

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

**AGENDA DATE:** February 13, 2024

**PUBLIC HEARING DATE:** Not Applicable

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

Anthony R. Dekeyzer, Director of Mass Transit, (915) 212-3306  
K. Nicole Cote, Managing Director (915) 212-1092

**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:**

Request that the Managing Director of Purchasing and Strategic Sourcing be authorized to notify Continental Battery Company that the City is terminating Contract No. 2019-720 Bus Batteries for convenience, pursuant to Part 4 - Contract Clauses – Section 8A of this contract, and that the termination shall be effective as of February 13, 2024.

**BACKGROUND / DISCUSSION:**

Contract being terminated for convenience due to total contract expenditures being met.

**SELECTION SUMMARY:**

N/A

**CONTRACT VARIANCE:**

N/A

**PROTEST**

N/A

**PRIOR COUNCIL ACTION:**

On April 2, 2019 the Mass Transit Board approved the award of contract 2019-720 to Continental Battery Company for an initial three (3) year term to include a two (2) year option to extend for at total amount of \$236,483.75.

**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

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

**DEPARTMENT HEAD:**

Deputy Transit Officer



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Anthony R. Dekeyzer, Director of Mass Transit

**COUNCIL PROJECT FORM  
(Termination)**

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

Please place the following item on the **CONSENT AGENDA** for the Mass Transit Board Meeting of **February 13, 2024**

**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 Managing Director of Purchasing and Strategic Sourcing be authorized to notify Continental Battery Company that the City is terminating Contract No. 2019-720 Bus Batteries for convenience, pursuant to Part 4 - Contract Clauses – Section 8A of this contract, and that the termination shall be effective as of February 13, 2024.

**RESOLUTION**

**WHEREAS**, on April 2, 2019, the City of El Paso (“City”) awarded Contract No. 2019-720 Bus Batteries (“Contract”) to the following vendor:

Continental Battery Company

**WHEREAS**, pursuant to Part 4 - Contract Clauses – Section 8.A Termination for Convenience of this contract 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 Managing Director of Purchasing & Strategic Sourcing is authorized to notify Continental Battery Company that the City is terminating Contract No. 2019-720 Bus Batteries for convenience, pursuant to Part 4 - Contract Clauses – Section 8.A Termination for Convenience of the contract, and that the termination shall be effective as of February 13, 2024.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

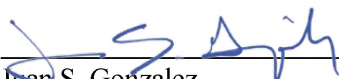
**THE CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Lesser  
Chairman

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
Secretary

**APPROVED AS TO FORM:**

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

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
K. Nicole Cote, Managing Director  
Purchasing & Strategic Sourcing

**APPROVED AS TO CONTENT:**

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Anthony R. Dekeyzer, Director of  
Mass Transit Department