

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

DEPARTMENT: Streets and Maintenance

AGENDA DATE: April 5, 2016

CONTACT PERSON/PHONE: Ted Marquez, Streets and Maintenance Director, (915) 212-7000
Bruce D. Collins, Purchasing & Strategic Sourcing Director, (915) 212-1181

DISTRICT(S) AFFECTED: 8

STRATEGIC GOAL: NO. 2: Set the standard for a safe and secure City

SUBJECT:

That the Purchasing & Strategic Sourcing Director is authorized to notify Arturo Rubio d/b/a Star-Clean Maintenance, that the City is terminating Contract No. 2015-1161 for default effective April 5, 2016, 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 Scope of Work set forth in the Contract for the bid prices awarded and to provide the required performance bonds.

BACKGROUND / DISCUSSION:

The vendor could not comply with the terms and conditions that were set forth in the contract and they also acknowledged that they under bid employee hourly rates.

SELECTION SUMMARY:

Solicitation was advertised on November 17, 2015 and November 24, 2015. The solicitation was posted on City website on November 17, 2015. The email (Purmail) notification was sent out on November 19, 2015. A total of sixty-one (61) bidders were solicited; forty-eight (48) local vendors. Six (6) bids were received; five (5) local vendors.

PROTEST

☒ There was no protest received for this requirement.

PRIOR COUNCIL ACTION:

Yes. Council previously approved contract 2015-1161 on March 8, 2016, Item 21.1.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:

Ted Marquez, Streets and Maintenance Director

RESOLUTION

WHEREAS, on March 8, 2016, the City of El Paso awarded Contract No. 2015-1161 (Janitorial Services – City Hall 1, 2, 3, 4, and UPTT) to Arturo Rubio d/b/a Star-Clean Maintenance for Streets and Maintenance-Facilities Maintenance; and

WHEREAS, the City finds that the Company is in default of the provisions of the Contract because the vendor failed to provide the services pursuant to the Scope of Work set forth in the Contract for the bid prices awarded and to provide the required performance bonds; 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 Arturo Rubio d/b/a Star-Clean Maintenance, that the City is terminating Contract No. 2015-1161 for default effective April 5, 2016, 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 Scope of Work set forth in the Contract for the bid prices awarded and to provide the required performance bonds.

PASSED AND APPROVED this _____ day of _____, 2016.

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

**COUNCIL PROJECT FORM
(TERMINATION)**

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

Please place the following item on the **CONSENT** (agenda (under **RESOLUTIONS**) for the Council Meeting of **APRIL 5, 2016**.

STRATEGIC GOAL: NO. 2: Set the Standard for a Safe and Secure City

That the Purchasing & Strategic Sourcing Director is authorized to notify Arturo Rubio d/b/a Star-Clean Maintenance, that the City is terminating Contract No. 2015-1161 for default effective April 5, 2016, 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 Scope of Work set forth in the Contract for the bid prices awarded and to provide the required performance bonds.

Department: Streets & Maintenance

Districts(s): 8

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

MOTION
MARCH 8, 2016

Motion made by Mayor Pro Tempore Noe, seconded by Representative Robinson, and carried to **AWARD** Solicitation No. 2015-1161(Janitorial Services – City Hall 1,2,3,4, and UPTT) to Arturo Rubio dba Star-Clean Maintenance for an initial term estimated award of \$309,177.00. The award is to include a two (2) year optional amount of \$206,118.00 for a total five (5) year award of \$515,295.00.

AYES: Representatives Svarzbein, Acosta, Robinson, Noe, and Ordaz

NAYS: Representative Limón

NOT PRESENT FOR THE VOTE: Representative Romero

ABSENT: Representative Niland

| | |
|-------------------------------|---|
| Department: | Streets and Maintenance – Facilities Maintenance |
| Award to: | Arturo Rubio dba Star-Clean Maintenance El Paso, Texas |
| Item(s): | All |
| Initial Term: | 3 years |
| Option to Extend: | 2 years |
| Annual Estimated Award: | \$103,059.00 |
| Initial Term Estimated Award: | \$309,177.00 (3 years) |
| Total Estimated Award: | \$515,295.00 (5 years) |
| Account No.: | 532 – 31040 – 522060 – 1000 – P3120 |
| Funding Source: | General Fund – Maintenance Services Contracts - Janitorial |

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance – Facilities Maintenance recommend award as indicated to Arturo Rubio dba Star-Clean Maintenance the bidder offering the best value bid.

In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

Richarda Duffy Momsen, City Clerk