

AN ORDINANCE

2011-12-08-1014

AUTHORIZING THE DIRECTOR OF THE FINANCE DEPARTMENT TO USE THE REQUEST FOR COMPETITIVE SEALED PROPOSAL SOLICITATION METHOD FOR THE PROCUREMENT OF GOODS AND NON-PROFESSIONAL SERVICES; DELEGATING AUTHORITY TO APPROVE CHANGE ORDERS TO ADMINISTRATIVE OFFICIALS IN AMOUNTS AS ARE ALLOWED BY STATE LAW; AND REPEALING ORDINANCE NOS. 82743 AND 2007-10-18-1110.

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WHEREAS, Texas Local Government Code, Chapter 252 (“Chapter 252”) allows the procurement of goods and non-professional services by the request for competitive sealed proposal (“RFCSP”) method of solicitation if the City Council first determines that this method will provide the best value for the City; and

WHEREAS, Chapter 252, §252.021, allows the City Council to delegate the authority to determine the solicitation method that provides the best value to a designated representative, allowing for a more efficient and timely solicitation process; and

WHEREAS, Chapter 252, §252.048, provides that the City Council may grant authority to an administrative official to approve change orders that involve increases or decreases of \$25,000.00 or less for contracts for the purchase of goods and non-professional services, which City Council did through Ordinance No. 82743, passed and approved on August 31, 1995, and later amended by Ordinance No. 2007-10-18-1110, passed and approved on October 18, 2007; and

WHEREAS, in 2011, the 82nd Texas State Legislature (“the Legislature”) passed HB 679, amending §252.048 by increasing the amount of a change order that may be approved by an administrative official to \$50,000.00; and

WHEREAS, the Legislature also passed HB 628, further amending §252.048 by increasing the amount of a change order that may be approved by an administrative official to \$100,000.00 for a contract involving a public work; and

WHEREAS, Texas Local Government Code, Chapter 271, §271.060 states the parameters under which change orders to construction contracts governed by the Certificates of Obligation Act may be granted by the City Council; and

WHEREAS, the Legislature passed HB 679, amending §271.060 by authorizing the City Council to grant authority to an official or employee responsible for purchasing or for administering a contract to approve a change order to a construction contract governed by that Act when the change order involves an increase or decrease of \$50,000.00 or less; **NOW THEREFORE:**

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

SECTION 1. Requests for Competitive Sealed Proposals. The Director of the Finance Department is hereby selected as the designated representative with authority to select the procurement method that, in said Director’s judgment, provides the best value to the City for purchases governed by the Texas Local Government Code, Chapter 252, and may select from any of the options provided therein, including low bid, best value bid and request for competitive sealed proposal.

SECTION 2. Change Orders - Texas Local Government Code §252.048 – Contracts for the Procurement of Goods and Non-professional Services. The City Manager, Chief Financial Officer, Deputy City Managers, Assistant City Managers, and the Director of the Finance Department, or said Director's designee, are hereby authorized to approve change orders involving an increase or decrease in the amount of \$50,000.00 or less to contracts for the procurement of goods and non-professional services governed by the Texas Local Government Code, Chapter 252.

SECTION 3. Change Orders - Texas Local Government Code §252.048 – Contracts for the Procurement of Public Works. The City Manager, Chief Financial Officer, Deputy City Managers, Assistant City Managers, and the Directors of Finance, Capital Improvements Management Services, Aviation, Parks & Recreation, and Public Works, or said Directors' designee, are hereby authorized to approve change orders involving an increase or decrease in the amount of \$100,000.00 or less to contracts for the procurement of public works governed by the Texas Local Government Code, Chapter 252.

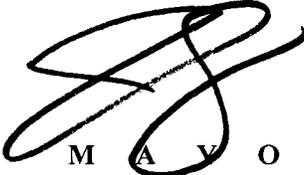
SECTION 4. Change Orders - Texas Local Government Code §271.060. The City Manager, Chief Financial Officer, Deputy City Managers, Assistant City Managers, and the Directors of Finance, Capital Improvements Management Services, Aviation, Parks & Recreation, and Public Works, or said Directors' designee, are hereby authorized to approve change orders involving an increase or decrease in the amount of \$50,000.00 or less to contracts governed by the Certificates of Obligations Act, Texas Local Government Code, Chapter 271.

SECTION 5. Successor Authority. The authority granted by this ordinance is extended to any successor manager or director who performs duties comparable to those performed by the manager or director named above, in the event of an organizational restructuring or the creation of new or changed positions or titles.

SECTION 6. Repeal. Ordinance No. 82743, passed and approved on August 31, 1995, and Ordinance No. 2007-10-18-1110, passed and approved on October 18, 2007, are hereby repealed.

SECTION 7. Effective Date. 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 8th day of December, 2011.

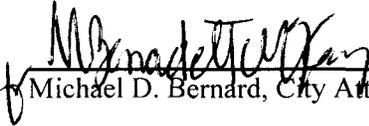

M A Y O R
Julian Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney



Request for
COUNCIL
 ACTION

City of San Antonio



Agenda Voting Results - 17

Name:	7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21A, 21B, 22A, 22B						
Date:	12/08/2011						
Time:	02:17:02 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the Director of the Finance Department to use the request for competitive sealed proposal solicitation method for the procurement of goods and non-professional services, delegating authority to approve change orders to administrative officials in amounts as are allowed by state law, and repealing Ordinance Nos. 82743 and 2007-10-18-1110. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x			x	
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				x
Rey Saldaña	District 4		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				