

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: POLICE

AGENDA DATE: May 22, 2007

CONTACT PERSON/PHONE: ASSISTANT CHIEF PAUL CROSS / 564-7310

DISTRICT(S) AFFECTED:

SUBJECT:

"That the Mayor or designated authority signs the Interlocal Cooperation Contract between the City of El Paso and Texas Department of Public Safety (DPS) which allows the City to purchase supplies from DPS at a later time as needed, from September 1, 2007 through August 31, 2009, for the Police Department's use in conducting DWI breath tests."

BACKGROUND / DISCUSSION:

DPS provides forms, manuals, and supplies to the Department to use in the Breath-Alcohol Testing Program. The objective of this contract is to control and establish uniform procedures, paperwork and supplies used in the mentioned program. DPS is the sole service and supplies provider.

PRIOR COUNCIL ACTION:

City Manager, Joyce A. Wilson signed contract agreement on November 29, 2005 with Assistant City Attorney Ernesto Rodriguez approving as to form.

AMOUNT AND SOURCE OF FUNDING:

Approximately \$5,000/per year. Breath Alcohol Testing Program Funding: 21150070, P500239, Fund 16416.

BOARD / COMMISSION ACTION:

N/A

CITY CLERK DEPT.
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*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____



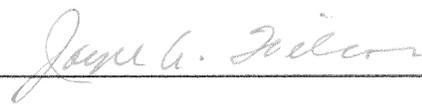
FINANCE: (if required) _____

DEPARTMENT HEAD: _____

(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

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign an Interlocal Cooperation Contact between the City of El Paso and Texas Department of Public Safety (DPS) which will allow the City to purchase supplies from DPS at a later time as needed, from September 1, 2007 through August 31, 2009, for the Police Department's use in conducting DWI breath tests.

ADOPTED this _____ day of _____, 2007.

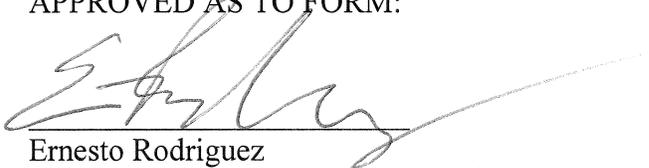
CITY OF EL PASO

John Cook, Mayor

ATTEST:

Richarda Momsen
City Clerk

APPROVED AS TO FORM:



Ernesto Rodriguez
Assistant City Attorney

INTERLOCAL COOPERATION CONTRACT

CITY CLERK DEPT.

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THE STATE OF TEXAS

COUNTY OF TRAVIS

THIS CONTACT is entered into by and between the Texas Department of Public Safety and the local governmental agency shown below as the Contract Parties, pursuant to the authority granted and in compliance with the provisions of "The Interlocal Cooperation Contract Act," Government Code, Chapter 791, and in furtherance of the responsibilities of the Texas Department of Public Safety as provided in Government Code, Chapter 411.

I. CONTRACT PARTIES

The Receiving Agency: EL PASO POLICE DEPARTMENT

Complete Address: 911 North Raynor St. El Paso, Texas 79903-4100

The Performing Agency: TEXAS DEPARTMENT OF PUBLIC SAFETY

I. STATEMENT OF SERVICE TO BE PERFORMED:

The Texas Department of Public Safety will provide, in accordance with the procedures set forth in Departmental rules, certain forms, manuals, and supplies for the Receiving Agency to use in the Breath Testing Program and Laboratory Alcohol and Drug Testing Program. The purpose and objective of this Contract are to control and establish uniform procedures, paperwork and supplies used in the above mentioned programs.

II. BASIS FOR CALCULATING COSTS:

Cost shall be in accordance with the attached document (revised price sheet).

III. PAYMENT FOR SUPPLIES:

Receiving Agency shall submit full payment to the Department of Public Safety at the time each order for materials and supplies are submitted. Payment shall be made from the Receiving Agency's current revenues.

IV. TERMS OF CONTRACT:

This Contract shall become effective September 1, 2007 and shall terminate on August 31, 2009.

THE UNDERSIGNED CONTRACTING PARTIES bind themselves to the faithful performance of this Contract. It is mutually understood that this Contract shall be effective if signed by a person authorized to do so according to the normal operating procedures of said party. If the government body of a party is required to approve this Contract, it shall not become effective until approved by the governing body of that party. In that event, this contract shall be executed by the duly authorized official(s) of the party as expressed in the approving resolution or order of the governing body of said party, a copy of which shall be attached to this Contract.

RECEIVING AGENCY

PERFORMING AGENCY

CITY OF EL PASO - EL PASO POLICE DEPT.

TEXAS DEPARTMENT OF PUBLIC SAFETY

By: Joyce A. Wilson
Joyce A. Wilson, City Manager

By: _____
Authorized Signature

Title

Date: _____

Date: _____

APPROVED AS TO FORM:

Ernesto Rodriguez
Ernesto Rodriguez
Assistant City Attorney

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TEXAS DEPARTMENT OF PUBLIC SAFETY
INSTRUCTION MANUAL
FOR PURCHASING
BREATH TESTING SUPPLIES AND
PRINTED MATERIAL
FOR NON DPS AGENCIES

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INTRODUCTION

The Texas Department of Public Safety is stocking certain forms, manuals and supplies for the Intoxilyzer Breath Testing Program and the Laboratory Alcohol and Drug Testing Program for all Texas cities, counties and state Department of Public Safety operations. This is being done to control uniformity of procedures, consistency of paper work and supplies of the Breath Testing Program and the Laboratory Alcohol and Drug Testing Program thus strengthening our position in court should the need arise. We will also be able to take advantage of volume buying thus passing on the savings to you, the customer. Certain minimum quantities and packaging will be required in order to be as efficient as possible. Our prices will differ between DPS and non-DPS users. The non-DPS agencies will be charged a slightly higher price due to all administrative and handling expense and will be required by law to have an Interlocal Cooperation Contract on file with General Services for any supply item such as mouth pieces and alcohol blood test kits. An Interlocal Contract is not required for printed materials. Instructions for DPS purchases will be contained in the DPS supply catalog.

We strongly urge that all purchases be discussed and coordinated with your local Breath Test Program Technical Supervisor and/or DPS Headquarters Laboratory Alcohol and Drug Testing Program personnel. These individuals are familiar with the ordering procedure and should be aware of any price changes. The Technical Supervisor or Laboratory alcohol and Drug Testing personnel will also be in a position to advise the purchaser of the quantities of supplies that will be needed for a given time span.

INSTRUCTIONS FOR THE PURCHASE OF
INTOXILYZER BREATH TESTING AND LABORATORY ALCOHOL/DRUG
TESTING SUPPLIES

1. Submit your request on your department letterhead stationary as per sample letter on page 4.

This letter request must have an authorized signature and the name and phone number of a contact person.

Also, furnish exemption number if tax exempt. This letter should be addressed to DPS GENERAL SERVICES BUREAU, P.O.BOX 15999, AUSTIN, TEXAS 78761-5999.

2. See price list on page 3a dated 08-01-05. These prices will be subject to change on a periodic basis and includes shipping and administrative cost.
3. Check or money order should be attached to the letter made out to the Department of Public Safety and should cover any tax, if applicable.
4. Our minimum stock quantities for non DPS agencies of Intoxilyzer Breath Testing and Alcohol/Drug testing supplies and printed materials will be as listed on page 3a and 3b. Minimum quantities must be adhered to.
5. If you have any questions concerning this procedure, please contact Department of Public Safety, General Services Bureau, (512) 424-5718 or TEX-AN- 225-5718.