

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

**DEPARTMENT:** Engineering and Construction Management

**AGENDA DATE:** November 27, 2012

**CONTACT PERSON NAME AND PHONE NUMBER:** Irene D. Ramirez, P.E., Interim City Engineer, 541-4428

**DISTRICT(S) AFFECTED:** District 2

**SUBJECT:**

Discussion and action on a Resolution that the Purchasing Manager is authorized to notify JAM Equipment Sales & Services, LLC that the City is terminating Contract No. 2012-263R pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of November 27, 2012.

**BACKGROUND / DISCUSSION:**

The proposed equipment by JAM Equipment Sales & Services, LLC did not meet the minimum specifications set forth in the City's solicitation and award should not have been made.

**PRIOR COUNCIL ACTION:**

July 10, 2012 award of bid 2012-263R Sun Metro Maintenance Facility Lift Equipment.

**AMOUNT AND SOURCE OF FUNDING:**

\$1,484,109.00; DeptID 190, Division 28300, Fund 4710, Account 580040, PCP09MT0080, FY 2009 Certificates of Obligation.

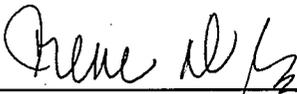
**BOARD / COMMISSION ACTION:**

N/A

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

**DEPARTMENT HEAD:**



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(If Department Head Summary Form is initiated by Purchasing, client department should sign also)  
Information copy to appropriate Deputy City Manager

**RESOLUTION**

**WHEREAS**, on July 10, 2012, the City awarded Contract No. 2012-263R (Sun Metro Maintenance Facility Lift Equipment) to JAM Equipment Sales & Services, LLC ("Vendor") for the Mass Transit Department; and

**WHEREAS**, the proposed equipment in Vendor's bid proposal did not meet the minimum specifications set forth in the City's solicitation; and

**WHEREAS**, the award of the contract to this Vendor for the equipment proposed should not have been made; and

**WHEREAS**, the City has notified the Vendor that the City would rebid the contract and Council would terminate said Contract for convenience pursuant to the provisions of the Contract; 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 for convenience.

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

That the Purchasing Manager is authorized to notify JAM Equipment Sales & Services, LLC that the City is terminating Contract No. 2012-263R pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of November 27, 2012.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**THE CITY OF EL PASO**

\_\_\_\_\_  
John Cook,  
Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen,  
Municipal Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
*Cynthia Osborn*  
Cynthia Osborn  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

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*Irene D. Ramirez*  
Irene D. Ramirez, P.E.  
Interim City Engineer

Matter # 12-1004-265 /Doc 144124  
Reso/Termination for Convenience  
JAM Equipment Sales & Services, LLC  
Sun Metro Maintenance Facility Lift Equipment  
COSB