JK
12/5/13
Agenda #10

**AN ORDINANCE** 2013-12-05-0839

**AMENDING THE CONTRACT WITH INVENSYS OPERATIONS MANAGEMENT FOR THE PUBLIC WORKS SAN ANTONIO RIVER WALK DISTRIBUTED CONTROL SYSTEM TO INCREASE THE COST BY $71,930.00, FUNDED WITH DEPARTMENT OF PUBLIC WORKS FY 2014 STORM WATER OPERATING BUDGET.**

* * * * *

**WHEREAS**, on June 20, 2013, San Antonio City Council approved Ordinance 2013-06-20-0426 for the Public Works San Antonio River Walk Storm Water DCS Advantage Upgrade Project with Invensys Operations; and

**WHEREAS**, subsequent to approval, it became necessary to add a River Loop Option to replace the existing hardware located at the Library Gate 4 location and replace existing cabling with a fiber optic communication link between the Library Gate 4 location and the San Antonio River Marina facility, as well as add various level measurement instrumentation verifications, testing and re-calibration; **NOW THEREFORE,**

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

**SECTION 1.** An Amendment with Invensys Operations Management, to add the River Loop Option to replace the existing hardware located at the Library Gate 4 location, replace existing cabling with a fiber optic communication link between the Library Gate 4 location and the San Antonio River Marina facility, and add various level measurement instrumentation verifications, testing and re-calibration, in an amount not to exceed $71,930.00, is hereby approved. A copy of the Amendment is attached hereto and is incorporated by reference as **Attachment 1**.

**SECTION 2.** Funding in the amount of $71,930.00 for this ordinance is available for Fund 29070000, Cost Center 2304120001 and General Ledger 5201040, as part of the Fiscal Year 2014 Budget.

**SECTION 3.** Payment not to exceed the budgeted amount is authorized to Invensys Operations Management and should be encumbered with a purchase order.

**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.

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**PASSED and APPROVED** this 5th day of December, 2013.

**M A Y O R**
for Julián Castro

**ATTEST:**

Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

By:
Michael D. Bernard, City Attorney

| | |
|---|---|
| **Agenda Item:** | **10 ( in consent vote: 7, 8, 9, 10, 11, 12A, 12B, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 31, 32, 34, 36, 37, 38, 39, 40, 41, 42, 43A, 43B, 43C, 43D )** |
| **Date:** | 12/05/2013 |
| **Time:** | 10:02:38 AM |
| **Vote Type:** | Motion to Approve |
| **Description:** | An Ordinance amending the contract with Invensys Operations Management for the Public Works San Antonio River Walk Distributed Control System increasing the cost by $71,930.00, funded with Department of Public Works FY 2014 Storm Water Operating Budget. [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 | | | | |
| Rebecca Viagran | District 3 | | x | | | | |
| Rey Saldaña | District 4 | | x | | | | |
| Shirley Gonzales | District 5 | | x | | | | |
| Ray Lopez | District 6 | | x | | | | |
| Cris Medina | District 7 | | x | | | | |
| Ron Nirenberg | District 8 | | x | | | x | |
| Joe Krier | District 9 | | x | | | | |
| Carlton Soules | District 10 | | x | | | | |

ATTACHMENT 1

**AMENDMENT**
**TO THE**
**REQUEST FOR OFFER NO. 6100002810**
**PUBLIC WORKS SAN ANTONIO**
**RIVERWALK-STORM WATER**
**DCS ADVANTAGE UPGRADE PROJECT**

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This AMENDMENT TO THE REQUEST FOR OFFER NO. 6100002810 PUBLIC WORKS SAN ANTONIO RIVERWALK-STORM WATER DCS ADVANTAGE UPGRADE PROJECT between the City of San Antonio and Invensys Operations Management ("Amendment") is entered into by and between the City of San Antonio, a Texas Municipal Corporation ("City") and Invensys Operations Management ("Invensys"), both of which may be referred to herein collectively as the "Parties."

On June 20, 2013, the San Antonio City Council passed and approved Ordinance No. 2013-06-20-0426 ("Ordinance")," ACCEPTING THE OFFER FROM INVENSYS OPERATIONS MANAGEMENT FOR THE DEPARTMENT OF PUBLIC WORKS TO UPGRADE AND PROVIDE MAINTENANCE TO THE EXISTING COMMUNICATIONS SYSTEM AT THE SAN ANTONIO TUNNEL SYSTEM, SAN PEDRO TUNNEL SYSTEM, OLMOS DAM AND THE MARINA FACILITY FOR A TOTAL COST OF $808,104.00, WITH FUNDING AVAILABLE FROM THE STORM WATER OPERATING FUND AND INCLUDED IN THE FY 2013 – FY 2018 CAPITAL BUDGET," allowing the San Antonio Public Works Department to enter into an Request for Offer with Invensys ("Agreement") to upgrade and provide maintenance and support for the San Antonio Tunnel System, the San Pedro Tunnel System, the Olmos Dam and the Marina Facility. Subsequent to the passing of the Ordinance, it has become necessary to amend the Agreement to provide necessary additional functionality.

1. The Parties hereby agree to amend the Agreement to add River Loop solution with new I/O enclosure with the transmitter re-wiring installed without conduit back to the new I/O enclosure, for a total price of $71,930.00, as more full described in Option 1a of Exhibit A, Invensys Proposal No. FPC-0310-08456 [Revision 5-ADDENDUM 1], attached hereto and incorporated by reference for all purposes.

2. All Other provisions of the Agreement remain in full force and effect.

EXECUTED and AGREED to as of the dates indicated below.

**CITY OF SAN ANTONIO** **INVENSYS OPERATIONS MANAGEMENT**

_____ _____

Date: _____ Date: OCTOBER 17, 2013

Approved as to Form:

_____

City Attorney