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

DEPARTMENT:

AGENDA DATE:

Police

March 4, 2014

CONTACT PERSON NAME AND PHONE NUMBER:

Michelle Gardner, Assistant Chief, 564-7301 Bruce Collins, Purchasing and Strategic Sourcing Director, 212-0043

CITY CLERK DEP

2014 FEB 27 AM 9:

DISTRICT(S) AFFECTED: All

SUBJECT:

That the City Manager be authorized to sign an Amendment to the Contract No. 2011 - 310R for the Operation and Maintenance of City of El Paso's Municipal Vehicle Storage Facility by and between the City of El Paso and Rod Robertson Enterprises, Inc. to set a Storage Fee for vehicles that are 25 feet or less and a Storage Fee for vehicles that exceed 25 feet in length, pursuant to Section 85.722(d) of the Texas Administrative Code.

BACKGROUND / DISCUSSION:

The current fee schedule in the contract does not reflect the proper fee for storage of vehicles that exceed 25 feet in length. The fee is correctly listed in Schedule C of the adopted FY14 budget.

PRIOR COUNCIL ACTION:

City Council approved the current contract with Rod Robertson Enterprises, Inc. on November 29, 2011.

AMOUNT AND SOURCE OF FUNDING:

522150 - 321 - 21280 - P2121 - 4340 - P5002350

BOARD / COMMISSION ACTION:

N/A

DEPARTMENT HEAD:

hmn

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

Information copy to appropriate Deputy City Manager

RESOLUTION

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

That the City Manager be authorized to sign an Amendment to the Contract No. 2011-310R for the Operation and Maintenance of City of El Paso's Municipal Vehicle Storage Facility by and between the City of El Paso and Rod Robertson Enterprises, Inc., to set a Storage Fee for vehicles that are 25 feet or less and a Storage Fee for vehicles that exceed 25 feet in length, pursuant to the Section 85.722(d) of the Texas Administrative Code.

ADOPTED this _____ day of _____ 2014.

THE CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:

Richarda Duffy Momsen City Clerk

APPROVED AS TO FORM:

Sol^M. Cortez

Assistant City Attorney

APPROVED AS TO CONENT:

Bruce Collins, Director Purchasing and Strategic Sourcing Dept.

11/mmh Gregory Allen, Chief of Police **Police** Department

SOLA LEB SE BH 2: 20

14-1044-299/PL#254395 Municipal Vehicle Storage Facility/ SMC THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

AMENDMENT TO THE CONTRACT FOR OPERATION AND MAINTENANCE OF CITY OF EL PASO POLICE DEPARTMENT MUNICIPAL VEHICLE STORAGE FACILITY

This Amendment to the Contract No. 2011-310R for the Operation and Maintenance of City of El Paso's Municipal Vehicle Storage Facility is made this _____ day of _____, 2014 ("Effective Date"), by and between the City of El Paso, a Texas municipal corporation (the "*City*"), and Rod Robertson Enterprises, Inc., a Texas Corporation (the "*Contractor*").

WHEREAS, on November 29, 2011, the City awarded a Contract No, 2011-310R to the Contractor for a Project known as "OPERATION AND MAINTENANCE OF CITY OF EL PASO POLICE DEPARTMENT MUNICIPAL VEHICLE STORAGE FACILITY" on the terms and conditions set forth in the Request for Proposal, the Proposal submitted by Contractor, and the Best and Final Offer (collectively, the "Agreement"); and

WHEREAS, the Agreement identifies a Storage Fee that can be imposed for each vehicle impounded; and

WHEREAS, Section 85.722(d) of the Texas Administrative Code distinguishes between the Storage Fees that can be imposed on a vehicle that is 25 feet or less in length and the Storage Fees that can be imposed on a vehicle that exceeds 25 feet in length; and

WHEREAS, the parties hereto desire to enter into this amendment to set a Storage Fee for vehicles that are 25 feet or less and a Storage Fee for vehicles that exceed 25 feet in length.

NOW THEREFORE, in consideration of the mutual promises set forth in this Amendment and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. <u>Fee Schedule</u>. Section 3.1 Scope of Work and Minimum Requirement, (E) Fee Schedule is amended to delete the Fee Type "Storage Fee" and the Amount "\$15.50/Day" and add the following Fee Type and Amount:

Fee Type

Storage Fee- Vehicle 25 ft. or less Storage Fee- Vehicle Exceeding 25 ft.

<u>Amount</u>

** 15.50 per day, including the day of pick up ** 35.00 per day, including the day of pick up

** Fees are established pursuant to Texas Administrative Code, Section 85.722(d).

14-1044-299/PL#253614/SMC

Operation and Maintenance of Municipal Vehicle Storage-Amendment

2. Terms and Conditions. All terms and conditions of the original Agreement except as herein revised, shall remain in full force and effect.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

THE CITY OF EL PASO

City Manager

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

by Milhmh M

Gregory Allen, Chief of Police Police Department

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

CONTRACTOR

Rod Robertson Enterprises, Inc. Rod Robertson, President

14-1044-299/PL#253614/SMC Operation and Maintenance of Municipal Vehicle Storage- Amendment

Sol M. Cortez Assistant City Attorney

Joyce Wilson