

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

DEPARTMENT: General Services

AGENDA DATE: April 28, 2009

CONTACT PERSON/PHONE: Terrence Freiburg, Purchasing Manager, 541-4313

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. 2004-237 with G.O.T. Supply, Inc. of El Paso, Texas, for Perkins 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 original approved by City Council and subsequently has been re-bid. Since the new contract is less than \$50,000 a year, the City Manager has signed a contract with Texan Waste Equipment, Inc. DBA Heil of Texas, of Irving, Texas, the lowest responsible bidder. The Purchasing Division previously notified vendor that the contract had exceeded the award and would be rebid (copy of letter attached).

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. 2004-237 to G.O.T. Supply, Inc. of El Paso, Texas, on September 14, 2004, for Perkins 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. The services have been rebid and the City Manager has authorized a contract under \$50,000 to the lowest responsible bidder; and

WHEREAS, pursuant to Section C 18A of the Contract (Termination for Convenience), the City is authorized 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 G.O.T. Supply, Inc. of El Paso, Texas, that the City is terminating Contract No. 2004-237 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 April 28, 2009.

PASSED AND APPROVED this _____ day of _____, 2009.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

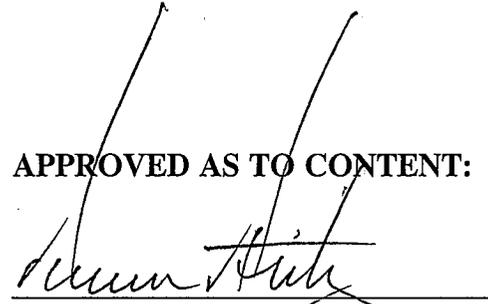
Richarda D. Momsen
Municipal Clerk

APPROVED AS TO FORM:



Bertha A. Ontiveros
Assistant City Attorney

APPROVED AS TO CONTENT:



Terrence Freiburg
Purchasing Manager, Financial Services

PROJECT FORM

FINANCIAL SERVICES DEPARTMENT, PURCHASING DIVISION

DATE: April 6, 2009
TO: Municipal Clerk
FROM: Terrence Freiburg
Purchasing Manager, ext. 4313

Please place the following item on the CONSENT Agenda for the Council Meeting of Tuesday, April 28, 2009.

Item should read as follow:

The Purchasing Manager, Financial Services, Purchasing Division, requests that Mayor and Council terminate Contract No. 2004-237 with G.O.T. Supply of El Paso, Texas for Perkins 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 vendor will be notified.

Department: General Services

REVIEWED:



Edward Hyatt
Administrative Analyst

SPECIAL INSTRUCTIONS:

Municipal Clerk's Use

ITEM NO. _____

cc: BID FILE

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

TERRY FREIBURG
PURCHASING MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINATANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

FINANCIAL SERVICES PURCHASING DIVISION

JANUARY 29, 2008

G.O.T. SUPPLY, INC.
ATTN: ALBERT G. TORRES
4210 DURAZNO
EL PASO, TEXAS 79905
(915) 544-7304
FAX (915) 544-6138

Ref: 2004-237 PERKINS PROPRIETARY PARTS & SERVICE – FLEET SERVICES

Dear Mr. Torres,

The above referenced contract has exceeded the amount original approved by City Council and subsequently must be re-bid. The City, therefore, is initiating a new bid to accommodate this purchase and/or service as soon as possible. We appreciate your service and support of the current contract and invite you to participate in the new solicitation.

The recommendation for award of the new bid and the termination for convenience of the existing bid will be made in unison by City Council at a later date. Until that time the City intends to continue utilizing this Contract for these services.

If you have any questions, please contact the Purchasing Office.

Sincerely,

Terrence Freiburg
Purchasing Manager

By: Michael Lau
Procurement Analyst

cc: Jeff Belles / General Services
Bid File

Certified Mail/Return Receipt Requested: 7006 2760 0003 4635 3602