

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: May 10, 2022
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Lilia Worrell, Director of El Paso Municipal Court, (915) 212-5822
Claudia A. Garcia, Interim Director of Purchasing & Strategic Sourcing, (915) 212-1218

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 2 – Set the Standard for a Safe and Secure City

SUBGOAL: 2.7 – Maximize Municipal Court efficiency and enhance customer experience.

SUBJECT:

Discussion and action on the award of solicitation 2022-0007R Collection Services for Delinquent Fines and Fees – Municipal Court to Delgado Acosta Spencer Linebarger & Perez, LLP for an initial four (4) year term for an estimated amount of \$3,796,035.80. The award also includes, three (3), one (1) year options for an estimated amount of \$2,847,026.85. The total value of the contract is, including the initial term plus the options, for a total of seven (7) years, for an estimated amount of \$6,643,062.65. This contract will allow collection services for the Municipal Court.

BACKGROUND / DISCUSSION:

Since 2003, the Municipal Court has contracted with an outside collection agency as approved by the Texas Code of Criminal Procedures, Section 103.0031. The Court refers delinquent Class C warrants, warrant fees, and parking citations to the agency for collection. Each vendor submitted a minimum recovery rate for each account category, as well as a penalty fee associated with each category of accounts if the vendor fails to meet the guaranteed recovery rates.

It is important to note that no City money is paid to the collection agency. Section 103.0031 of the Texas Code of Criminal Procedure authorizes municipalities to pass on to the defendants and vehicle owners a 30% collection fee when an outside collection agency or firm is used.

SELECTION SUMMARY:

Solicitation was advertised on November 30, 2021 and December 7, 2021. The solicitation was posted on City website on November 30, 2021. The email (Purmail) notification was sent out on December 2, 2021. There were a total twenty (20) viewers online; one (1) proposal was received; one (1) from a local vendor. An Inadequate Competition Survey was conducted.

CONTRACT VARIANCE:

N/A

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$6,643,062.65

Funding Source: Collection Agency Payable

Account: 111-1000-11030-203400

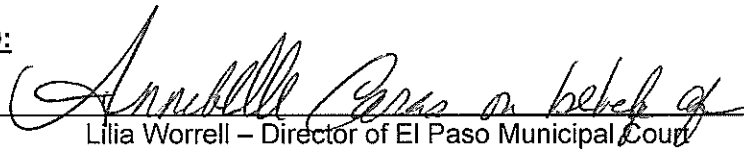
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Municipal Court

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:


Lilia Worrell – Director of El Paso Municipal Court

**COUNCIL PROJECT FORM
(REQUEST FOR PROPOSAL)**

*******POSTING LANGUAGE BELOW*******

Please place the following item on the REGULAR agenda for the Council Meeting of MAY 10, 2022.

Strategic Goal 2: Set the Standard for a Safe and Secure City

The linkage to the Strategic Plan is subsection: 2.7 – Maximize Municipal Court efficiency and enhance customer experience.

Award Summary:

Discussion and action on the award of solicitation 2022-0007R Collection Services for Delinquent Fines and Fees – Municipal Court to Delgado Acosta Spencer Linebarger & Perez, LLP for an initial four (4) year term for an estimated amount of \$3,796,035.80. The award also includes, three (3), one (1) year options for an estimated amount of \$2,847,026.85. The total value of the contract is, including the initial term plus the options, for a total of seven (7) years, for an estimated amount of \$6,643,062.65. This contract will allow collection services for the Municipal Court.

Contract Variance:

No contract variance

Department:	Municipal Court
Award to:	Delgado Acosta Spencer Linebarger & Perez, LLP El Paso, TX
Item(s):	All
Annual Estimated Award:	\$949,008.95
Initial Term:	\$3,796,035.80 (4 years)
Option to Extend:	\$2,847,026.85 (3 years)
Total Estimated Award:	\$6,643,062.65 (7 years)
Account No.:	111-1000-11030-203400
Funding Source:	Collection Agency Payable
Districts(s):	All

This is a Request for Proposal (RFP), service contract.

The Purchasing & Strategic Sourcing and Municipal Court Departments recommend award as indicated to Delgado Acosta Spencer Linebarger & Perez, LLP, the sole highest ranked proposer based on evaluation factors established for this procurement. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

*******ADDITIONAL INFO BELOW*******

CITY OF EL PASO RFP SCORESHEET

PROJECT: 2022-0007R Collection Services for delinquent fines and fees

Delgado Acosta Spencer
Linebarger & Perez, LLP
El Paso, TX

MAX POINTS

	MAX POINTS	
Factor A - Proposed Minimum Recovery Rate	35	31.50
Factor B - Experience – Comparable Contracts	10	10.00
Factor C - References	10	2.99
Factor D – Employee Medical Benefit and Incentives	10	2.00
Factor E - Penalty Fee Proposal	35	33.00
TOTAL SCORE	100	79.49
Rank		1

Bidders list
2022-0007R Collection Services for Delinquent Fines and Fees

1465742128600 / 512134
Agility Net LLC
12005 Ford Rd Ste 400 Farmers Branch, Tx
75234-7230
CESAR HERENANDEZ

1752435999300 / 56115
Credit Systems International, Inc.
1277 Country Club Ln
Fort Worth, Tx 76112-2304
Darlene Mead

1742013959800 / 84379
Data Search Collection, Inc.
Po Box 461289
San Antonio, Tx 78246-1289
Vice President/Bill San Marco

1822743868800 / 527697
Basocom, LLC
3206 Coronado St
Irving, Tx 75062-4604
Michael Basoco

1752279921600 / 517701
Collectech Diversified Inc
1721 45th St
Lubbock, Tx 79412-1731
Judy Jordan

Delgado, Acosta, Spencer, Linebarger &
Perez, LLP
Attn: Carmen Perez
221 North Kansas St. Suite 1400
El Paso, TX 79901

Advanced Data Processing, Inc.
a Subsidiary of Intermedix Corporation
Attn: Mark SchiowE
480 Bedford Rd, Building 600 2nd Floor
Chappaqua, NY 10514

RESOLUTION

WHEREAS, there is a substantial need for the legal services to be provided pursuant to the Agreement for Delinquent Court Fines and Fees Services;

WHEREAS, these legal services cannot be adequately performed by the attorneys and supporting personnel of the City of El Paso at a reasonable cost;

WHEREAS, these legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of delinquent court fines and fees penalties provided by Texas Code of Criminal Procedure 103.0031 and because the City of El Paso does not desire to allocate the additional funds to pay the estimated amounts required under a contract only for the payment of hourly fees;

WHEREAS, Delgado Acosta Spencer Linebarger & Perez, LLP, is well qualified and competent to perform the legal services required to comply with the terms of the contract;

WHEREAS, Delgado Acosta Spencer Linebarger & Perez, LLP has provided these specialized legal services to the City of El Paso in the past and has been well satisfied with the quality and outcome of the legal services provided, and;

WHEREAS, the contract with Delgado Acosta Spencer Linebarger & Perez, LLP is the result of a procurement issued by the City of El Paso and to which Delgado Acosta Spencer Linebarger & Perez, LLP submitted a proposal to provide the requested services; and

WHEREAS, the parties agree that the contract for delinquent court fines and fees penalties is fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF EL PASO:

That after having provided adequate notice as required by Sec. 2254.1036 of the Texas Government Code, the Agreement for Delinquent Court Fines and Fees Services, pursuant to Solicitation 2022-0007R Collection Services for Delinquent Fines and Fees - Municipal Court, is awarded to Delgado Acosta Spencer Linebarger & Perez, LLP and that the City Manager, or his designee, is authorized to execute the Agreement and any related documents with Delgado Acosta Spencer Linebarger & Perez, LLP required to effectuate this award.

(SIGNATURE PAGE FOLLOWS)

APPROVED this _____ day of _____, 2022.

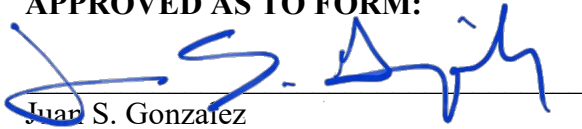
THE CITY OF EL PASO:

Oscar Leeser,
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Claudia A. Garcia

Claudia Garcia, Interim Director
Purchasing and Strategic Sourcing