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

DEPARTMENT: **Parks and Recreation Department**

AGENDA DATE: **11/30/04**

CONTACT PERSON/PHONE: **Dr. Norman Merrifield/ 4331**

DISTRICT(S) AFFECTED: All

SUBJECT:
APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include $ amount if applicable.

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for maintenance services for Special Areas of the City's Parks from December 15, 2004, until December 31, 2004.

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for restroom maintenance services from December 15, 2004, until December 31, 2004.

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for parksites maintenance services from December 15, 2004, until December 31, 2004.

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for parksites maintenance services (additional day/weekends) from December 15, 2004, until December 31, 2004.

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for maintenance services for the El Corredor Area of Downtown El Paso from December 15, 2004, until December 31, 2004.

BACKGROUND / DISCUSSION:
Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

The five resolutions will allow for the continuation of the existing five contracts with Texas Industries for the Blind and Handicapped, and Border TM Industries for the removal of solid waste and restroom sanitation in neighborhood and community parks.

PRIOR COUNCIL ACTION:
Has the Council previously considered this item or a closely related one?

Yes. December 2001.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

It will be funded by general fund appropriation. Yes, Item has been budgeted under account 51010262/503113-Land Management-Horticulture and park clean up. No, it does not require a budget transfer.

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

The new contracts will be approved on the same agenda to be effective on January 01, 2005.

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

RESOLUTION

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

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for parksites maintenance services from December 15, 2004, until December 31, 2004.

ADOPTED this 30th day of November, 2004.

CITY OF EL PASO:

Joe Wardy, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

John F. Nance
Assistant City Attorney

APPROVED AS TO CONTENT:

Norman C. Merrifield, Ed.D., Director
Parks & Recreation Department

CITY OF EL PASO	)	
	)	**AMENDMENT TO CONTRACT**
STATE OF TEXAS	)	

THIS AMENDMENT TO CONTRACT is made this 30th day of November, 2004, by and between the City of El Paso, Texas, a Texas home rule city, hereinafter "the City," and **TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH)**, a private non-profit corporation and the certifying party, and **BORDER TM INDUSTRIES, INC.**, hereinafter "the Contractors."

W I T N E S S E T H

WHEREAS, on May 1, 2001, the City and the Contractors entered into a State Use Contract ("the Contract") providing for maintenance services at City Parks Parksites; and

WHEREAS, the City and the Contractors desire to extend the term of the Contract beyond the current expiration date of December 15, 2004;

NOW, THEREFORE, the City and the Contractors, for the consideration and under the conditions set forth, do agree as follows:

1. Paragraph 2, Term, of the Contract is hereby deleted in its entirety and the following is substituted therefor:

   2. Term. This Contract shall become effective on December 16, 2001, and shall terminate on December 31, 2004.

2. The remaining provisions of the Contract shall continue in full force and effect.

WITNESS the following signatures and seal this 30th day of November, 2004.

(Signatures on the following page)

THE CITY OF EL PASO

_____
Joe Wardy, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
John F. Nance
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Norman C. Merrifield, Ed.D.
Director
Parks & Recreation Department

TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED

By _____
Name (printed) _____
Title _____

BORDER TM INDUSTRIES, INC.

By _____
Name (printed) _____
Title _____