RER/jmb
11/21/13
Item # 7

AN ORDINANCE 2013-11-21-0780

RATIFYING THE AMENDMENT AND EXTENSION FOR THE PERSONAL PROTECTIVE CLOTHING CONTRACT FOR FIREFIGHTERS WITH MORNING PRIDE MANUFACTURING, LLC, BEGINNING OCTOBER 1, 2013 AND ENDING JANUARY 31, 2014, FOR AN AMOUNT UP TO $110,000.00 UTILIZING THE FY 2014 GENERAL FUND.

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WHEREAS, pursuant to Ordinance 2008-12-11-1139, the City entered into a three-year professional services contract with Morning Pride, Inc. to provide and maintain Personal Protective Equipment for the San Antonio Fire Department; and

WHEREAS, the contract was extended for the three one-year periods provided for in the original contract through September 30, 2013; and

WHEREAS, the City and Morning Pride, Inc. found it necessary to provide continued service under the terms of that original contract, due to the importance of providing safe and adequate bunker gear for the San Antonio Fire Department, while negotiations are finalized on a new five-year contract; and

WHEREAS, the estimated cost of these additional services will be an amount not to exceed $110,000.00; and

WHEREAS, these services were needed immediately to provide continuity and guaranteed availability of emergency fire fighting clothing for the fire fighters of the San Antonio Fire Department; and

WHEREAS, it is necessary to ratify the execution of the contract amendment providing for said additional services; **NOW THEREFORE:**

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

SECTION 1. The actions of City staff in executing a short-term extension of the contract to provide Personal Protective Equipment to provide time to finalize the terms of a new long-term agreement for the period October 1, 2013, to January 31, 2014, as attached, are hereby ratified. The City Manager, or her designee, is hereby authorized to execute said extension.

Agenda Item:	**7 (in consent vote: 5, 6, 7, 8, 10A, 10B, 11, 12, 13, 14, 15, 16B, 19, 20, 21, 22, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 40, 41, 42, 43, 44, 45, 46)**
Date:	11/21/2013
Time:	12:17:52 PM
Vote Type:	Motion to Approve
Description:	An Ordinance ratifying an Amendment and Extension for the Personal Protective Clothing contract for Firefighters with Morning Pride Manufacturing, LLC, beginning October 1, 2013 and ending January 31, 2014, for an amount up to $110,000.00 utilizing the FY 2014 General Fund. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				x
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Carlton Soules	District 10		x				

AMENDMENT AND EXTENSION TO
PERSONAL PROTECTIVE EQUIPMENT CONTRACT

This Amendment and Extension to Personal Protective Equipment Contract ("Amendment") is entered into by and between the City of San Antonio (CITY) and Morning Pride Manufacturing, LLC (VENDOR), effective as of October 1, 2013 ("Effective Date").

WHEREAS, pursuant to Ordinance No. 2008-12-11-1139, CITY and VENDOR entered into a Personal Protective Clothing Contract ("Contract") for the term October 1, 2008, to September 30, 2010; and

WHEREAS, said Contract provided for up to three one-year extensions at the sole discretion of CITY; and

WHEREAS, the contract was so extended three times; and

WHEREAS, the Parties now wish to amend the Contract to provide Protective Clothing for additional renewal periods pursuant to the terms of the Contract as amended by this Amendment

NOW THEREFORE, in consideration of these premises and for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree as follows:

SECTION 1. The Personal Protective Clothing Contract entered into by CITY and VENDOR pursuant to Ordinance No. 2008-12-11-1139 is hereby amended to extend its term for the period October 1, 2013, to January 31, 2014.

SECTION 2. The term of this Amendment shall begin on the Effective Date and shall extend for four (4) months (the "Initial Term"), unless extended or earlier terminated in accordance with this Amendment. This Amendment may be renewed by mutual consent of the parties for up to one (1) successive, four (4) month term (a "Renewal Term"), on the same terms and conditions as provided herein. Any renewals shall be in writing, and signed by the parties. The City Manager, her designee, or the Fire Chief shall have the authority to execute the renewals on behalf of the City, subject to appropriation of funds therefor.

SECTION 3. All provisions of the Contract for a Web-Based Commissary System to Provide Protective Clothing for the San Antonio Fire Department, as previously amended, not addressed by this Amendment, shall remain in full force and effect.

SECTION 4. This Amendment 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.

Executed by the Parties on the dates shown below.

EXECUTED on October 16, 2013

CITY OF SAN ANTONIO

Charles N. Hood
Fire Chief

MORNING PRIDE
MANUFACTURING, LLC.

Jeff Morris
Vice President/General Manager

Approved as to Form:

by Robert E Reyna Asst City Attorney

Michael Bernard
City Attorney