

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

**AGENDA DATE:** August 2, 2022  
**PUBLIC HEARING DATE:** Not Applicable

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**

Richard J. Bristol, Streets and Maintenance Director, (915) 212-7000  
Claudia A. Garcia, Interim Director of Purchasing & Strategic Sourcing, (915) 212-1218

**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 Purchasing Director be authorized to notify M.J. Mader Enterprises, Inc. dba Bio Dyne Chemical Co. that the City is terminating Contract No. 2022-0156 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids for convenience, pursuant to the provisions and requirements of Part 4, Section 8, Paragraph A of the Contract Clauses, and that the termination shall be effective as of August 2, 2022.

**BACKGROUND / DISCUSSION:**

Price increase request was more than the allowed percentage by the contract.

**SELECTION SUMMARY:**

N/A

**CONTRACT VARIANCE:**

N/A

**PROTEST**

N/A

**PRIOR COUNCIL ACTION:**

On January 4, 2022, City Council approved the award of contract 2022-0156 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to M.J. Mader Enterprises, Inc dba Bio Dyne Chemical Co. for a one (1) year term and one (1) year-option to extend the contract for at total amount of \$1,345,593.00.

On June 7, 2022, City Council approved a change order to contract 2022-0156 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids for an amount of \$67,600.90.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?  YES  NO

PRIMARY DEPARTMENT: Streets and Maintenance

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

DEPARTMENT HEAD:

  
Richard J. Bristol, Streets and Maintenance Director

7-25-22

**COUNCIL PROJECT FORM  
(Termination)**

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

Please place the following item on the **CONSENT AGENDA** for the City Council Meeting of **August 2, 2022.**

**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 Purchasing Director be authorized to notify M.J. Mader Enterprises, Inc. dba Bio Dyne Chemical Co. that the City is terminating Contract No. 2022-0156 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids for convenience, pursuant to the provisions and requirements of Part 4, Section 8, Paragraph A of the Contract Clauses, and that the termination shall be effective as of August 2, 2022.

**RESOLUTION**

**WHEREAS**, on January 4, 2022, the City of El Paso ("City") awarded Contract No. 2022-0156 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils and Fluids to the following vendor:

I. M. J. Mader Enterprises, Inc. dba Bio-Dyne Chemical Co.

**WHEREAS**, pursuant to Part 4, Section 8, Paragraph A of the contract (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 Purchasing Director is authorized to notify M. J. Mader Enterprises, Inc. dba Bio-Dyne Chemical Co. that the City is terminating Contract No. 2022-0156 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils and Fluids for convenience, pursuant to the provisions and requirements of Part 4, Section 8, Paragraph A of the Contract Clauses, and that the termination shall be effective as of August 2, 2022.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**THE CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Lesser  
Mayor

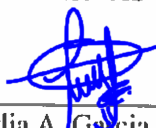
**ATTEST:**

\_\_\_\_\_  
Laura D. Princ  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Juan S. Gonzalez  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Claudia A. Garcia, Interim Director  
Purchasing and Strategic Sourcing

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Richard J. Bristol, Director  
Streets and Maintenance Department