

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

AGENDA DATE: May 10, 2022

PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Sam Rodriguez, Chief Operations and Transportation Officer, Aviation Director and City Engineer, (915) 212-1845
Claudia A. Garcia, Interim Director of Purchasing & Strategic Sourcing, (915) 212-1218

DISTRICT(S) AFFECTED: 6

STRATEGIC GOAL: STRATEGIC GOAL 7 – Enhance and Sustain El Paso's Infrastructure Network

SUBGOAL: 7.2: Improve competitiveness through infrastructure improvements impacting the quality of life.

SUBJECT:

That the Purchasing Director is authorized to notify J.A.R. CONCRETE, INC. DBA J.A.R. CONSTRUCTION, INC., that the City is terminating Solicitation 2021-1037 Rojas Drive Widening without cause, pursuant to the provisions and requirements of section 3L of the Contract Clauses at the request from the contractor effective May 10, 2022

BACKGROUND / DISCUSSION:

City Council authorized award of Contract 2021-1037 Rojas Drive Widening to J.A.R. CONCRETE, INC. DBA J.A.R. CONSTRUCTION, INC., for \$8,312,690.32 on December 7, 2021. Following contract award, J.A.R. notified the City that they were requesting to terminate the contract. The City requested approval from TxDOT to terminate at J.A.R.'s request. TxDOT approved rescinding and rebidding the contract as per provisions in the solicitation, JAR will not be allowed to bid on the Rojas Drive Widening project when it is re-advertised.

The City anticipates re-advertising the project for bid in summer 2022.

SELECTION SUMMARY:

N/A

CONTRACT VARIANCE:

N/A

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

Contract 2021-1037 Rojas Drive Widening was awarded by City Council on December 7, 2021

AMOUNT AND SOURCE OF FUNDING:

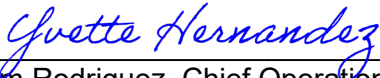
N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Capital Improvement
SECONDARY DEPARTMENT: Purchasing and Strategic Sourcing

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

DEPARTMENT HEAD:

 Yvette Hernandez/ for Sam Rodriguez

Sam Rodriguez, Chief Operations and Transportation Officer, Aviation Director and City Engineer

**COUNCIL PROJECT FORM
(Termination)**

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

Please place the following item on the **Consent agenda** for the Council Meeting of **May 10, 2022.**

STRATEGIC GOAL 7 – Enhance and Sustain El Paso’s Infrastructure Network

The linkage to the Strategic Plan is subsection 7.2 - Improve competitiveness through infrastructure improvements impacting the quality of life.

That the Purchasing Director is authorized to notify J.A.R. CONCRETE, INC. DBA J.A.R. CONSTRUCTION, INC., that the City is terminating Solicitation 2021-1037 Rojas Drive Widening without cause, pursuant to the provisions and requirements of section 3L of the Contract Clauses at the request from the contractor effective May 10, 2022.

RESOLUTION

WHEREAS, on December 7, 2021 the City of El Paso (“City”) awarded Contract No. 2021-1037 Rojas Dr. Widening to J.A.R CONCRETE, INC. DBA J.A.R CONSTRUCTION, INC. for \$8,312,690.32 (“Vendor”); and

WHEREAS, the City desires to terminate the Contract without cause and for convenience, pursuant to the provisions and requirements of section 3L of the Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Purchasing Director is authorized to notify Vendor that City is terminating awarded Contract No. 2021-1037 Rojas Dr. Widening for convenience, pursuant to the provisions and requirements of the Contract, and that the termination shall be effective as of May 10, 2022.

PASSED AND APPROVED this _____ day of _____, 2022.

THE CITY OF EL PASO:

Oscar Lesser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO CONTENT:

Claudia A. Garcia

Claudia A. Garcia, Interim Director
Purchasing & Strategic Sourcing

APPROVED AS TO FORM:

Russell T. Abeln

Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Gvette Hernandez

For Sam Rodriguez, Chief Operations and
Transportation Officer, Aviation
Director and City Engineer