

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



**DEPARTMENT:** Environmental Services  
Purchasing & Strategic Sourcing  
**AGENDA DATE:** January 20, 2026  
**PUBLIC HEARING DATE:** Not Applicable  
**CONTACT PERSON NAME:** Nicholas Ybarra, Environmental Services Director  
Claudia A. Garcia, Director  
**PHONE NUMBER:** (915) 212-6025  
**PHONE NUMBER:** (915) 212-0043  
**DISTRICT(S) AFFECTED:** All

**SUBJECT:**

Discussion and action on the request that the Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for solicitation 2026-0105 Posi-Shell to LSC Environmental Products, LLC, the sole source provider for Posi-Shell base mix, for a term of three (3) years for an estimated amount of \$189,354.00. Supplier will be required to provide an updated sole source letter and affidavit each year.

**BACKGROUND / DISCUSSION:**

This contract will provide posi-shell base mix for the landfill.

**COMMUNITY AND STAKEHOLDER OUTREACH:**

N/A

**SELECTION SUMMARY:**

This is a non-competitive procurement for Posi-Shell base mix authorized and required by TCEQ and standardization use for the landfill. Purchase complying under 252.022. General Exemptions (7) (A) items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies.

**CONTRACT VARIANCE:**

The difference based in comparison to the previous contract is as follows: An increase of \$109,269.00 for the initial term, which represents a 136.44% increase due to:

1. 420 additional bags from 900 to 1,320.
2. price increase from \$42.60 to an average of \$47.82.
3. One (1) additional year to the contract from 2 to 3 years.

**PROTEST**

No protest received for this requirement.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$189,354.00

Funding Source: Operating Funds

Account: 334-3100-34130-531130-P3470

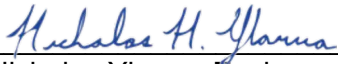
**REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:**


Report any contributions or donations to City Council of an accumulated total of \$500 or more. Report the name of the elected official and the amount.

NAME	AMOUNT (\$)
Form was provided to the applicant	N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

  
\_\_\_\_\_  
Nicholas Ybarra, Environmental Services Director

  
\_\_\_\_\_  
Claudia A. Garcia – Director of Purchasing & Strategic Sourcing

Project Form  
Non-Competitive

\*\*\*\*\*Posting Language Below\*\*\*\*\*

Please place the following item on the Regular Agenda for the City Council Meeting of January 20, 2026.

**Award Summary:**

Discussion and action on the request that the Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for solicitation 2026-0105 Posi-Shell to LSC Environmental Products, LLC, the sole source provider for Posi-Shell base mix, for a term of three (3) years for an estimated amount of \$189,354.00. Supplier will be required to provide an updated sole source letter and affidavit each year.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$109,269.00 for the initial term, which represents a 136.44% increase due to:

1. 420 additional bags from 900 to 1,320.
2. Price increase from \$42.60 to an average of \$47.82.
3. One (1) additional year to the contract from 2 to 3 years.

Department:	Environmental Services
Award to:	LSC Environmental Products, LLC
City & State:	Apalachin, NY
Item(s):	All
Initial Term:	3 Year
Option Term:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$60,957.60 (Year 1)
Annual Estimated Award:	\$63,082.80 (Year 2)
Annual Estimated Award:	\$65,313.60 (Year 3)
Initial Term Estimated Award:	\$189,354.00
Option Term Estimated Award:	N/A
Total Estimated Award	\$189,354.00
Account(s)	334-3100-34130-531130-P3470
Funding Source(s):	Operating Funds
District(s):	All

This is a Non-Competitive Award - Sole Source Contract

Non-Competitive Procurement under Local Government General Exemption: Section 252.022: (7) a procurement of items that are available from only one source, (A) items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies.

The Purchasing & Strategic Sourcing and Environmental Services Department recommend award as indicated to LSC Environmental Products, LLC, 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.



## **POSI-SHELL® ENVIRONMENTAL COATINGS SOLE SOURCE CERTIFICATION**

This is to certify that The United States Patent Office has issued Patent Number 7,544,243 and Patent Number 8,029.616-B2 which cover the formulation of ingredients and methods unique to Posi-Shell® Environmental Coatings. No other vendors may infringe on these mixtures, including the use of pozzolanic mineral binders in landfill cover formulations, and therefore LSC Environmental Products, LLC is the sole source supplier of these methods and materials.



2183 Pennsylvania Ave., Apalachin, NY 13732 · 800-800-7671  
[www.LSCenv.com](http://www.LSCenv.com)

Issued to City of El Paso for dates 12/03/2025 to 12/31/2026

Revised: 12/3/2025-Domestic



## PURCHASING & STRATEGIC SOURCING DEPARTMENT

### SOLE SOURCE AFFIDAVIT

THIS IS AN OFFICIAL PURCHASING DOCUMENT-RETAIN WITH PURCHASE ORDER FILE

Before me, the undersigned official, on this day, personally appeared a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

1. My name is Karen P Welch. I am over the age of 18, have never been of a convicted crime and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm: LSC Environmental Products, LLC
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):  
Posi - Shell Base Mix
4. Competition in providing the above named item(s) product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly as stated under Section 252.022, Subchapter A of the Local Governmental Code 7A or as provided for under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this Vendor is a sole source provider (dated and signed).
5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
6. **Note: This Vendor understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible Vendor on this and future purchases and may result in discontinuation of any/all business with the City of El Paso.**

Karen P Welch  
Signature

SUBSCRIBED AND SWORN to before me on this 11<sup>th</sup> day of November 2025.

Penny J Cronk  
Notary Public, State of New York  
Reg. No. 01CR0033793  
Qualified in Tioga County  
Commission Expires February 11, 2029

Penny J Cronk  
NOTARY PUBLIC

Penny J Cronk  
PRINTED NAME

February 11, 2029  
MY COMMISSION EXPIRES

COMPANY NAME: LSC ENVIRONMENTAL PRODUCTS, LLC

ADDRESS, CITY, STATE & ZIP CODE: 2183 Pennsylvania Avenue, Apalachin NY 13732

PHONE: 607-625-3050

FAX NUMBER: 607-625-2689

CONTACT NAME AND TITLE: Karen P Welch Chief Financial Officer

WEB ADDRESS: www.lscenv.com

EMAIL: lscfinance@lscenv.com

FEDERAL TAX ID NUMBER: 27-5340766

TEXAS SALES TAX NUMBER: 32043770828