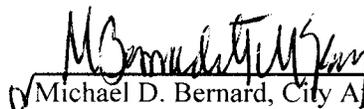
**PASSED and APPROVED** this 8<sup>th</sup> day of November, 2012.

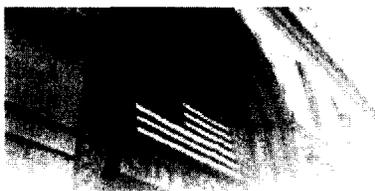
  
M A Y O R  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

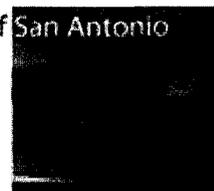
  
Leticia M. Vacek, City Clerk

  
Michael D. Bernard, City Attorney



Request for  
**COUNCIL  
 ACTION**

City of San Antonio



## Agenda Voting Results - 12

<b>Name:</b>	6A, 6B, 7, 9, 10, 11, 12, 13, 15, 16A, 16B, 16C						
<b>Date:</b>	11/08/2012						
<b>Time:</b>	10:08:44 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing the amendment and extension of a contract with Documation, Inc. for photocopying and computer printing services at all San Antonio Public Library locations on a month-to-month basis not to exceed 12 months beginning December 2012 and providing for the City to receive ten percent of gross revenues from photocopies and prints. [David Ellison, Assistant City Manager; Ramiro Salazar, Director, Library]						
<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				x
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

**SECOND AMENDMENT TO LICENSE AGREEMENT  
FOR COPIER SERVICES BY AND BETWEEN  
CITY OF SAN ANTONIO AND DOCUMATION, INC.**

This second amendment to the license agreement for copier services ("Second Amendment") is entered into between the City of San Antonio, a Texas Municipal Corporation ("City"), acting by and through its City Manager or her designee, pursuant to Ordinance No. 2012-\_\_-\_\_\_\_, and DOCUMation, Inc. ("Licensee"), acting by and through its duly authorized agent, both of which may be referred to herein collectively as the "Parties".

**Whereas**, the Parties entered into that certain License Agreement for Copier Services ("Original Agreement") with a term beginning on November 18, 2002 and ending November 18, 2007, pursuant to Ordinance No. 96681, dated November 7, 2002; and

**Whereas**, after conducting a Request for Proposal solicitation process for a new contract, City recommended Licensee for award of the new contract; and

**Whereas**, rather than create a new contract, the Parties amended the Original Agreement by Ordinance No. 2007-12-06-1262, to, among other changes, extend the term to November 18, 2010 and provide for 2 additional one year renewal periods, which have now been exercised; and

**Whereas**, the Parties now wish to extend the term again, on the same terms and conditions, to allow continued services while the City conducts a new solicitation process in accordance with City policies;

**Now Therefore**, the Parties hereto severally and collectively agree, and by the execution hereof are bound, to the mutual obligations herein contained and to the performance and accomplishment of the tasks hereinafter described.

**I. AMENDMENT**

1. Amendment to Article 2 of the Original Agreement. Article 2 of the Original Agreement, as previously amended, is hereby amended by adding Section 2.3, to read as follows:

2.3 At the conclusion of the renewal period described in Section 2.2, this Agreement shall automatically renew on a month to month basis, not to exceed 12 months. During this automatic extension period, either party may terminate this Agreement by providing 90 days' written notice to the other party.

**II. PROVISIONS REMAIN IN EFFECT**

All other terms, conditions, covenants and provisions of the Original Agreement, as previously amended, are hereby renewed and extended, save and except the Term, which is hereby modified.

**III. ENTIRE AGREEMENT**

This Agreement, as amended, embodies the complete agreement of the parties hereto with regard to the subject matter contained herein, superseding all oral or written previous and contemporary agreements between the parties relating to matters herein.

**CITY OF SAN ANTONIO, TEXAS**

**DOCUmation, INC.**

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Sheryl L. Sculley  
City Manager



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Lee Scantland  
Vice President of Operations

Date: \_\_\_\_\_

Date: 9-5-2012

Approved as to Form:

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Assistant City Attorney