

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

DEPARTMENT: DEPARTMENT OF TRANSPORTATION

AGENDA DATE: July 9, 2013

CONTACT PERSON/PHONE: TED MARQUEZ, DIRECTOR, DEPARTMENT OF
TRANSPORTATION, 621-6750
BRUCE D. COLLINS, PURCHASING MANAGER, 541-4313

DISTRICT (S) AFFECTED: ALL

SUBJECT:

The Department of Transportation recommends rescinding the award of solicitation 2013-078 Ground Maintenance City Medians for Groups 2 and 5 awarded to Evergreen Lawn Service.

BACKGROUND / DISCUSSION:

City Council previously awarded solicitation 2013-078 Groups 2, Median Maintenance for Medians east of Railroad Dr. and US and Group 5, Citywide on Demand Pruning and Shrub/Tree Removal to Evergreen Lawn Service; after the award, the awarded contractor was required to secure financial bonding per requirements in all City of El Paso contracts, Evergreen Lawn Service failed to secure financial bonding and is no longer financially eligible to execute the awarded contract. The City has subsequently rebid this contract.

SELECTION SUMMARY:

N/A

PRIOR COUNCIL ACTION:

Council Awarded Solicitation 2013-078 Ground Maintenance City Medians on March 12, 2013.

AMOUNT AND SOURCE OF FUNDING:

Solicitation 2013-078 Ground Maintenance City Medians, Group 2-Eastside Median Maintenance was awarded for an annual estimated amount of \$169,560 and Group 5-Citywide On Demand Pruning and Bush/Tree Removal was awarded for an annual estimated amount of \$13,780, for a total annual estimated amount of \$183,340.

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Name

Signature

Date

7/12/13

**COUNCIL PROJECT FORM
(TERMINATION)**

*******POSTING LANGUAGE BELOW*******

Please place the following item on the **CONSENT** agenda (under **RESOLUTIONS**) for the Council Meeting of **JULY 9, 2013**.

That the Purchasing Manager is authorized to notify Evergreen Lawn Service, that the City is terminating Contract No. 2013-078 (Ground Maintenance-City Medians) Groups II and V for default pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractors failure to provide the performance bond specified under the contract and that the termination shall be as of July 9, 2013.

Department: Transportation
Districts(s): ALL

*******ADDITIONAL INFO BELOW*******

City Council previously awarded solicitation 2013-078 Groups 2, Median Maintenance for Medians east of Railroad Dr. and US and Group 5, Citywide on Demand Pruning and Shrub/Tree Removal. to Evergreen Lawn Service. Due to unforeseen problems regarding the vendor being unable to secure a three year performance bond as per contract requirements, the vendor was deemed non-compliant. Solicitation 2013-168 Eastside Ground Maintenance, which has now successfully closed, requested formal bids for the services originally requested in solicitation 2013-078.

Companion item: Solicitation No. 2013-168 Eastside Grounds and Street Tree Maintenance-City Medians.

RESOLUTION

WHEREAS, on March 12, 2013, the City awarded Groups II and V of Contract No. 2013-078 (Ground Maintenance- City Medians) to Evergreen Lawn Service, for the Transportation Department; and

WHEREAS, the City finds that the contractor is in default of the provisions of the Contract because the vendor failed to provide the performance bond specified under the contract awarded by City Council; and

WHEREAS, pursuant to Section C, Paragraph 8B of the Contract (Termination for Default), the City is authorized to terminate the Contract for default; and

WHEREAS, the City desires to terminate the Contract for default.

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

That the Purchasing Manager is authorized to notify Evergreen Lawn Service, that the City is terminating Contract No. 2013-078 (Ground Maintenance-City Medians) Groups II and V for default pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractors failure to provide the performance bond specified under the contract and that the termination shall be as of July 9, 2013.

PASSED AND APPROVED this _____ day of _____, 2013.

THE CITY OF EL PASO

Oscar Leeser,
Mayor

ATTEST:

Richarda Duffy Momsen
Municipal Clerk

APPROVED AS TO FORM:



Sol M. Cortez
Assistant City Attorney

APPROVED AS TO CONTENT:

Bruce D. Collins
Purchasing Manager, Financial Services

MOTION
MARCH 12, 2013

Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **AWARD** Solicitation No. 2013-078 (Ground Maintenance-City Medians) to Three C's Contractors, Inc. and Evergreen Lawn Service for an initial term estimated award of \$991,968.

Department:		Transportation
Award to:	Vendor 1:	Three C's Contractors, Inc. El Paso, TX Group I, Group III and Group IV
Item(s):		
Initial Term:		3 Years
Option to Extend:		2 Years
Annual Estimated Award:		\$ 147,316
Initial Term Estimated Award:		\$ 441,948 (3 Years)
Total Estimated Award:		\$ 736,580 (5 Years)
Award to:	Vendor 2:	Evergreen Lawn Service El Paso, TX Group II and Group V
Item(s):		
Initial Term:		3 Years
Option to Extend:		2 Years
Annual Estimated Award:		\$ 183,340
Initial Term Estimated Award:		\$ 550,020 (3 Years)
Total Estimated Award:		\$ 916,700 (5 Years)
Annual Estimated Award:		\$ 330,656
Initial Term Estimated Award:		\$ 991,968 (3 Years)
Total Estimated Award:		\$1,653,280 (5 Years)
Account No.:		532-32050-522210-3100 532-32050-532020-3100
Funding Source:		Environmental Services Fund FY13-FY16

This is a Best Value, services contract.

The Financial Services - Purchasing Division and Department of Transportation recommend award as indicated to Three C's Contractors, Inc. and Evergreen Lawn Service, the bidders offering the best value bid.

Richarda Duffy Momsen, City Clerk