

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

AGENDA DATE: August 27, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Richard J. Bristol, Streets and Maintenance Director, (915) 212-7000
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: 7.2 - Improve competitiveness through infrastructure improvements impacting the quality of life

SUBJECT:
Request that the City Manager be authorized to sign Consent to Assignment of contract 2023-0157 from Sierra Machinery, Inc. to ROMCO, Inc. dba ROMCO Equipment Co., LLC

BACKGROUND / DISCUSSION:
This consent to assignment will be for the time remaining of the current contract term, which expires March 14, 2026.

SELECTION SUMMARY:
N/A

CONTRACT VARIANCE:
N/A

PROTEST
N/A

PRIOR COUNCIL ACTION:
On March 14, 2023 City Council approved the award of contract 2023-0157 to Sierra Machinery Inc. for a three (3) year term for a total amount of \$720,000.00

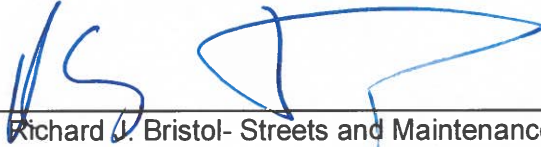
AMOUNT AND SOURCE OF FUNDING:
Amount: N/A
Funding Source: Internal Service Fund
Account: 532-3600-531210-37020-P3701 (Parts)
532-3600-531250-37020-P3701 (Service)

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Streets and Maintenance Department
SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:



8-8-24

Richard J. Bristol- Streets and Maintenance Director

**COUNCIL PROJECT FORM
(Consent to Assignment)**

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

Please place the following item on the **CONSENT AGENDA** for the City Council Meeting of **August 27, 2024.**

STRATEGIC GOAL: No. 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

Request that the City Manager be authorized to sign Consent to Assignment of Contract 2023-0157 from Sierra Machinery, Inc. to Romco Equipment Co. This consent to assignment will be for the time remaining of the current contract term, which expires March 14, 2026.

RESOLUTION

THAT the City Manager be authorized to sign the Consent to Assignment of Contract No. 2023-0157 Volvo, Gradall and Doosan Parts and Service by and between the **City of El Paso, Sierra Machinery, Inc.** (“Assignor”) and **ROMCO, Inc. ROMCO Equipment Co, LLC** (“Assignee”).

APPROVED this ____ day of _____ 2024.


CITY OF EL PASO:

Oscar Lesser
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Mona M. Heydarian
Assistant City Attorney

APPROVED AS TO CONTENT:



Richard J. Bristol, Director of Streets
and Maintenance

STATE OF TEXAS)
)
COUNTY OF EL PASO)

**CONSENT TO ASSIGNMENT OF
CONTRACT NO. 2023-0157**

This Consent to Assignment is executed this _____ day of _____ 2024, by and between the City of El Paso (the "City"), Sierra Machinery, Inc. ("Assignor") and ROMCO, Inc. ROMCO Equipment Co, LLC ("Assignee").

WHEREAS, on March 14, 2023 the City of El Paso (City) entered into Contract No. 2023-0157 with Assignor to provide 2023-0157 Volvo, Gradall and Doosan Parts and Service for an initial term of three (3) years which is fully incorporated herein by reference to provide such parts to the City;

WHEREAS, after entering into said Contract on April 1, 2024 the Assignor merged with the 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 the contract to Assignee.
2. Assignee agrees to assume and perform all duties, obligations and responsibilities under the contract.
3. All terms and conditions of the contract shall remain in full force and effect.

(Signatures Begin on Following Page)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

CONSENT TO ASSIGNMENT OF
CONTRACT NO. 2023-0157


(Signature Page)

EXECUTED this the _____ day of _____ 2024 .

THE CITY OF EL PASO:

Cary Westin
Interim City Manager


APPROVED AS TO FORM:


Mona M. Heydarian
Assistant City Attorney


APPROVED AS TO CONTENT:


Richard J. Bristol, Director of Streets
and Maintenance

ASSIGNOR:
Sierra Machinery, Inc.


Name: Robert Winkle
Title: Sales Manager

ASSIGNEE:
ROMCO, Inc. dba ROMCO
Equipment Co, LLC


Name: CRAIG BURNETT
Title: CFU

**MOTION
MARCH 14, 2023**

Motion made by Mayor Pro Tempore Annelo, seconded by Representative Canales, and unanimously carried to **AUTHORIZE** the Managing Director of Purchasing & Strategic Sourcing Department to issue Purchase Order(s) to Sierra Machinery, Inc., the sole and authorized distributor for the 2023-0157 Volvo, Gradall and Doosan Parts and Service, for a term of three (3) years for an estimated amount of \$720,000.00, with a stipulation that Sierra Machinery, Inc. provides an updated sole source letter and affidavit each year. This contract will allow for the maintenance of equipment used by the Environmental Services and Streets and Maintenance Departments.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$40,000.00 per year, which represents a 20% increase due to parts and service prices increasing.

Department:	Streets and Maintenance
Award To:	Sierra Machinery, Inc. El Paso, TX
Initial Term:	3 Years
Annual Estimated Amount:	\$240,000.00
Total Estimated Amount:	\$720,000.00
Account No.:	532 - 3600 - 531210 - 37020 - P3701 (Parts) 532 - 3600 - 531250 - 37020 - P3701 (Service)
Funding Source:	Internal Service Fund
District(s):	All

This is a Sole Source contract in accordance with Texas Local Government Code 252.022(a)(7)(a).

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to Sierra Machinery, Inc., the sole and authorized distributor.

AYES: Representatives Kennedy, Annelo, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

Laura D. Prine, City Clerk

Item 36



**Corporate Address: 1519 W Belt Line Road, Carrollton, TX 75006
(800)227-6626 or (214) 819-4100 / Fax (214) 819-4133**

Dear Customer,

Due to the acquisition of Sierra Machinery by ROMCO Equipment, your payment remit information will change as of 04/01/2024. Please update your remittance records to the below information:

Payee: ROMCO Equipment Co., LLC
Remittance Email: ar@romco.com

For ACH delivery:

Bank Routing Number: 111000614
Account Number: 835350171

For Wire Transfers:

Bank Routing Number: 021000021
SWIFT Code: CHASUS33
General Bank Reference Address: JPMorgan Chase New York, NY 10017
Account Number: 835350171

For delivery via regular US postal service:

Lockbox Name: ROMCO
Lockbox Address: P.O. BOX 736957 DALLAS, TX 75373-6957

For delivery via overnight courier service:

Lockbox Name: ROMCO
Lockbox Address: JPMORGAN CHASE (TX1-0029)
Attn: ROMCO 736957
14800 Frye Road, 2nd Floor Ft Worth, TX 76155

If additional information and/or confirmation is needed, feel free to contact credit@romco.com. Please send all remittances to ar@romco.com.

A handwritten signature in blue ink, appearing to read 'Robert Wrinkle'.

Robert Wrinkle
Sierra Machinery Branch Manager