

RESOLUTION

WHEREAS, on August 15, 2023, the City of El Paso ("City") awarded Contract No. 2023-0403 Fire Station 38 ("Contract") to the following vendor ("Vendor"):

- 1. EMJ Construction, LLC

WHEREAS, pursuant to Section 14, Subsection 7. **Liquidated Damages for Failure to Enter into Contract** of the Solicitation Documents associated with Solicitation 2023-0403 Fire Station 38; the City of may take steps to terminated the above-referenced award; and

WHEREAS, Vendor has failed or refused to execute and deliver the Contract and other required documents to City to finalize and execute the validly awarded Contract; and

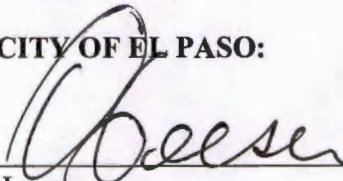
WHEREAS, the City desires to terminate the and rebid the above solicitation.

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 EMJ Construction, LLC, that the City is terminating Contract No. 2023-0403 Fire Station 38 pursuant to Section 14, Subsection 7. **Liquidated Damages for Failure to Enter into Contract** of the Solicitation Documents, that the termination shall be effective as of December 5, 2023, and that the City may take all necessary steps to seek forfeiture of Vendor's bid bond as liquidated damages.

APPROVED this 5 day of DECEMBER, 2023.

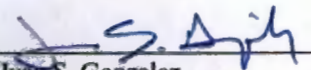
THE CITY OF EL PASO:


 Oscar Lesser
 Mayor

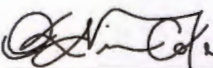
ATTEST:



 Laura D. Prine
 City Clerk

APPROVED AS TO FORM:


 Juan S. Gonzalez
 Senior Assistant City Attorney

APPROVED AS TO CONTENT:


 K. Nicole Cote, Managing Director
 Purchasing & Strategic Sourcing