

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

DEPARTMENT: General Services

AGENDA DATE: October 11, 2011

CONTACT PERSON/PHONE: Stuart Ed, General Services, (915) 621-6822
Bruce Collins – Purchasing Manager (915) 541-4313

DISTRICT(S) AFFECTED: All

SUBJECT:

Request that the Purchasing Manager be authorized to notify the Pepsi Bottling Group that the City is terminating Solicitation No. 2009-108 (Soft Drink Vending Machine Services) for convenience pursuant to the provisions of the contract.

BACKGROUND / DISCUSSION:

This bid is being terminated and replaced by Solicitation No. 2011-269 (Vending Machines Services) which includes the Obesity Prevention Action Plan healthier food option requirements as approved by City Council on January 6, 2011.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A.

*****AUTHORIZATION*****

DEPARTMENT HEAD: _____

RESOLUTION

WHEREAS, the City of El Paso ("City") awarded Contract No. 2009-108 to Pepsi Bottling Group On September 15, 2009 for soft drink vending machine services for the Parks and Recreation Department; and

WHEREAS, the City has implemented "Healthier Choice" requirements for its drink and snack vending machines and the current contract does not comply with the healthy choice requirements; and

WHEREAS, pursuant to Section C, Paragraph 8A 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.

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

That the Purchasing Manager is authorized to notify Pepsi Bottling Group that the City is terminating Contract No. 2009-108 for convenience pursuant to the provisions and requirements of Section C, Paragraph 8A of the contract and that the termination shall be effective as of _____, 2011.

PASSED AND APPROVED this _____ day of _____, 2011.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
Municipal Clerk

APPROVED AS TO FORM:

Elizabeth M. Ruhnmann
Assistant City Attorney

APPROVED AS TO CONTENT:

Bruce D. Collins, Purchasing Manager
Department of Financial Services