



## Legislation Details (With Text)

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<b>Type:</b>	Request	<b>Status:</b>		Passed	
<b>File created:</b>	1/29/2019	<b>In control:</b>		City Commission	
<b>On agenda:</b>	2/12/2019	<b>Final action:</b>		2/12/2019	
<b>Title:</b>	APPROVAL OF A CONSENT TO ASSIGNMENT AND ASSUMPTION AGREEMENT FOR MUNICODE CORPORATION TO ENCO UTILITY SERVICES FLORIDA, LLC.				
<b>Sponsors:</b>	Purchasing Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Agenda Cover Report, 2. Delray Beach Assignment Ltr, 3. Enco Assignment, 4. ENCO Assign & Assumption Agreement				

Date	Ver.	Action By	Action	Result
2/12/2019	1	City Commission	approved	

**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.