

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

**DEPARTMENT:** Street Department

**AGENDA DATE:** 6/3/08

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

**DISTRICT (S) AFFECTED:** All

**SUBJECT:**

Termination for convenience of 2007-200 Herbicide Spraying City Right of Ways

**BACKGROUND / DISCUSSION:**

On January 24, 2008 TruGreen LP was notified that the above referenced contract had exceeded the amount originally approved by City Council and that it was to be rebid. The recommendation for award of the new bid (2008-186) will be submitted concurrently with this termination for convenience RCA.

**PRIOR COUNCIL ACTION:**

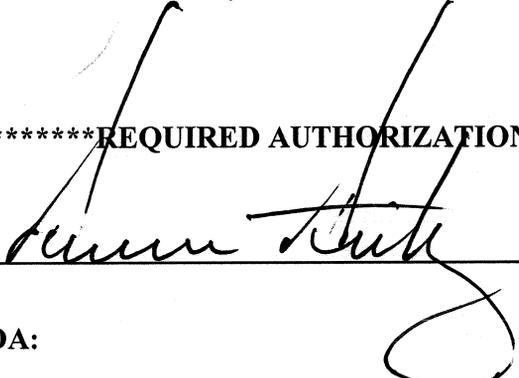
N/A

**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. DeptID/account/fund/project.**

No change to funding

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

**DEPARTMENT HEAD:** 

**APPROVED FOR AGENDA:**

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

**RESOLUTION**

**WHEREAS**, the City awarded Contract No. 2007-200 to TruGreen LP on August 7, 2007, for Herbicide Spraying City Right of Ways; and

**WHEREAS**, pursuant to Section C 8A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

**WHEREAS**, the City has issued a new solicitation for the services in order to increase the estimated units and duration of the contract.

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

That the Director of Purchasing is authorized to notify TruGreen LP that the City is terminating Contract No. 2007-200 pursuant to the provisions and requirements of Section C 8A of the Contract Clauses due to convenience and that the termination shall be effective as of June 3<sup>rd</sup> 2008.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

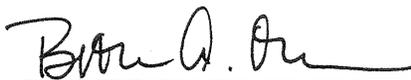
**THE CITY OF EL PASO**

\_\_\_\_\_  
John 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

CITY CLERK DEPT.  
03 MAY 22 AM 8:10

JOHN COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER

TERRY FREIBURG  
PURCHASING MANAGER



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

### FINANCIAL SERVICES PURCHASING DIVISION

January 24, 2008

TruGreen LP  
1330 Northwestern Dr.  
El Paso, TX 79912  
Attn.: Vern Autrey, Commercial Sales Manager

**Ref: Contract No. 2007-200 Herbicide Spraying City Right of Ways**

Dear Mr. Autrey,

The above referenced contract has exceeded the amount originally approved by City Council and subsequently was re-bid. The City, therefore, is initiating a new bid to accommodate this purchase and/or service. We appreciate your service and support of the current contract.

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 on February 5, 2008. 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,  
The CITY OF EL PASO  
Terrence Freiburg  
Purchasing Manager

By:  
Mary Jane Lopez *mjl*  
Procurement Analyst

Post-it® Fax Note 7671		Date	3-3-08	# of pages	▶ 1
To	<i>Brent Pearson</i>		From	<i>Mary Jane</i>	
Co./Dept.			Co.	<i>Purchasing</i>	
Phone #			Phone #	<i>541-4234</i>	
Fax #	<i>532-2724</i>		Fax #		

cc: Richard Bristol, Street Dept.  
Bid File

Certified Mail/Return Receipt Requested: 7006 0810 0002 1174 1039