

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

DEPARTMENT: Streets and Maintenance

AGENDA DATE: November 10, 2015

CONTACT PERSON/PHONE: Ted Marquez, Streets and Maintenance Director, (915) 212-7015
Bruce D. Collins, Purchasing Director, (915) 212-1181

DISTRICT (S) AFFECTED: All

STRATEGIC GOAL: 6) Set the standard for sound governance and fiscal management

SUBJECT:

That the City Manager be authorized to sign a Consent to Assignment Contract from D&H Pump Service, Inc. to D&H United Fueling Solutions, Inc. with respect to the City of El Paso's Contract No. 2015-866 (Fuel Pump, Tank Service, Parts and Repair).

BACKGROUND / DISCUSSION:

D&H United Fueling Solutions recently purchased D&H Pump Service, Inc. D&H United Fueling Solutions has agreed to the terms and conditions of contract 2015-866.

SELECTION SUMMARY:

N/A

PRIOR COUNCIL ACTION:

Council awarded Contract No. 2015-866 Fuel Pump, Tank Service, Parts and Repair on September 8, 2015.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

N/A

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

DEPARTMENT HEAD:

Ted Marquez, Streets and Maintenance Director

CITY CLERK DEPT.
2015 NOV -3 PM 1:02

**COUNCIL PROJECT FORM
(ASSIGNMENT)**

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

Please place the following item on the **CONSENT** agenda under **PURCHASING REQUESTS** for the Council Meeting of **NOVEMBER 10, 2015**.

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

Request that the City Manager be authorized to sign Consent to Assignment of the contract by and between the CITY OF EL PASO, D&H Pump Service, Inc. ("Assignor") and D&H United Fueling Solutions, Inc. ("Assignee") with respect to the City of El Paso, Contract 2015-866 Fuel Pump/Tank Service, Parts and Repair.

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. 2015-866 Fuel Pump/Tank Service, Parts and Repair from D&H Pump Service, Inc. to D&H United Fueling Solutions, Inc.

PASSED AND APPROVED this ____ day of _____ 2015.

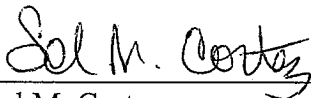
CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:

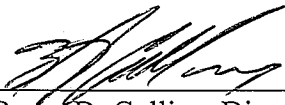
Richarda D. Momsen
City Clerk

APPROVED AS TO FORM:



Sol M. Cortez
Assistant City Attorney

APPROVED AS TO CONTENT:



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

CITY CLERK DEPT.
2015 NOV -3 PM 1:02

STATE OF TEXAS)
)
COUNTY OF EL PASO)

**CONSENT TO ASSIGNMENT OF
CONTRACT NO. 2015-866**

This Consent to Assignment is executed this _____ day of _____, 2015,
by and between the City of El Paso (the "City"), D&H Pump Service, Inc. ("Assignor") and D&H
United Fueling Solutions, Inc. ("Assignee").

WHEREAS, on September 8, 2015, the City entered into Contract No. 2015-866 Fuel
Pump/Tank Service, Parts and Repair ("Contract") with Assignor for an initial term of thirty six
(36) months which is fully incorporated herein by reference to provide such services to the City;

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

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

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

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. 2015-866 to Assignee.
2. Assignee agrees to assume and perform all duties, obligations and responsibilities
under Contract No. 2015-866.
3. All terms and conditions of Contract No. 2015-866 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 the Contract or the City's acceptance and recognition of the assignment of Contract No. 2015-866.

(Signature Page to follow)

CITY CLERK DEPT.
2015 NOV -3 PM 1:02

STATE OF TEXAS)
)
COUNTY OF EL PASO)

CONSENT TO ASSIGNMENT OF
CONTRACT NO. 2015-866

(Signature Page)

EXECUTED this the _____ day of _____, 2015

THE CITY OF EL PASO

Tomás González
City Manager

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Sol M. Cortez
Assistant City Attorney

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

ASSIGNOR:
D&H Pump Service, Inc.

Name: _____
Title: _____

ASSIGNEE:
D&H United Fueling Solutions, Inc.

Name: _____
Title: _____