

AN ORDINANCE 2010-11-18-0989

AUTHORIZING THE AMENDMENT OF THE PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL G. MORONEY & ASSOCIATES, INC., IN THE AMOUNT OF \$100,000.00 TO EXTEND THE TERM OF THE CONTRACT UNTIL JUNE 30, 2011 WITH AN OPTIONAL THREE MONTHS EXTENSION AT SAN ANTONIO INTERNATIONAL AIRPORT.

* * * * *

WHEREAS, in December 2008, the City entered into a Professional Services Agreement (the "Original Agreement") with Michael G. Moroney & Associates, Inc. for financial administration management services at San Antonio International Airport; and

WHEREAS, the parties desire to amend the Original Agreement by extending the original term through June 30, 2011; and

WHEREAS, this Ordinance will authorize the Aviation Director to exercise one three months extension of the Professional Services Agreement and to execute amendments up to \$25,000 without further City Council action provided funds have been previously appropriated; and

WHEREAS, it is now necessary to authorize the amendment to extend the term of the Original Agreement, appropriate funds, and authorize payment; **NOW THEREFORE:**

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

SECTION 1. The City Manager or her designee is authorized to execute an amendment to the Professional Services Agreement with Michael G. Moroney & Associates, Inc., Attachment I, in the not to exceed amount of \$100,000.00 for continued financial administration management services at the San Antonio International Airport.

SECTION 2. Funding in the amount up to \$100,000.00 for this Ordinance is available in Fund 51001000, Cost Center 3301010003, General Ledger 5201040, as part of the Fiscal Year 2011 Budget.

SECTION 3. Payment not to exceed the budgeted amount up to \$100,000.00 is authorized to Michael G. Moroney & Associates, Inc. and should be encumbered with a purchase order.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer (CFO), City of San Antonio. The CFO may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall become effective immediately upon the receipt of eight affirmative votes, or, in the absence of eight affirmative votes, ten days after passage.

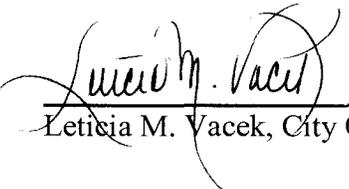
KRH
11/18/10
Item No. 21

PASSED and APPROVED this 18th day of November, 2010.



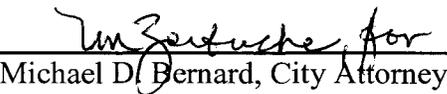
M A Y O R
Julián Castro

ATTEST:

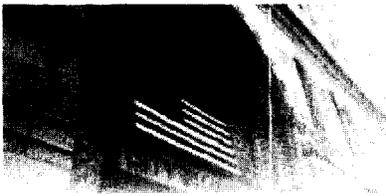


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney



Request for
**COUNCIL
ACTION**

City of San Antonio

Agenda Voting Results - 21

| Name: | 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 17A, 17B, 17C, 17D, 17E, 17F, 19, 21, 22, 23, 24, 25, 26A, 26B, 27A, 27B, 27C, 28, 29, 31 | | | | | | |
|------------------------|---|-------------|-----|-----|---------|--------|--------|
| Date: | 11/18/2010 | | | | | | |
| Time: | 09:31:09 AM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | An Ordinance authorizing an amendment to the professional services agreement for financial administration management services with Michael G. Moroney & Associates, Inc. by increasing the contract amount by up to \$100,000.00 and extending the term through June 30, 2011 for the Aviation Department with the option of one three-month extension. [Pat DiGiovanni, Deputy City Manager; Frank Miller, Director, Aviation] | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Julián Castro | Mayor | | x | | | | |
| Mary Alice P. Cisneros | District 1 | | x | | | | |
| Ivy R. Taylor | District 2 | | x | | | | |
| Jennifer V. Ramos | District 3 | | x | | | x | |
| Philip A. Cortez | District 4 | x | | | | | |
| David Medina Jr. | District 5 | | x | | | | |
| Ray Lopez | District 6 | | x | | | | |
| Justin Rodriguez | District 7 | | x | | | | |
| W. Reed Williams | District 8 | | x | | | | |
| Elisa Chan | District 9 | x | | | | | |
| John G. Clamp | District 10 | | x | | | | x |

ATTACHMENT I

**AMENDMENT NO. 2
TO
PROFESSIONAL SERVICES AGREEMENT**

This Amendment (herein called the "Amendment") to the Professional Services Agreement is entered into by and between the City of San Antonio (herein called the "City"), a Texas municipal corporation, acting by and through its City Manager, and Michael G. Moroney & Associates, Inc. (hereinafter called "Contractor"), both of which may be referred to herein collectively as the "Parties", as set out below. **WITNESSETH:**

WHEREAS, On December 8, 2009 the City and Contractor entered into a Professional Services Agreement ("Agreement") for services in support of the Aviation Director; and

WHEREAS, the term of the Agreement, as previously amended and extended, expires on December 31, 2010 and the Parties mutually desire to extend such term through June 30, 2011 and establish one three-month renewal period, and provide for additional compensation associated with such term extension; and

WHEREAS, this Amendment will increase the authority the Director currently has to execute amendments from \$10,000 to \$25,000 so long as funds have been previously appropriated; and

NOW THEREFORE, in consideration of the terms, covenants, agreements and demises herein contained, and in consideration of other good and valuable consideration, each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Agreement entered into by and between the City and the Contractor is amended as follows:

1. Term Extension

The term of the Agreement is hereby extended through June 30, 2011, unless otherwise terminated or extended in accordance with this Agreement. The City shall retain an option to renew this Agreement for one (1) additional three (3) months renewal period (hereinafter called the "Renewal Period"). The Aviation Director shall have the authority to exercise the Renewal Period without further action by the San Antonio City Council, subject to the appropriation of funds.

2. Compensation

The total fee to be paid to Consultant pursuant to Article V. Compensation to Contractor of this Agreement is hereby increased by one hundred thousand and 00/100 dollars (\$100,000.00) for a total not to exceed fee of TWO HUNDRED NINETY THOUSAND DOLLARS (\$290,000.00). Consultant shall bill all services at a rate of \$175.00 per hour. Expenses will be reimbursed at actual cost incurred so long

as such costs are supported by original receipts or such other documentation as the Director may require.

3. Article 4.

The last sentence of the last paragraph of Article 4 is hereby deleted and replaced in its entirety with the following:

“The Director shall have the authority to execute amendments that require up to \$25,000.00 in increased cost on behalf of the City without further action by the San Antonio City Council, subject to appropriation of funds for the increase in cost.”

4. Exhibit A, Professional services to be provided.

The following services shall be added to and made a part of the services to be provided by Consultant pursuant to Exhibit A:

- Provide support services for the development of a new Aviation budget process
- Assist with the establishment of an Aviation Leasing Policy to include minimum lease standards and standard leasing provisions

Except as amended hereby, all other provisions of the Agreement are hereby retained in their entirety and remain unchanged.

EXECUTED AND AGREED TO this _____ day of _____, 2010.

CITY OF SAN ANTONIO

MICHAEL G. MORONEY & ASSOCIATES, INC.

By: _____
Sheryl Sculley, City Manager

By: _____
Signature

Printed Name & Title

APPROVED:

By: _____
City Attorney