

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

AGENDA DATE: October 11, 2022
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Ellen Smyth, Chief Transit and Field Operations Officer, (915) 212-6000
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: 7.3 – Enhance regional comprehensive transportation system.

SUBJECT:

Discussion and action on a Resolution that the Purchasing Director is authorized to notify Maria del Rosario Rodriguez dba D*AMOR DIDAS that the Mass Transit Board is terminating Contract No. 2020-027 5Points & ETC Concessions for default, pursuant to the provisions and requirements of Article 13, Section 13.2. A. i) of the Contract, and that the termination shall be effective as of October 11, 2022.

BACKGROUND / DISCUSSION:

Vendor unable to meet the terms and conditions associated with this contract.

SELECTION SUMMARY:

N/A

CONTRACT VARIANCE:

N/A

PROTEST

N/A

PRIOR COUNCIL ACTION:

On November 12, 2019, City Council approved the award of contract 2020-027 5Points & ETC Concessions to Maria del Rosario Rodriguez dba D*AMOR DIDAS for a three (3) year term and two (2) additional one (1) year-option to extend the contract for rental payments for this lease of amount of \$1,200.00 per month (\$800.00 per month for the Arturo "Tury" Benavides Eastside Transfer Center and \$400.00 fir the Robert E. McKee Five Points Transfer Center).


AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Mass Transit (Sun Metro)

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

 For Ellen Smyth

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

DEPARTMENT HEAD:

Ellen Smyth, Chief Transit and Field Operations Officer

**COUNCIL PROJECT FORM
(Termination)**

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

Please place the following item on the **CONSENT AGENDA** for the Council Meeting of **October 11, 2022.**

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

The linkage to the Strategic Plan is subsection 7.3 – Enhance regional comprehensive transportation system.

Request that the Purchasing Director is authorized to notify Maria del Rosario Rodriguez dba D*AMOR DIDAS that the Mass Transit Board is terminating Contract No. 2020-027 5Points & ETC Concessions for default, pursuant to the provisions and requirements of Article 13, Section 13.2. A. i) of the Contract, and that the termination shall be effective as of October 11, 2022.

DATE: 8/3/2018

RESOLUTION

WHEREAS, on November 12, 2019, the Mass Transit Department Board of the City of El Paso ("Mass Transit Board") awarded Contract No. 2020-027 5Points & ETC Concessions to the following vendor:

I. Maria del Rosario Rodriguez dba D*AMOR DIDAS

WHEREAS, pursuant to Article 13, Section 13.2, Paragraph A. subparagraph i) of the Lease and Concession Agreement ("Contract") the Mass Transit Board is authorized to terminate the Contract for failure of the Lessee/Concessionaire to pay rent, fees or charges as agreed to in the Contract; and

WHEREAS, the Mass Transit Board desires to terminate the Contract under the provisions of Section 13.2. A. i) of the Contract.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF EL PASO:

That the Purchasing Director is authorized to notify Maria del Rosario Rodriguez dba D*AMOR DIDAS that the Mass Transit Board is terminating Contract No. 2020-027 5Points & ETC Concessions for default, pursuant to the provisions and requirements of Article 13, Section 13.2. A. i) of the Contract, and that the termination shall be effective as of October 11, 2022.

APPROVED this _____ day of _____, 2022.

**MASS TRANSIT DEPARTMENT BOARD
OF THE CITY OF EL PASO:**

Oscar Leaser, Chair

ATTEST:

Laura D. Prine, 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:

Ellen A. Smyth
Chief Transit and Field Operations Officer