

**CITY OF HUTCHINS
RESOLUTION NO. R 2024-01-1165**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, APPROVING AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY OF HUTCHINS AND RENÉ BATES AUCTIONEERS, INC. (RBAI) TO CONDUCT ONLINE AUCTIONS OF SURPLUS INVENTORY FOR THE CITY OF HUTCHINS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City, through years of decommissioning property and equipment, has accumulated an assortment of surplus inventory; and

WHEREAS, the City, in accordance with established best practices and the regulations set forth in Resolution 2010-0419 regarding the disposal of city property, seeks to dispose of surplus inventory; and

WHEREAS, the City, recognizing the benefits of establishing a surplus inventory disposal program, supports the sale of surplus items via auction through a reputable auction house;

WHEREAS, the City Council of the City of Hutchins has been provided with the Agreement for René Bates Auctioneers, Inc. (RBAI) to conduct online auctions of surplus inventory for the City of Hutchins (the “Agreement”); and

WHEREAS, upon full review and consideration of the Agreement and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the City Administrator should be authorized to negotiate and execute the Agreement and all related documents thereto on behalf of the City of Hutchins, Texas;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, THAT:

SECTION 1. The City Administrator is hereby authorized to execute the Agreement which is attached as Exhibit “A,” on behalf of the City of Hutchins, Texas, for the online auctions of surplus inventory.

SECTION 2. This resolution shall take effect immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Hutchins, Texas, this the 16th day of January 2024.

CITY OF HUTCHINS, TEXAS

Mario Vasquez, Mayor

ATTEST:

Cynthia Olguin, City Secretary
(01-05-2024:4896-2167-8234, v. 1)

EXHIBIT "A"



René Bates Auctioneers, Inc. (hereinafter referred to as RBAI) proposes to conduct Online Auctions for the City of Hutchins, Texas on an as needed basis under the following terms and conditions:

René Bates Auctioneers, Inc.'s Responsibilities:

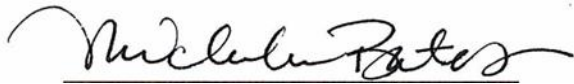
1. Conduct online auctions for the City of Hutchins, Texas at their request.
2. Set starting prices for each online auction item or coordinate with your designee to set starting prices for each online auction item, if so desired.
3. Post all online auction information on www.renebates.com.
4. Conduct and monitor auction items for approximately two weeks prior to the closing date of each online auction conducted.
5. Advertise your online auction, as necessary, through our normal channels such as, but not limited to, newspapers, trade journals, and print brochures at our sole discretion. RBAI shall not be responsible for advertising required of governmental entities under state law.
6. Generate and send a minimum of two email blast notices to our entire email database when your auction has been posted.
7. Invoice all successful bidders once your auction has closed.
8. Collect all auction proceeds including any applicable sales tax from the successful bidder(s).
9. Generate paid receipts to the buyer with a copy to your approved distribution list.
10. Balance all auction payments received with actual sales results.
11. Remit all monies, less commission and sales tax, to your designee.
12. Remit all sales tax collected to the State of Texas Comptroller under our Texas Sales and Use Tax Permit #17517183822 on a monthly basis.
13. Maintain all documentation for exemptions, resale certificates, and export certifications for sales tax for the State of Texas.
14. Maintain records of all your auctions for three years.

City of Hutchins, Texas' Responsibilities:

1. Provide a list of all items to be sold and gather information on all auction items and take digital photographs of each auction and send to RBAI.
2. Have auction contact person (Fleet Manager or designee) complete Vehicle Information Sheets on all vehicles and heavy equipment and forward to RBAI.
3. Conduct onsite viewing of all auction items before the closing of each online auction in

- order for bidders to physically inspect auction items.
4. Contact local news media for a Public Service Announcement informing the local public of the upcoming online auction and handle all legal advertising as required by the City of Hutchins, Texas. Provide a link on your website to www.renebates.com to direct potential buyers to your auction.
 5. Transfer all titles to successful buyers after the City of Hutchins, Texas has received an electronic paid receipt from RBAI.
 6. Oversee removal and checkout of all paid auction items.

René Bates Auctioneers, Inc. proposes to conduct Online Auctions for the City of Hutchins, Texas and will charge and retain a 10% Buyer's Premium in lieu of a commission on all fleet vehicles, heavy equipment, and miscellaneous items. These auctions will be conducted on an as needed basis for the City of Hutchins, Texas.



Michelle Bates, Vice President
René Bates Auctioneers, Inc.

Date: 1/5/24

City of Hutchins, Texas
Authorized Signer*

Date:

*Any items submitted for public auction via this contract have been declared surplus through the appropriate channels of the selling entity.

Texas Auctioneer License No.'s 15025 & 12100. All auctioneers are licensed and regulated by the Texas Department of Licensing and Regulation and are covered by a Recovery Fund administered by the Department. Licensure with the Department does not imply approval or endorsement by the State of Texas. If you have an unresolved complaint it should be directed to: Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711, (512) 463-2906, www.tdlr.texas.gov.