



Cover Memorandum/Staff Report

File #: 19-147
6.F.5.

Agenda Date: 2/12/2019

Item #:

TO: Mayor and Commissioners
FROM: Kimberly Ferrell, Finance Director
THROUGH: Mark R. Lauzier, City Manager
DATE: February 12, 2019

APPROVAL OF A CONSENT TO ASSIGNMENT AND ASSUMPTION AGREEMENT FOR
MUNICODE CORPORATION TO ENCO UTILITY SERVICES FLORIDA, LLC.

Recommended Action:

Motion to approve a Consent to Assignment and Assumption Agreement from Municode Corporation to ENCO Utility Services Florida, LLC, and authorize the City Manager to execute any other actions necessary to effectuate this Agreement.

Background:

On June 20, 2017, the City of Delray Beach (City) City Commission awarded a contract to Municipal Code Corporation (Municode) based upon a piggyback with the City of Ormond Beach for printing and mailing of utility invoices. The Ormond Beach contract is valid from September 22, 2014 to September 21, 2019. The City realized considerable cost savings in utilizing the contract with the City of Ormond Beach. Fees for late notices, final bills, and cancellation notices were \$0.105 and \$0.13 respectively. The City of Ormond Beach contract decreased those fees to a flat \$0.09.

As of December 11, 2018, ENCO has acquired from Municode the contracts for billing services and will honor all pricing, terms and conditions of these contracts. Staff recommends approval of the Consent to Assignment and Assumption from Municode to ENCO to continue with the cost savings benefit achieved by utilizing the piggyback agreement with the City of Ormond Beach.

This recommendation is in accordance with the City Code of Ordinances.

Attachments:

Delray Beach Assignment Letter
ENCO Assignment
Assignment and Assumption Agreement

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

441-36-050-536.34-90 Bill Printing
441-36-050-536.42-10 Postage

Timing of Request:

This request is time sensitive to ensure continuity of printing and mailing of utility invoices.