



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		1/28/2013		
Department:		Parks and Recreation		
Department Head		Amy Fortenberry		
Agenda Coordinator (include phone #): <b>Nicole Griffin ext 7204</b>				
<b>CAPTION</b>				
Termination of Contract for Tree Planting and Irrigation Project- Park Blvd. and Brand Rd.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
BALANCE	0	0	0	<b>0</b>
FUND(s): <b>N/A</b>				
<b>COMMENTS:</b> This item has no fiscal impact. <b>STRATEGIC PLAN GOAL:</b> Cancellation of the existing contract relates to the City's Goal of Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
<p>At the City Council Meeting of 2/11/11, Council awarded bid # 2011-57-B for Tree Planting and Irrigation Project-Park Blvd. and Brand Rd. Plano Parks has attempted to resolve non-performance issues on this contract since June, 2011 and has been unsuccessful. Whitmore and Sons, Inc., continues to be in default of the terms and conditions of the contract, section II Time of Completion. Consequently we are recommending contract cancellation, pursuant to contract Exhibit A, item 31, Termination for Default.</p> <p>Whitmore and Sons, Inc., has been notified of this recommendation, and that all orders outstanding on this contract are hereby on hold pending City Council approval of cancellation</p>				
List of Supporting Documents: Memorandum			Other Departments, Boards, Commissions or Agencies	



**Date:** Tuesday, January 8, 2012  
**To:** Diane Palmer-Boeck, Purchasing Manager  
**From:** Matthew Simmons, Field Services Supervisor  
**Subject:** Cancellation of Contract 2011-57-B  
Tree Planting and Irrigation  
Whitmore and Sons, Inc.

Plano Parks has attempted to resolve non-performance issues on this contract since June, 2011 and has been unsuccessful in receiving delivery and installation of the landscape material as outlined in the contract specifications. Whitmore and Sons, Inc., continues to be in default of the terms and conditions of the contract, section II Time of Completion. Consequently we are recommending contract cancellation, pursuant to contract Exhibit A, item 31, Termination for Default.

Whitmore and Sons, Inc., have been notified of this recommendation, and that all orders outstanding on this contract are hereby on hold pending City Council approval of cancellation.