

**CITY OF EL PASO, TEXAS**  
**REQUEST FOR COUNCIL ACTION (RCA)**

**DEPARTMENT:** General Services Fleet Division

**AGENDA DATE:** March 30, 2010 EX

**CONTACT PERSON/PHONE:** Carmen Arrieta-Candelaria, Chief Financial Officer, 541-4293  
Stuart Ed, Director, General Services, 621-6822

**DISTRICT (S) AFFECTED:** All

**SUBJECT:**

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

The Purchasing Manager, Financial Services, Purchasing Division, requests that Mayor and Council terminate Contract No. 2007-168 with Rush Truck Centers of Texas L.P. DBA Rush Truck Center, El Paso, of El Paso, Texas, for Peterbilt Proprietary Parts & Service for convenience pursuant to Section C Clause No. 18A of the Contract, an item titled Termination for Convenience, whereby the City reserved the right to terminate the Contract for convenience.

**BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

The above referenced contract has exceeded the amount originally approved by City Council and subsequently must be re-bid.

**PRIOR COUNCIL ACTION:**

Has the Council previously considered this item or a closely related one?

Yes.

**AMOUNT AND SOURCE OF FUNDING:**

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** \_\_\_\_\_  
(If required)

**FINANCE:** \_\_\_\_\_  
(If required)

**DEPARTMENT HEAD:** \_\_\_\_\_  
Name Signature Date

(Example: if RCA is initiated by Purchasing, client department should sign also)  
Information copy to appropriate Deputy City Manager

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RESOLUTION**

**WHEREAS**, the City awarded Contract No. 2007-168 to Rush Truck Centers of Texas L.P. DBA Rush Truck Center, El Paso, of El Paso, Texas, on June 19, 2007, for Peterbilt Proprietary Parts & Service for General Services Department, Fleet Division; and

**WHEREAS**, the amount of the Contract awarded has been exceeded and City has notified vendor that the City would rebid the contract and Council would terminate said Contract for convenience pursuant to the provisions of the Contract; and

**WHEREAS**, pursuant to Section C 18A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

**WHEREAS**, the City desires to terminate the Contract for convenience.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Purchasing Manager is authorized to notify Rush Truck Centers of Texas L.P. DBA Rush Truck Center, El Paso, that the City is terminating Contract No. 2007-168 pursuant to the provisions and requirements of Section C 18A of the Contract Clauses due to convenience and that the termination shall be effective as of March 30, 2010.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

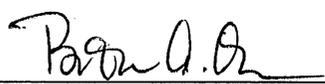
**THE CITY OF EL PASO**

\_\_\_\_\_  
John Cook  
Mayor

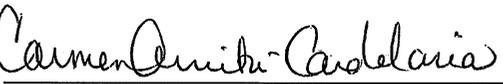
**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
Municipal Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Bertha A. Ontiveros  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Carmen Arrieta-Candelaria  
Chief Financial Officer  
Financial Services

**PROJECT FORM**

**FINANCIAL SERVICES DEPARTMENT, PURCHASING DIVISION**

DATE: February 22, 2010  
TO: Municipal Clerk  
FROM: Carmen Arrieta-Candelaria, Chief Financial Officer, 541-4293

Please place the following item on the CONSENT Agenda for the Council Meeting of Tuesday, March 30, 2010.

Item should read as follows:

That the Purchasing Manager of the Financial Services, Purchasing Division, requests that Mayor and Council terminate Contract No. 2007-168 with Rush Truck Centers of Texas L.P. DBA Rush Truck Center, El Paso, of El Paso, Texas for Peterbilt Proprietary Parts & Service for convenience pursuant to Section C Clause No. 18A of the Contract, an item titled Termination for Convenience, whereby the City reserved the right to terminate the Contract for convenience. The above referenced contract has exceeded the amount originally approved by City Council and subsequently must be re-bid.

The vendor will be notified.

Department: General Services

SPECIAL INSTRUCTIONS:

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Municipal Clerk's Use

ITEM NO. \_\_\_\_\_

cc: BID FILE

**MOTION  
JUNE 19, 2007**

Motion made, seconded, and unanimously carried to **AWARD** BID Solicitation No. 2007-168 (Peterbilt Proprietary Parts & Service-Fleet Service) to Rush Truck Centers of Texas, L.P., d/b/a Rush Truck Center, El Paso for a total estimated award of \$375,000

Department:	General Services-Fleet Division
Award to:	Rush Truck Centers of Texas, L.P. d/b/a Rush Truck Center, El Paso El Paso, Texas
Items:	Part A and Part B
Option:	Vendor offers the City the option to extend the term of the contract at the same unit prices for two additional years if the option is exercised within two or three years from the date of the award.
Annual Estimated Amount:	\$125,000
Account No.:	37370510 – 503121 - 45202
Funding Source:	General Services Department/Fleet Services Internal Service Fund
Total Estimated Award:	\$375,000

This is a requirements type contract with an initial term of thirty-six months.

The Departments of Financial Services and General Services-Fleet Division recommend award as indicated to the lowest responsive, responsible bidder.

Richarda Duffy Momsen, City Clerk

6B