

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

DEPARTMENT: Department of Transportation

AGENDA DATE: December 14, 2010

CONTACT PERSON NAME AND PHONE NUMBER: Daryl W. Cole, Director, 621-6750
Bruce D. Collins, Purchasing Manager, 541-4313

DISTRICT(S) AFFECTED: All

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.

The Purchasing Manager, Financial Services, Purchasing Division, requests that Mayor and Council terminate Contract No. 2008-233 with 3M Company of St. Paul, MN for Traffic Sign Materials for convenience pursuant to Section C Clause No. 8A of the Contract, an item entitled Termination for Convenience, whereby the City reserved the right to terminate the Contract for convenience.

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 above referenced contract has exceeded the amount originally approved by City Council and subsequently must be re-bid

PRIOR COUNCIL ACTION:

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

Yes.

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?

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

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

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

**MOTION
NOVEMBER 18, 2008**

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **AWARD** Solicitation No. 2008-233 (Traffic Sign Materials) to 3M Company and Flint Trading, Inc., for a total estimated award of \$540,000.

Department: Street
Award to: Vendor 1: 3M Company
St. Paul, MN
Item: Base Bid Group A
Option: One year
Annual Estimated Amount: \$100,000

Award to: Vendor 2: Flint Trading, Inc.
Thomasville, NC
Item: Base Bid Group C
Option: Two years
Annual Estimated Amount: \$80,000

Account No.: 32010287 – 503203 – 01101
Funding Source: Public Access Maintenance & Repairs
Total Estimated Award: \$540,000

This is a thirty-six month requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division, and Street recommend award as indicated to the lowest responsive, responsible bidder.

Richarda Duffy Momsen, City Clerk

RESOLUTION

WHEREAS, the City awarded Contract No. 2008-233 to 3M Company of St. Paul, Minnesota, on November 18, 2008, for Traffic Sign Materials for the Department of Transportation; and

WHEREAS, the amount of the Contract awarded has been exceeded and City has notified vendor that the City would rebid the contract and Council would terminates 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 3M Company, that the City is terminating Contract No. 2008-233 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses due to convenience and that the termination shall be effective as of December 14, 2010.

PASSED AND APPROVED this _____ day of _____, 2010.

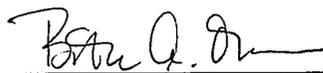
THE CITY OF EL PASO

John Cook
Mayor

ATTEST:

Richarda D. Momsen
Municipal Clerk

APPROVED AS TO FORM:



Bertha A. Ontiveros
Assistant City Attorney

APPROVED AS TO CONTENT:



Bruce D. Collins, Purchasing Manager
Financial Services Department