

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

AGENDA DATE: June 4, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Anthony R. Dekeyzer, Director of Mass Transit, (915) 212-3306
K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 7 – Enhance and Sustain El Paso's Infrastructure Network

SUBGOAL: 7.3 – Enhance regional comprehensive transportation system.

SUBJECT:

Discussion and action on the request that the Managing Director of Purchasing and Strategic Sourcing be authorized to notify Thermo King West, Inc. that the City is terminating Contract No. 2022-0208 A-C Proprietary Parts (Thermo King) for convenience, pursuant to the provisions and requirements of 49 U.S.C. Part 18, Section 4220.1E, Paragraph A of the FTA Clauses of this contract, and that the termination shall be effective as of June 4, 2024.

BACKGROUND / DISCUSSION:

Contract being terminated for convenience due to total contract expenditures being met.

SELECTION SUMMARY:

N/A

CONTRACT VARIANCE:

N/A

PROTEST

N/A

PRIOR COUNCIL ACTION:

On November 9, 2021 Mass Transit Board approved the award of contract 2022-0208 to Thermo King West, Inc. for a three (3) year term for a total amount of \$1,500,000.00.

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Mass Transit (Sun Metro)

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:

Deputy Transit Officer

 For
Anthony R. Dekeyzer, Director of Mass Transit

**COUNCIL PROJECT FORM
(Termination)**

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

Please place the following item on the **REGULAR AGENDA** for the Mass Transit Board Meeting of **June 4, 2024**

STRATEGIC GOAL: No. 7: Enhance and Sustain El Paso's Infrastructure Network

The linkage to the Strategic Plan is subsection 7.3 – Enhance regional comprehensive transportation system.

Discussion and action on the request that the Managing Director of Purchasing and Strategic Sourcing be authorized to notify Thermo King West, Inc. that the City is terminating Contract No. 2022-0208 A-C Proprietary Parts (Thermo King) for convenience, pursuant to the provisions and requirements of 49 U.S.C. Part 18, Section 4220.1E, Paragraph A of the FTA Clauses of this contract, and that the termination shall be effective as of June 4, 2024.

RESOLUTION

WHEREAS, on November 9, 2021, the City of El Paso (“City”) awarded Contract No. 2022-0208 A-C Proprietary Parts (Thermo King) to the following vendor:

- 1. Thermo King West, Inc.

WHEREAS, pursuant to 49 U.S.C. Part 18, Circular 4220.1E, Paragraph A of the Federal Transit Administration Clauses (Termination for Convenience) the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for Convenience.

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

That the Managing Director of Purchasing & Strategic Sourcing is authorized to notify Thermo King West, Inc. that the City is terminating Contract No. 2022-0208 A-C Proprietary Parts (Thermo King) for convenience, pursuant to the provisions and requirements of Part 18, Circular 4220.1E, Paragraph A of the FTA Clauses, and that the termination shall be effective as of June 4, 2024.

APPROVED this _____ **day of** _____, **2024.**


THE CITY OF EL PASO:

Oscar Lesser
Chairman

ATTEST:

Laura D. Prine
Secretary

APPROVED AS TO FORM:



Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:



K. Nicole Cote, Managing Director
Purchasing and Strategic Sourcing Department

APPROVED AS TO CONTENT:

Deputy Transit Officer
 For

Anthony R. Dekeyzer, Director Mass Transit