

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

CITY CLERK DEPT.  
2018 JUL 31 AM 10:02

**DEPARTMENT:** Internal Audit Office

**AGENDA DATE:** August 8, 2018

**CONTACT PERSON/PHONE:** Edmundo Calderon, Chief Internal Auditor 915-212-1365  
Bruce D. Collins, Purchasing Director 915-212-1181

**DISTRICT (S) AFFECTED:** ALL

**STRATEGIC GOAL:** No. 6: Set the Standard for Sound Governance and Fiscal Management

**SUBJECT:**

That the City Manager be authorized to sign Consent to Assignment of Contract No. 2015-633R for review and audit services of the City's Hotel Occupancy tax revenue from MuniServices, LLC to Avenu MuniServices, LLC and that the City Manager be authorized to exercise the option to extend the term of Contract No. 2015-633R between the City and Assignee for one (1) additional year for an additional amount of \$73,055.00.

**BACKGROUND / DISCUSSION:**

This contract will enable a firm to perform a review of audit services of the 103 hotel/motel establishments operating within the City of El Paso.

**SELECTION SUMMARY:**

Not Applicable

**PRIOR COUNCIL ACTION:**

City Council approved on August 18, 2015.

**AMOUNT AND SOURCE OF FUNDING:**

521010-2321-457-57040-Hotel Occupancy Tax Fund

**BOARD / COMMISSION ACTION:**

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:** Edmundo CALDERON Edmundo Calderon 7-26-2018  
Name Signature Date

**COUNCIL PROJECT FORM  
(RFQ)**

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

Please place the following item on the **CONSENT** agenda (under **Resolutions**) for the Council Meeting of **AUGUST 7, 2018.**

**Strategic Goal 6: Set the Standard for Sound Governance and Fiscal Management**

That the City Manager be authorized to sign Consent to Assignment of Contract No. 2015-633R for review and audit services of the City's Hotel Occupancy tax revenue from MuniServices, LLC to Avenu MuniServices, LLC and that the City Manager be authorized to exercise the option to extend the term of Contract No. 2015-633R between the City and Assignee for one (1) additional year for an additional amount of \$73,055.00. This contract will enable a firm to perform a review of audit services of the 103 hotel/motel establishments operating within the City of El Paso.

Department: Internal Audit  
Districts: All

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

## RESOLUTION

**WHEREAS**, on August 18, 2015, the City of El Paso (City) entered into Contract No. 2015-633R Hotel Occupancy Tax Review Internal Audit with MuniServices, LLC (Assignor) for a term of thirty-six (36) months and two (2) one-year options to extend the Contract;

**WHEREAS**, after entering into said Contract the trade name of Assignor changed to Avenu MuniServices LLC (Assignee);

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

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

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

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

**WHEREAS**, the City also desires to exercise the option to extend the term of said Contract for one additional year for an additional amount of \$73,055.00

### **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. 2015-633R for review and audit services of the City's Hotel Occupancy tax revenue from MuniServices, LLC to Avenu MuniServices, LLC and that the City Manager be authorized to exercise the option to extend the term of Contract No. 2015-633R between the City and Assignee for one (1) additional year for an additional amount of \$73,055.00.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_ 2018.

*(Signatures to follow on the next page)*

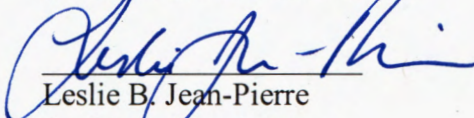
CITY OF EL PASO

\_\_\_\_\_  
Dee Margo  
Mayor

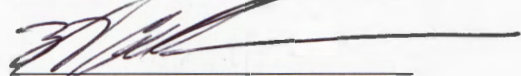
ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Leslie B. Jean-Pierre  
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. 2015-633R**

This Consent to Assignment is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2018,  
by and between the City of El Paso (the "City"), MuniServices, LLC ("Assignor") and Avenu  
MuniServices, LLC ("Assignee").

**WHEREAS**, on August 18, 2015, the City of El Paso (City) entered into Contract No.  
2015-633R Hotel Occupancy Tax Review Internal Audit with MuniServices, LLC (Assignor) for  
a term of thirty-six (36) months and two (2) one-year options to extend which is fully  
incorporated herein by reference to provide such services to the City;

**WHEREAS**, after entering into said Contract the trade name of Assignor changed to Avenu  
MuniServices LLC (Assignee);

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

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

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

**WHEREAS**, the City agrees to the assignment of all rights, duties and obligations  
encompassed in the Contract 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. 2015-633R to Assignee.
2. Assignee agrees to assume and perform all duties, obligations and responsibilities  
under Contract No. 2015-633R
3. All terms and conditions of Contract No. 2015-633R shall remain in full force and  
effect.

*(Signature Page to follow)*



STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

CONSENT TO ASSIGNMENT OF  
CONTRACT NO. 2015-633R

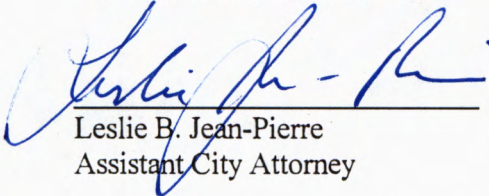
*(Signature Page)*

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2018

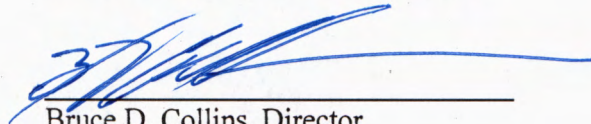
THE CITY OF EL PASO

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

APPROVED AS TO FORM:

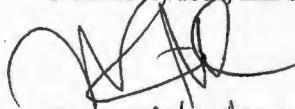
  
\_\_\_\_\_  
Leslie B. Jean-Pierre  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Bruce D. Collins, Director  
Purchasing & Strategic Sourcing

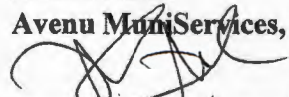
ASSIGNOR:

MuniServices, LLC

  
\_\_\_\_\_  
Name: Michael Melka  
Title: CFO

ASSIGNEE:

Avenu MuniServices, LLC

  
\_\_\_\_\_  
Name: Michael Melka  
Title: CFO

**MOTION**  
**AUGUST 18, 2015**

Motion made, seconded, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to sign a Review and Audit Services Agreement 2015-633R between the City of El Paso and MuniServices, LLC., for the review and audit of the City's Hotel Occupancy tax revenue for a term of thirty six (36) months from the effective date and two (2) one-year options to extend the term to be exercised by the City Manager, for a contract amount of \$219,165.00 for the initial term and \$146,110.00 for the option terms.

Richarda Duffy Momsen, City Clerk



July 9, 2018

Vendor Management / Purchasing  
City of El Paso

To Whom It May Concern:

In March 2018, MuniServices adopted the new trade name of Avenu MuniServices LLC. While the legal entity and taxpayer ID have not changed, we have filed the requisite paperwork with Texas regulatory authorities registering our new trade name.

As we recognize our contract with El Paso is under the legal entity name of MuniServices, LLC, we kindly request your assistance in obtaining a consent to assign our contract to our new trade name Avenu MuniServices, LLC.

If further assistance or clarification is needed in this regard, please don't hesitate to reach out to me directly at 571-441-2793 or at [mike.melka@avenuinsights.com](mailto:mike.melka@avenuinsights.com).

Very respectfully,

A handwritten signature in black ink, appearing to read 'Mike Melka'.

Mike Melka  
CFO, Avenu