



**MASS TRANSIT DEPARTMENT BOARD MINUTES
CITY COUNCIL CHAMBERS
February 13, 2024**

A meeting of the Mass Transit Department Board was called to order at 10:29 a.m. Board Chair Oscar Leeser was present and presiding and the following Board Members answered roll call: Board Members Brian Kennedy, Josh Acevedo, Cassandra Hernandez, Joe Molinar, Art Fierro, and Henry Rivera. Isabel Salcido and Chris Canales joined the meeting via video conference.

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the Mass Transit Department Board on items that are not on the Mass Transit Department Board Agenda.

Ms. Lisa Turner, member of the public, commented.

NOTICE TO THE PUBLIC:

Motion made by Board Member Rivera, seconded by Board Member Molinar, and unanimously carried to **APPROVE** all matters listed under the Consent Agenda unless otherwise noted (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk.)

AYES: Board Chair Leeser and Board Members Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales.

NAYS: None

CONSENT AGENDA – APPROVAL OF MINUTES:

Goal 6: Set the Standard for Sound Governance and Fiscal Management

1. *Motion made, seconded, and unanimously carried to **APPROVE** the minutes of the Regular Mass Transit Department Board meeting of January 3, 2024.
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CONSENT AGENDA – REQUEST TO EXCUSE ABSENT MASS TRANSIT BOARD MEMBERS:

2. *Request to excuse absent Mass Transit Department Board Members.

NO ACTION was taken on this item.

CONSENT AGENDA – RESOLUTIONS:

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

3. *RESOLUTION

WHEREAS, on April 2, 2019, the City of El Paso (“City”) awarded Contract No. 2019-720 Bus Batteries (“Contract”) to the following vendor:

Continental Battery Company

WHEREAS, pursuant to Part 4 – Contract Clauses – Section 8.A Termination for Convenience of this contract the City is authorized to terminate the Contract for convenience; And

WHEREAS, the City desires to terminate the Contract for Convenience.

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

That the Managing Director of Purchasing & Strategic Sourcing is authorized to notify Continental Battery Company that the City is terminating Contract No. 2019-720 Bus Batteries for convenience, pursuant to Part 4 – Contract Clauses – Section 8.A Termination for Convenience of the contract, and that the termination shall be effective as of February 13, 2024.

4. *RESOLUTION

WHEREAS, on January 5, 2021, the City of El Paso Mass Transit Department Board (“MTB”) awarded Contract No. 2021-0002 ZF Proprietary Parts and Service (“Contract”) to Harbor Diesel & Equipment, Inc. dba HD Industries (“Contractor”), a three-year parts and service contract; and

WHEREAS, pursuant to PART 4 CONTRACT CLAUSES – Section 8(A) TERMINATION FOR CONVENIENCE of this contract, the MTB may terminate the Contract, in whole or in part, at any time by written notice to the Contractor for convenience; and

WHEREAS, the MTB now desires to terminate the Contract for convenience.

NOW, THEREFORE, BE IT RESOLVED BY THE MASS TRANSIT DEPARTMENT BOARD OF THE CITY OF EL PASO:

That the Managing Director of Purchasing & Strategic Sourcing is authorized to notify Harbor Diesel & Equipment, Inc. dba HD Industries that the MTB is terminating Contract No. 2021-0002 ZF

Proprietary Parts and Service for convenience, pursuant to PART 4 CONTRACT CLAUSES – Section 8(A) TERMINATION FOR CONVENIENCE of this contract, and that the termination shall be effective as of February 13, 2024.

CONSENT AGENDA – REQUEST TO ISSUE PURCHASE ORDERS:

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

5. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Managing Director of Purchasing & Strategic Sourcing to issue Purchase Order(s) to increase contract 2019-1133R Repair and Maintenance Services for the El Paso Streetcar Track System (Re-Bid II) to Railroad Track Construction and Maintenance, Inc. This change order will increase referenced contract by \$165,875.00 for a total estimated amount not to exceed \$829,375.00. This change order will add capacity to the current contract to allow Sun Metro to provide routine scheduled preventative and corrective track maintenance functions and emergency repairs throughout the remaining life of the contract.

Department:	Mass Transit (Sun Metro)
Award to:	Railroad Track Construction and Maintenance, Inc.
City & State:	El Paso, TX
Current Contract Estimated Amount:	\$663,500.00
Change Order Award:	\$165,875.00
Total estimated Amount not to Exceed:	\$829,375.00
Account(s):	560-3215-60080-522205-P6018-P60FTA117-G60225307
Funding Source(s):	Federal Transit Administration (FTA) Formula 5307 Grant
District(s):	All

This was a Request for Proposals Award – (service contract).

REGULAR AGENDA – OPERATIONAL FOCUS UPDATES

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

6. Operational update on the Mass Transit Department – Sun Metro.

Mr. Anthony DeKeyzer, Director of Sun Metro, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Board Chair Leeser, and Board Members Kennedy, Acevedo, Hernandez, Molinar, and Canales commented.

The following City staff members commented:

- Mr. Jerry DeMuro, Deputy Transit Officer

- Mr. Victor Caraveo, Sun Metro Project Manager
- Mr. Dwayne Arnold, Sun Metro Special Projects Manager
- Mr. Cary Westin, Interim City Manager

Ms. Lisa Turner, citizen, commented.

NO ACTION was taken on this item.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

7. Motion made by Board Member Fierro, seconded by Board Member Hernandez, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue Purchase Order(s) for solicitation 2024-0283 Amano Parking Control Equipment and Services to Mitchell Adding Machine Co., Inc. dba Mitchell Time and Parking the sole and authorized distributor for an initial term of three (3) years for an estimated amount of \$149,037.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This contract will allow the purchase of Service, Software, Preventative Maintenance and Parts needed to secure and operate the entry and exit gates of the parking garage.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$138,209.00 for the initial term, which represents a 74.11% decrease due to no new parking equipment needed to be purchase.

Department:	Mass Transit (Sun Metro)
Award to:	Mitchell Adding Machine Co., Inc. dba Mitchell Time and Parking
City & State:	Austin, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Total Contract Time:	3 Years
Year 1 Estimated Award:	\$37,922.00
Year 2 Estimated Award:	\$55,025.00
Year 3 Estimated Award:	\$56,090.00
Initial Term Estimated Award:	\$149,037.00
Option Term Estimated Award:	N/A
Total Estimated Award:	\$149,037.00
Account(s):	560-3200-60030-522020- P6005
Funding Source(s):	General Fund
District(s):	All

Non-Competitive Procurement under Local Government General Exemption: Section 252.022 - (7) a procurement of items that are available from only one source (D) captive replacement parts or components for equipment;

The Purchasing & Strategic Sourcing Department and Mass Transit (Sun Metro) Department recommend award as indicated to Mitchell Adding Machine Co., Inc. dba Mitchell Time and Parking under the exemption listed above.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

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

Board Member Rivera commented.

Ms. Crystal Paz, Senior Procurement Analyst, commented.

AYES: Board Chair Leaser and Board Members Kennedy, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales.

NAYS: None

NOT PRESENT FOR THE VOTE: Board Member Acevedo

8. Motion made by Board Member Rivera, seconded by Board Member Molinar, and unanimously carried to **AWARD** Solicitation 2024-0023 Sun Metro Facilities Concrete Repairs to TAO INDUSTRIES, INC dba HAWK Construction for a total estimated amount of \$1,345,882.30. This project will consist of concrete repairs at four (4) Sun Metro Locations, which include the Northgate Terminal (9348 Dyer St.), Transit Operations Center (10151 Montana Ave.), Five Points Transfer Center (2830 Montana Ave.), and Westside Transfer Center (7535 Remcon CIR).

Department:	Capital Improvement
Award to:	TAO INDUSTRIES, INC. dba HAWK Construction
City & State:	El Paso, TX
Item(s):	Base Bid, Additive Alternate I, Additive Alternate II
Contract Term:	210 Consecutive Calendar Days
Base Bid:	\$1,030,882.30
Additive Alternate I:	\$220,000.00
Additive Alternate II:	\$95,000
Total Estimated Award:	\$1,345,882.30
Account(s):	560-3210-580270-60050-P6018-G56016TX03-G56016TX03 560-3210-580270-60070-P6018-P60FTA113-G60185339 560-3210-580270-60050-P6018-P60FTA113-G60185339 560-3215-580270-60050-P6018-P60FTA113-G60165307 560-3210-580270-60050-P6018-P60FTA114-G60215339
Funding Source(s):	Sun Metro Grants
District(s):	3, 4 & 8

This was a Low Bid Procurement – unit price contract.

The Purchasing & Strategic Sourcing Department and Capital Improvement Department recommend award as indicated to TAO INDUSTRIES, INC. dba HAWK Construction the lowest responsive and responsible bidder.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

AYES: Board Chair Leeser and Board Members Kennedy, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales.

NAYS: None

NOT PRESENT FOR THE VOTE: Board Member Acevedo

9. Motion made by Board Member Molinar, seconded by Board Member Rivera, and unanimously carried to **AWARD** Solicitation 2024-0054 Sun Metro Dyer Brio Mini Stations to MIRADOR ENTERPRISES, INC for a total estimated amount of \$1,509,912.70. This project will consist of placement of two (2) Brio brand mini-shelter (cantilevered six (6) feet by twenty-seven (27) foot standard shelter) in the outbound & outbound direction of the Dyer Brio service operation. Scope will include construction of a forty-five (45) foot reinforced platform with detectable warning tiles along the near level platform, bus pad and minor site work. Installation of two mid-block crossings to enable pedestrians to safely cross the street in the middle of a block at 2400 Dyer St.

Department:	Capital Improvement
Award to:	MIRADOR ENTERPRISES, INC.
City & State:	El Paso, TX
Item(s):	Base Bid I, Base Bid II
Contract Term:	360 Consecutive Calendar Days
Base Bid I:	\$1,410,606.09
Base Bid II:	\$99,306.62
Total Estimated Award:	\$1,509,912.70
Account(s):	560-3210-580270-60070-PCP11MT040
Funding Source(s):	Sun Metro Grants
District(s):	2

This was a Low Bid Procurement – unit price contract.

The Purchasing & Strategic Sourcing Department and Capital Improvement Department recommend award as indicated to MIRADOR ENTERPRISES, INC. the lowest responsive and responsible bidder.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

AYES: Board Chair Leeser and Board Members Kennedy, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales.

NAYS: None

NOT PRESENT FOR THE VOTE: Board Member Acevedo

REGULAR AGENDA – OTHER BUSINESS

Goal 6: Set the Standard for Sound Governance and Fiscal Management

10. ITEM: Discussion and action to amend the FY 2024 Mass Transit Budget Resolution Schedule A Capital Program to reflect changes for design and construction related to electrification of the paratransit fleet and authorize the City Manager or his designee to establish the funding source and make any necessary budget transfers for the execution of this program.

Board Chair Leeser and Board Members Hernandez and Canales commented.

The following City staff members commented:

- Ms. Nicole Cote, Purchasing and Strategic Sourcing Managing Director
- Mr. Jerry DeMuro, Deputy Transit Officer
- Motion made by board member Fierro, seconded by Board Member Chris Canales, and carried to pass with a vote of four to three.

Motion made by Board Member Fierro, seconded by Board Member Kennedy, and carried to **POSTPONE FOUR WEEKS** the discussion and action to amend the FY 2024 Mass Transit Budget Resolution Schedule A Capital Program to reflect changes for design and construction related to electrification of the paratransit fleet and authorize the City Manager or his designee to establish the funding source and make any necessary budget transfers for the execution of this program.

AYES: Board Chair Leeser and Board Members Kennedy, Acevedo, Molinar, and Fierro

NAYS: Board Members Hernandez, Rivera, Salcido, and Canales

ADJOURN

Motion made by Board Member Rivera, seconded by Board Member Molinar, and unanimously carried to **ADJOURN** the meeting at 11:20 a.m.

AYES: Board Chair Leeser and Board Members Kennedy, Acevedo, Hernandez, Molinar,
Salcido, Fierro, Rivera, and Canales.

NAYS: None

Approved as to content:

Anthony R. DeKeyzer

Anthony DeKeyzer, Director of Mass Transit