

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

**DEPARTMENT:** Facilities and Fleet Maintenance – Facilities Maintenance Division

**AGENDA DATE:** January 27, 2015

**CONTACT PERSON/PHONE:** Larry Nichols, Interim Facilities and Fleet Maintenance Director,  
(915) 212-8000  
Tracy A. Novak, Parks and Recreation Director, (915) 212-1708  
Bruce D. Collins, Purchasing and Strategic Sourcing Director, (915) 212-1181

**DISTRICT (S) AFFECTED:** All

**SUBJECT:**

That the City Manager be authorized to sign Consent to Assignment of Contract No. 2012-298 for Paper Sundries for Part A, items 5, 6, 7 and Contract No. 2013-083 Pool Chemicals for Item 2 from Baron Chemical Co. to International Laundry Services, Inc.

**BACKGROUND / DISCUSSION:**

International Laundry Services, Inc. recently purchased Baron Chemical Co. International Laundry Services, Inc. has agreed to the terms and conditions of contract 2012-298 and contract 2013-083.

**SELECTION SUMMARY:**

This is a Consent to Assign Contract 2012-298 and Contract 2013-083 to International Laundry Services, Inc.

**PRIOR COUNCIL ACTION:**

Council awarded Contract No. 2012-298 (Paper Sundries) on October 23, 2012.  
Council awarded Contract No. 2013-083 (Pool Chemicals) on March 12, 2013.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

N/A

\*\*\*\*\*AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

---

**Larry Nichols, Interim Facilities and Fleet Maintenance Director**

---

**Tracy A. Novak, Parks and Recreation Director**

**COUNCIL PROJECT FORM  
(RESOLUTION)**

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

Please place the following item on the **CONSENT** agenda under **RESOLUTIONS** for the Council Meeting of **JANUARY 27, 2015.**

That the City Manager be authorized to sign Consent to Assignment of Contract No. 2012-298 for Paper Sundries for Part A, items 5, 6, 7 and Contract No. 2013-083 Pool Chemicals for Item 2 from Baron Chemical Co. to International Laundry Services, Inc.

Department: Facilities and Fleet Maintenance  
Parks and Recreation

Districts(s): ALL

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

**RESOLUTION**

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

**THAT** the City Manager be authorized to sign Consent to Assignment of Contract No. 2012-298 Paper Sundries for Part A, items 5, 6, 7 and Contract No. 2013-083 Pool Chemicals for Item 2 from Baron Chemical Co., Inc. to International Laundry Services, Inc.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_ 2015.

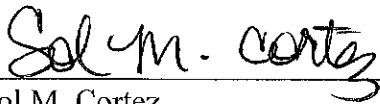
CITY OF EL PASO

\_\_\_\_\_  
Oscar Leeser  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda D. Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Sol M. Cortez  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Bruce D. Collins, Director  
Purchasing and Strategic Sourcing Dept.

STATE OF TEXAS        )  
                                  )  
COUNTY OF EL PASO    )

**CONSENT TO ASSIGNMENT OF  
CONTRACT NO. 2012-298 and  
CONTRACT NO. 2013-083**

This Consent to Assignment is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2015,  
by and between the City of El Paso (the “City”), Baron Chemical Co., Inc. (“Assignor”) and  
International Laundry Services, Inc. (“Assignee”).

**WHEREAS**, on October 23, 2012, the City entered into Contract No. 2012-298 Paper  
Sundries for Part A, Items 5, 6, 7 with Assignor for an initial term of thirty six (36) months which is  
fully incorporated herein by reference (the “Contract 1”) to provide such goods to the City;

**WHEREAS**, on March 12, 2013, the City entered into Contract No. 2013-083 Pool  
Chemicals for Item 2 with Assignor for an initial term of thirty six (36) months which is fully  
incorporated herein by reference (the “Contract 2”) to provide such goods to the City;

**WHEREAS**, after entering into said Contract 1 and Contract 2, the assets of Assignor were  
sold to Assignee;

**WHEREAS**, Contract 1 and Contract 2 provides that it is not assignable without the  
consent of the City;

**WHEREAS**, Assignor has requested that the City approve an assignment of Contract1 and  
Contract 2 to Assignee;

**WHEREAS**, Assignee has agreed to be responsible for all duties and obligations under  
Contract 1 and Contract 2; and

**WHEREAS**, the City agrees to the assignment of all rights, duties and obligations  
encompassed in Contract 1 and Contract 2 to Assignee.

**NOW, THEREFORE, IT IS HEREBY AGREED as follows:**

1. The City consents to the assignment of the rights, duties and obligations under

Contract No. 2012-298 and Contract No. 2013-083 to Assignee.

2. Assignee agrees to assume and perform all duties, obligations and responsibilities under Contract No. 2012-298 and Contract No. 2013-083.
3. All terms and conditions of Contract No. 2012-298 and Contract No. 2013-083 shall remain in full force and effect.
4. **Assignee agrees to indemnify, defend and hold harmless the City from and against any and all claims, demands, causes of action, court costs, expenses, and attorney's fees which are connected with or arise from the assignment of Contract 1 and Contract 2 or the City's acceptance and recognition of the assignment of Contract No. 2012-298 and Contract No. 2013-083.**

*(Signature Page to follow)*

STATE OF TEXAS )  
 )  
COUNTY OF EL PASO )

CONSENT TO ASSIGNMENT OF  
CONTRACT NO. 2012-298 and  
CONTRACT NO. 2013-083

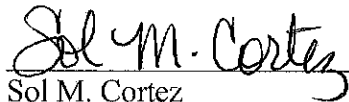
*(Signature Page)*

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2015

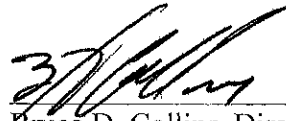
**THE CITY OF EL PASO**

\_\_\_\_\_  
Tomás González  
City Manager

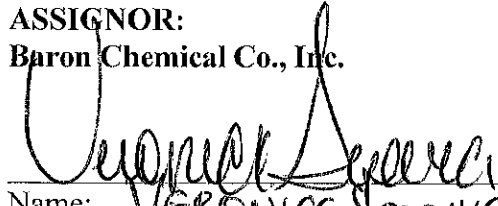
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Sol M. Cortez  
Assistant City Attorney

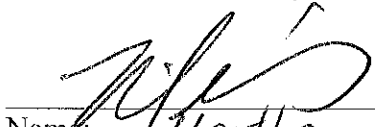
**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Bruce D. Collins, Director  
Purchasing and Strategic Sourcing Dept.

**ASSIGNOR:  
Baron Chemical Co., Inc.**

  
\_\_\_\_\_  
Name: VERONICA SEPQUIA  
Title: BUSINESS MANAGER

**ASSIGNEE:  
International Laundry Services, Inc.**

  
\_\_\_\_\_  
Name: Martha Holguin  
Title: General Manager