LB
05/29/14
Item No. 20

AN ORDINANCE 2014-05-29-0378

AUTHORIZING A RENEWAL AGREEMENT WITH PROOF ADVERTISING, L.L.C. FOR ADVERTISING, MARKETING AND PUBLIC RELATIONS SERVICES FOR THE CITY OF SAN ANTONIO CONVENTION & VISITORS BUREAU, FOR A TWO YEAR TERM BEGINNING OCTOBER 1, 2014 FOR AN ANNUAL AMOUNT OF $7.5 MILLION.

* * * * *

WHEREAS, Ordinance No. 2011-09-01-0704, passed and approved September 1, 2011, authorized a three-year contract ("Agreement") with Proof Advertising, L.L.C. ("Proof") beginning October 1, 2011 to September 30, 2014 with an option to renew for one additional two (2) year term; and

WHEREAS, staff recommends entering into a Renewal Agreement with Proof as provided for in Section 7.1 of the Agreement; **NOW THEREFORE:**

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

SECTION 1. The terms and conditions of the Renewal Agreement with Proof are authorized and approved. The City Manager, or her designee, is authorized to sign the Renewal Agreement, a copy of which is attached as **Exhibit I.**

SECTION 2. Funding in the amount of $7,500,000.00 for this Ordinance is contingent upon approval of the Fiscal Year 2015's Budget for Fund 29006000, Cost Center 4305020001 and General Ledger 5203040.

SECTION 3. Future funding through the term of the Renewal Agreement is contingent upon City Council approval of subsequent fiscal year budgets.

SECTION 4. Payment not to exceed the budgeted amount is authorized to and shall be encumbered with a purchase order.

SECTION 5. 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 6. This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

PASSED AND APPROVED this 29th day of May, 2014.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Robert F. Greenblum, City Attorney

Agenda Item:	**20 (in consent vote: 6, 7, 8, 10, 12, 13, 14, 15, 16, 17, 20, 21, 22, 24A, 24B)**
Date:	05/29/2014
Time:	11:33:53 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing a renewal agreement with Proof Advertising, L.L.C. for advertising, marketing and public relations services for the City of San Antonio Convention & Visitors Bureau, for a two year term beginning October 1, 2014 for an amount of $7.5 Million [Ed Belmares, Assistant City Manager; Casandra Matej, Director, Convention and Visitors Bureau]
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				
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					
Michael Gallagher	District 10		x				x

EXHIBIT I

RENEWAL AGREEMENT
WITH
PROOF ADVERTISING, L.L.C.

THIS INSTRUMENT is made and entered into by and between the City of San Antonio ("CITY") and Proof Advertising, L.L.C. ("CONTRACTOR").

WHEREAS, under authority granted by Ordinance No. 2011-09-01-0704, passed and approved on September 1, 2011, the CITY and CONTRACTOR entered into a three-year Agreement for Advertising, Marketing and Public Relations (Agreement") for the purpose of providing advertising services for the Convention and Visitors Bureau and, if needed, other City departments; and

WHEREAS, initial term of the Agreement ends September 30, 2014 and Section 7.1 of the Agreement provides for an option to renew for one additional two-year term, subject to City Council approval; and

WHEREAS, the City Council of the City of San Antonio has expressed its continued commitment to contract with CONTRACTOR for the renewal term pursuant to Ordinance No. 2014-05-29-____, passed and approved on May 29, 2014; **NOW THEREFORE,**

The Parties agree as follows:

1.01 Based on the applicable provisions authorizing an extension and subject to the terms and conditions set out in this Renewal Agreement and its authorizing ordinance, the Parties mutually agree to extend the Agreement and the Agreement shall now have a termination date of September 30, 2016.

The Parties agree and understand that all terms and conditions contained in the Agreement shall remain in full force and effect.

EXECUTED AND SIGNED this 16 day of May, 2014.

CITY OF SAN ANTONIO

_____
Sheryl Sculley
City Manager

PROOF ADVERTISING, L.L.C.

_____
Bryan Christian
President

ATTEST:

_____
Leticia M. Vacek
City Clerk

APPROVED:

_____
Robert F. Greenblum
City Attorney