

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

DEPARTMENT: Engineering Department

AGENDA DATE: November 16, 2004

CONTACT PERSON/PHONE: Irene Ramirez, 541-4431

DISTRICT(S) AFFECTED: 3

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.

Approve a Resolution authorizing the Mayor to sign a Tender Agreement between the City and North American Insurance Company for the George Orr Road Street & Drainage Improvements project.

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 original contractor on this job Ortega Construction defaulted. Therefore, the surety company has obtained a proposal from another contractor to finish the work. This agreement will allow that work to proceed. Neighborhood residents are anxious to get this construction completed.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

No prior Council action.

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?

This project is funded through a Community Development Block Grant.

No additional funds are needed

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*****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

Whereas, Ortega Construction Co., Inc. entered into a construction contract with the City of El Paso dated January 6, 2004 for a project known as the George Orr Road Street & Drainage Improvements, and

WHEREAS, Ortega Construction Co., Inc. and National American Insurance Company issued a Performance Bond and Payment Bond in connection with the contract and the project, and

WHEREAS, Ortega Construction Co., Inc. defaulted and terminated the construction contract, and the City subsequently called upon the North American Insurance Company to arrange for completion of the Project under the terms of the Performance Bond, and

WHEREAS, the City and North American Insurance Company desire to arrange for completion of the work on the Project under the terms and conditions of the construction contract, and

WHEREAS, North American Insurance Company has obtained a proposal from a contractor who can conform with the terms of the construction contract for the completion of the work under the contract,

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

That the Mayor be authorized to sign a Tender Agreement between the **CITY OF EL PASO** and **NATIONAL AMERICAN INSURANCE COMPANY** for a project known as “George Orr Road Street & Drainage Improvements”.

ADOPTED this _____ day of November, 2004.

THE CITY OF EL PASO

ATTEST:

Joe Wardy, Mayor

Richarda Duffy Momsen, City Clerk

(Signatures continue on following page)

APPROVED AS TO FORM:

Theresa Cullen-Garney
Deputy City Attorney

APPROVED AS TO CONTENT:

Rick Conner, P.E.
City Engineer

APPROVED AS TO CONTENT:

Patricia D. Adauto
Deputy City Manager
for Building & Planning Services