

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

DEPARTMENT: Parks and Recreation Department

AGENDA DATE: January 10, 2017

CONTACT PERSON/PHONE: Tracy Novak, Parks and Recreation Director, 212-1708
Bruce D. Collins, Purchasing & Strategic Sourcing Director, (915) 212-1181

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL NO. 3: Promote the Visual Image of El Paso.

SUBJECT:

That the Purchasing & Strategic Sourcing Director is authorized to notify Crystal Ice Cream-Felipe Ortega, that the City is terminating Contract No. 2014-296 Food & Beverage Concessions-Athletic Fields [Re-Bid] for default effective January 10, 2017, pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractor's failure to provide the services required under the Contract.

BACKGROUND / DISCUSSION:

The vendor could not comply with the terms and conditions that were set forth in the contract.

SELECTION SUMMARY:

Solicitation was advertised on May 28, 2014 and June 4, 2014. The solicitation was posted on City website on May 28, 2014. The email (Purmail) notification was sent out on May 28, 2014. Total (24) twenty-four bidders were solicited; (23) twenty-three local vendors. Total (10) ten bids were received; all local vendors.

PROTEST

☒ There was no protest received for this requirement.

PRIOR COUNCIL ACTION:

Yes. Council previously approved contract 2014-296 on July 8, 2014.

AMOUNT AND SOURCE OF FUNDING:

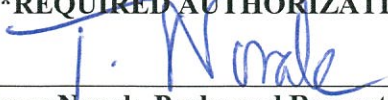
N/A

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:



Tracy Novak, Parks and Recreation Director

**COUNCIL PROJECT FORM
(TERMINATION)**

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

Please place the following item on the **CONSENT** (agenda under **RESOLUTIONS**) for the Council Meeting of **January 10, 2017**.

STRATEGIC GOAL: NO. 3: Promote the Visual Image of El Paso

That the Purchasing & Strategic Sourcing Director is authorized to notify Crystal Ice Cream-Felipe Ortega, that the City is terminating Contract No. 2014-296 Food & Beverage Concessions-Athletic Fields [Re-Bid] for default effective January 10, 2017, pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractor's failure to provide the services required under the Contract.

Department: Parks and Recreation
Districts(s): All

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

RESOLUTION

WHEREAS, on July 8, 2014, the City of El Paso awarded Contract No. 2014-296 Group C, Group D, Group H, Items 1, 2, 3, 6, 7, & 9 to Crystal Ice Cream ("Company"); and

WHEREAS, the City finds that the Company is in default of the provisions of the Contract because the vendor cannot provide the services required under the Contract; 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 this Contract for Default.

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

That the Purchasing & Strategic Sourcing Director is authorized to notify Crystal Ice Cream, that the City is terminating Contract No. 2014-296 for default effective January 10, 2017, pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractor's failure to provide the services pursuant to the contract.

PASSED AND APPROVED this _____ day of _____, 2017.

THE CITY OF EL PASO

Oscar Leaser,
Mayor

ATTEST:

Richarda Duffy Momsen
Municipal Clerk

APPROVED AS TO FORM:



Sol M. Cortez
Assistant City Attorney

APPROVED AS TO CONTENT:

Bruce D. Collins, Director
Purchasing & Strategic Sourcing Department