

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

AGENDA DATE: June 8, 2021
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Sam Rodriguez, P.E., City Engineer
(915) 212-1808

DISTRICT(S) AFFECTED: All

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

SUBGOAL: N/A

SUBJECT:

That the City Manager, or designee, be authorized to sign Consent to Assignment of Contract from PAVETEX ENGINEERING, LLC., a Texas limited liability company (Assignor) to Atlas Technical Consultants, LLC., a Delaware foreign limited liability company ("Assignee") with respect to the City of El Paso's Solicitation #2020-1184R to perform geotechnical and materials testing consulting services on a task by task basis.

In addition, it is requested that the City Attorney's Office review and that the City Manager, or designee, be authorized to execute any related contract documents and agreements necessary to effectuate this assignment of contract.

BACKGROUND / DISCUSSION:

PAVETEX ENGINEERING LLC., was awarded a two year on call agreement to provide geotechnical and materials testing consultant services on December 8, 2020. PAVETEX ENGINEERING was absorbed by Atlas Technical Consultants, LLC.

PRIOR COUNCIL ACTION:

December 8, 2020 – City Council approved a two year on call agreement to provide geotechnical and materials testing services.

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Jerry DeMuro / for

Sam Rodriguez, P.E., City Engineer

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Manager, or designee, be authorized to sign Consent to Assignment of Contract from PAVETEX ENGINEERING, LLC., a Texas limited liability company (Assignor) to Atlas Technical Consultants LLC., a Delaware foreign limited liability company (“Assignee”) with respect to the City of El Paso’s Solicitation No. 2020-1184R to perform geotechnical and materials testing consulting services on a task by task basis.

In addition, it is requested that the City Attorney’s Office review and that the City Manager, or designee, be authorized to execute any related contract documents and agreements necessary to effectuate this assignment of contract.

PASSED AND APPROVED this ____ day of _____ 2021.

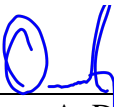
CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

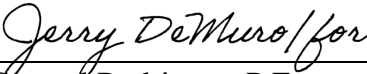
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



Samuel Rodriguez, P.E.
City Engineer

STATE OF TEXAS)
)
COUNTY OF EL PASO)

**CONSENT TO ASSIGNMENT OF
CONTRACT NO.**

This Consent to Assignment (“**Agreement**”) is made this ____ day of ____, 2021 (“**Effective Date**”) between the City of El Paso, a municipal corporation organized and existing under the laws of the State of Texas, (“**City**”), PAVETEX ENGINEERING, LLC., a Texas limited liability company (“**Assignor**”) and Atlas Technical Consultants LLC, a Delaware foreign limited liability company (“**Assignee**”).

WHEREAS, on December 8, 2020 the City entered into Solicitation No2020-1184R (“**Contract**”) with Assignor to perform geotechnical and materials testing consulting services on a task by task basis.

WHEREAS, after entering into said Contract on December 11, 2020, the assets of Assignor were transferred 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;

The parties agree as follows:

- A. The City consents to the assignment of the rights, duties and obligations under the Contract to Assignee.
- B. Assignee will assume and perform all duties, obligations and responsibilities under the Contract.
- C. The City will release the Assignor of all duties, obligations, and responsibilities under the Contract.
- D. All terms and conditions of the Contract remain in full force and effect.

(Signatures begin on following page)

STATE OF TEXAS)
)
COUNTY OF EL PASO)


CONSENT TO ASSIGNMENT OF
CONTRACT NO. _____

EXECUTED this the _____ day of _____, 2021.

THE CITY OF EL PASO:

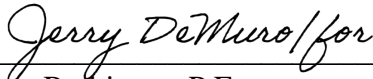
Tomás González
City Manager

APPROVED AS TO FORM:



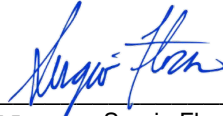
Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



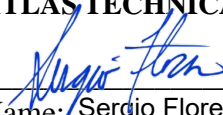
Sam Rodriguez, P.E.
City Engineer

**ASSIGNOR:
PAVETEX ENGINEERING, LLC.**



Name: Sergio Flores
Title: El Paso General Manager

**ASSIGNEE:
ATLAS TECHNICAL CONSULTANTS LLC.**



Name: Sergio Flores
Title: El Paso General Manager