

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

AGENDA DATE: October 12, 2021
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Richard J. Bristol, Streets and Maintenance Director (915) 212-7000
Bruce D. Collins, Director of Purchasing & Strategic Sourcing, (915) 212-1181

DISTRICT(S) AFFECTED: All

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

SUBGOAL: 7.5 - Set One Standard for Infrastructure Across the City

SUBJECT:

Request 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. 2021-0179 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 October 12, 2021.

BACKGROUND / DISCUSSION:

This contract would allow for the continual maintenance and upkeep of City owned vehicles for consistent, safe and efficient operation while maintaining maximum reliability. The current contract only allows for a 10% increase and the items under this contract increased more than 10%.

SELECTION SUMMARY:

N/A

CONTRACT VARIANCE:

N/A

PROTEST

N/A

PRIOR COUNCIL ACTION:

On February 16, 2021 City Council approved the award of contract 2021-0179 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to M.J. Mader Enterprises, Inc dba Bio Dyne Chemical Co. for a three (3) year term and two (2) year-option to extend the contract for at total amount of \$1,715,464.00.

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

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

DEPARTMENT HEAD:

Richard Bristol 9/14/2021

Richard J. Bristol – Streets and Maintenance Director

**COUNCIL PROJECT FORM
(Termination)**

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

Please place the following item on the **CONSENT AGENDA** for the Council Meeting of **October 12, 2021.**

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

The linkage to the Strategic Plan is subsection 7.5 - Set one standard for infrastructure across the city.

That the Purchasing Director is authorized to notify M.J. Mader Enterprises, Inc dba Bio Dyne Chemical Co. that the City is terminating Contract 2021-0179 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 October 12, 2021. Contract 2021-0179 will be terminated due to the vendor requesting a price increase on certain items above 10% which is not allowable under the contract.

Department: Streets and Maintenance
Districts: All

RESOLUTION

WHEREAS, on February 16, 2021, the City of El Paso ("City") awarded Contract No. 2021-0179 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to the following vendor:

- 1. 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. 2021-0179 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 October 12, 2021.

APPROVED this _____ day of _____ 2021.

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:



Bruce D. Collins, Director
Purchasing and Strategic Sourcing

APPROVED AS TO CONTENT:



Richard J. Bristol, Director
Streets and Maintenance Department