

RKN
09/10/09
Item No. 30

AN ORDINANCE

AUTHORIZING A TWO (2) YEAR RENEWAL OF THE CITY'S PROFESSIONAL SERVICES AGREEMENT FOR EMS BILLING AND COLLECTION WITH MEDICAL-DENTAL-HOSPITAL BUREAU OF SAN ANTONIO, INC., D/B/A BUSINESS & PROFESSIONAL SERVICE, TO BEGIN OCTOBR 1, 2009, AND END SEPTEMBER 30, 2011.

* * * * *

WHEREAS, pursuant to Ordinance No. 99794, passed and approved on September 23, 2004, City, and Medical-Dental-Hospital Bureau of San Antonio, Inc., d/b/a Business & Professional Service ("Contractor"), have entered into that certain *Professional Services Agreement For EMS Billing And Collection* ("Agreement") providing for Contractor to perform professional billing and collection of EMS fees for the City for the period beginning October 1, 2004, and ending September 30, 2009, with the City to have the right to renew the Agreement for one additional two year period upon approval of the San Antonio City Council by passage of an Ordinance therefor; and

WHEREAS, City Staff has recommended that the City exercise its right to renew the Agreement for a two (2) year period, commencing October 1, 2009, and ending September 30, 2011; and

WHEREAS, after due deliberations on and consideration of the matter, the City Council desires to accept the Staff recommendation and approve the renewal of the Agreement; **NOW, THEREFORE**;

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

SECTION 1. The renewal of the Agreement for a two (2) year term, commencing October 1, 2009, and ending September 30, 2011, is hereby approved. The terms and conditions of the renewal of the Agreement shall be substantially as set forth in that certain *Renewal And Extension Of Professional Services Agreement For EMS Billing And Collection* ("Renewal"), a copy of which is attached hereto as Attachment I and made a part hereof for all purposes.

SECTION 2. The City Manager, or her designee, or the City's Fire Chief, are hereby authorized to execute the Renewal on behalf of the City of San Antonio, the terms of which shall be substantially as set forth in Attachment I.

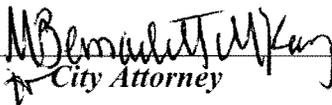
SECTION 3. This ordinance is effective immediately upon passage by eight (8) affirmative votes; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

PASSED AND APPROVED this 10th day of September, 2009.



M A Y O R
JULIÁN CASTRO

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

Agenda Item:	30 (in consent vote: 6, 7, 10, 11A, 11B, 11C, 16, 17, 19, 20, 21, 24, 25, 26A, 26B, 26C, 26D, 26E, 26F, 27, 29, 30, 31, 32, 33)						
Date:	09/10/2009						
Time:	09:57:03 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing renewal of the professional services agreement with Business & Professional Services for the billing and collection of Emergency Medical Service (EMS) fees for two years beginning October 1, 2009. [Erik J. Walsh, Assistant City Manager; Charles N. Hood, Fire Chief]						
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				
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				x
John G. Clamp	District 10		x			x	

A T T A C H M E N T I

**RENEWAL AND EXTENSION OF
PROFESSIONAL SERVICES AGREEMENT
FOR
EMS BILLING AND COLLECTION**

THE STATE OF TEXAS §
 §
THE COUNTY OF BEXAR §

This *Renewal And Extension Of Professional Services Agreement For EMS Billing And Collection* (“Renewal”) is made and entered into by and between the **CITY OF SAN ANTONIO** (hereinafter referred to as “City”), a Texas Home-Rule Municipal Corporation, acting by and through its City Manager or her designee, pursuant to Ordinance No. 2009-09-10-____, passed and approved on September 3, 2009, and **MEDICAL-DENTAL-HOSPITAL BUREAU OF SAN ANTONIO, INC., d/b/a BUSINESS & PROFESSIONAL SERVICE**, a _____ corporation, acting herein through its duly authorized representative (hereinafter referred to as “Contractor”). City and Contractor are sometimes hereafter collectively referred to as the “Parties”.

WHEREAS, pursuant to Ordinance No. 99794, passed and approved on September 23, 2004, City, and Contractor have entered into that certain *Professional Services Agreement For EMS Billing And Collection* dated _____, 2004 (“Agreement”), providing for Contractor to perform professional billing and collection services of EMS fees for the City for the period beginning on October 1, 2004, and ending on September 30, 2009, with the City to have the right to renew the Agreement for one additional two year period upon approval of the San Antonio City Council by passage of an Ordinance therefor; and

WHEREAS, City desires to renew and extend the Agreement for the additional two (2) year term provided for in Article II, Section 2.2 of the Agreement, upon the same terms and conditions set forth in the Agreement, and Contractor desires to do the same; **NOW, THEREFORE**

FOR VALUABLE CONSIDERATION, 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. DEFINITIONS

1.1 For purposes of this Renewal, the word “City” as used herein shall refer to **THE CITY OF SAN ANTONIO**, a Texas Home-Rule Municipal Corporation.

- 1.2 For purposes of this Renewal, the term “Contractor” as used herein shall refer to **MEDICAL-DENTAL-HOSPITAL BUREAU OF SAN ANTONIO, INC., d/b/a BUSINESS & PROFESSIONAL SERVICE**, a _____ corporation
- 1.3 For purposes of this Renewal, the word “Agreement” as used herein shall refer to that certain *Professional Services Agreement For EMS Billing And Collection* dated _____, 2004, which was authorized by Ordinance No. 99794, passed and approved on September 23, 2004.

II. RENEWAL AND EXTENSION OF AGREEMENT

- 2.1 The Agreement is hereby renewed and extended for a term of two (2) years, beginning on October 1, 2009 and ending on September 30, 2011, pursuant to the provisions of Article II, Section 2.2 of the Agreement.

III. SCOPE OF SERVICES

- 3.1 Contractor shall provide the same services during the term of this Renewal as are set forth in Article III of the Agreement.

IV. CONSIDERATION

- 4.1 The fees to be paid to Contractor during the term of this Renewal, in consideration of the performance of its services in accordance with this Renewal, shall be those set forth in Article IV of the Agreement.

V. CONFLICT OF INTEREST

- 5.1 For the purposes of this Renewal, Contractor warrants and certifies, and this Renewal is entered into and executed by City in reliance thereon, that Contractor, its officers, employees and agents are neither officers nor employees of the City, as those terms are defined in Division 2, Section 2.52 of the *City Of San Antonio Ethics Code* dated March 2, 2006, as amended on June 25, 2009 (“Ethics Code”). Contractor further warrants and certifies that it has tendered to the City a current *City of San Antonio Discretionary Contracts Disclosure* in compliance with the Ethics Code.
- 5.2 The terms and conditions of Article XV of the Agreement shall apply to this Renewal.

VI. INCORPORATION OF TERMS AND CONDITIONS OF AGREEMENT BY REFERENCE

6.1 Except as provided for in this Renewal, all other terms and conditions of the Agreement are hereby renewed and extended, and are incorporated into this Renewal, and are made a part hereof for all purposes.

VII. CONFLICT PROVISIONS

7.1 Any conflict between the provisions of this Renewal and the provisions of the Agreement shall be resolved in favor of this Renewal.

EXECUTED and AGREED TO this the _____ day of September, 2009.

CITY:
CITY OF SAN ANTONIO

CONTRACTOR:
MEDICAL-DENTAL-HOSPITAL
BUREAU OF SAN ANTONIO,
INC., d/b/a BUSINESS &
PROFESSIONAL SERVICE

Sheryl Sculley
City Manager

BY: _____
TITLE: _____

Approved as to form:

Robert Nordhaus
Assistant City Attorney

- 1.2 For purposes of this Renewal, the term “Contractor” as used herein shall refer to **MEDICAL-DENTAL-HOSPITAL BUREAU OF SAN ANTONIO, INC., d/b/a BUSINESS & PROFESSIONAL SERVICE**, a _____ corporation
- 1.3 For purposes of this Renewal, the word “Agreement” as used herein shall refer to that certain *Professional Services Agreement For EMS Billing And Collection* dated _____, 2004, which was authorized by Ordinance No. 99794, passed and approved on September 23, 2004.

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