



Legislation Details (With Text)

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Title: APPROVAL TO ASSIGN ALL INTERESTS AND RIGHTS UNDER ANY AND ALL ACTIVE AGREEMENTS WITH INTERLINE BRANDS, INC. TO HOME DEPOT U.S.A., INC. IN ACCORDANCE WITH THE FEBRUARY 3, 2019 BUSINESS ACQUISITION

Sponsors: Purchasing Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. 2017-052 Amendment No. 1, vendor executed, 3. Legal Review Checklist form v. 5 Homedepot Assignment, 4. Executed 2017-052 Agreement with Supplyworks, 5. Notice of Merger - Interline to Home Depot

Date	Ver.	Action By	Action	Result
4/2/2019	1	City Commission	approved	

TO: Mayor and Commissioners
FROM: Jennifer Alvarez, Purchasing Director
THROUGH: Neal de Jesus, Interim City Manager
DATE: April 2, 2019

APPROVAL TO ASSIGN ALL INTERESTS AND RIGHTS UNDER ANY AND ALL ACTIVE AGREEMENTS WITH INTERLINE BRANDS, INC. TO HOME DEPOT U.S.A., INC. IN ACCORDANCE WITH THE FEBRUARY 3, 2019 BUSINESS ACQUISITION

Recommended Action:

Motion to approve assignment of all interests and rights under any and all active agreements with Interline Brands, Inc. to Home Depot U.S.A., Inc. in accordance with the February 3, 2019 business acquisition.

Background:

On January 28, 2019, the City of Delray Beach (City) was notified that Interline Brands, Inc. (Interline) was acquired by Home Depot U.S.A., Inc. (Home Depot) on February 3, 2019. This request formally adopts the company acquisition, assigning all interests and rights under any and all active agreements with Interline Brands, Inc. to Home Depot.

The City has an active agreement with Interline doing business as Supplyworks for janitorial supplies (2017-052 Agreement). An amendment has been created to adopt the name change for the 2017-052 Agreement. Additionally, purchase orders not associated with this agreement are covered under this name change request, as a purchase order is a form of agreement. The City is not aware of any additional written agreements active with Interline.

This motion is in accordance with the Code of Ordinances Chapter 36, Commission Approval Required and Purchasing Policies, Change Orders and Amendments.

Attachments:

1. Amendment No. 1, vendor executed
2. Legal Review Checklist
3. 2017-052 Agreement
4. Letter from Home Depot U.S.A., Inc.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source:

N/A