



**MASS TRANSIT DEPARTMENT BOARD MINUTES
CITY COUNCIL CHAMBERS
October 10, 2023**

A meeting of the Mass Transit Department Board was called to order at 10:01 a.m. Board Chair Oscar Leeson was present and presiding and the following Board Members answered roll call: Brian Kennedy, Alessandra Annello, Joe Molinar, Isabel Salcido, Art Fierro, and Chris Canales. Board Members: Cassandra Hernandez and Henry Rivera requested to be excused.

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.

The following members of the public commented:

1. Mr. Josue Rodriguez
2. Mr. Mark Salazar

NOTICE TO THE PUBLIC:

Motion made by Board Member Molinar, seconded by Board Member Salcido, and unanimously carried to **APPROVE, AS REVISED**, 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 Leeson and Board Members Kennedy, Annello, Molinar, Salcido, Fierro, and Canales
NAYS: None
ABSENT: Board Members Hernandez and Rivera

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 September 12, 2023.

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CONSENT AGENDA – REQUEST TO EXCUSE ABSENT MASS TRANSIT BOARD MEMBERS

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

*Motion made, seconded, and unanimously carried to **EXCUSE** Board Members Cassandra Hernandez and Henry Rivera from the October 10, 2023, Mass Transit Department Board meeting.

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CONSENT AGENDA – RESOLUTIONS:

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

3. ***RESOLUTION**

WHEREAS, the City of El Paso (“City”) through its Mass Transit Department Board (“Board”) operates transit services as “Sun Metro” and has various bus stops throughout the City of El Paso; and

WHEREAS, the County of El Paso (“County”) offers public transit services within the City of El Paso geographic boundaries and would like to use existing Sun Metro Bus Stops in furtherance of the provision of its public transit services; and

WHEREAS, the Board is amenable to allowing County the use of existing Sun Metro bus stops in providing County public transit services as this benefits the citizens of El Paso by providing additional options and access to public transportation; as well as encouraging and increasing Sun Metro ridership; and

WHEREAS, County and the Board wish to enter into a License Agreement (“Agreement”) to allow County transit services to use specific Sun Metro bus stops as may be mutually agreed-upon by Sun Metro and County Transit staff.

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

That the City Manager, or designee, be authorized to sign a License Agreement by and between El Paso County and the Mass Transit Department Board for the City of El Paso for the use of Sun Metro bus stops as identified in attachments to the License Agreement, attached to this Resolution as Exhibit A** for use by the County of El Paso’s public transit service.

That the City Manager, or designee, be authorized to sign, administer, and, if necessary, terminate similar License Agreements, in a form similar to the Agreement attached as Exhibit A**, by and between the City of El Paso and other transit entities that wish to provide public transit services within the City of El Paso, where such Agreements will have a similar effect of potentially increasing Sun Metro ridership and expanding available options to the citizens of El Paso for public transportation services, and in keeping with the intent and guidance of this Resolution.

That the City Manager, or designee, be authorized to administratively amend, append, or remove specified Sun Metro bus stops from the License Agreements resulting from the Mass Transit Department Board's approval of this Resolution; upon vetting and approval by Sun Metro staff.

That the City Manager or designee be authorized to effectuate any budget transfers, any related agreements, amendments to such agreements and documents necessary to carry out the intent of this resolution.

**Exhibit A available in the City Clerk's Office.

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4. ***RESOLUTION**

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

That the City Manager or designee, be authorized to sign an Agreement by and between Housing Authority of the City of El Paso d/b/a Housing Opportunity Management Enterprises (hereinafter "HOME") and City of El Paso (hereinafter "City") for the use of HOME property for the construction, operation, monitoring, maintenance and repair of a Sun Metro Bus Stop located in 201 Cortez Dr. El Paso, Texas 79905 and more specifically identified in Exhibit B of the Agreement. Further, that the City Manager or designee be authorized to sign any amendments, related documents and perform any actions necessary to accomplish the purpose of this resolution.

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CONSENT AGENDA – BIDS

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

5. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2023-0188 Armored Car Services to Trans America Protection Corporation for an initial term of three (3) years for an estimated amount of \$187,056.00. The award also includes a two (2) year option for an estimated amount of \$124,704.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$311,760.00. This contract will provide daily armored car services for currency pickup at various Sun Metro locations to be delivered to Transit Operation Center and to the bank for deposit. Locations include bus transit center cashier offices, street car facility and money room. This contract will also service ticket vending machines along bus routes and bus terminals, which includes removal and installation of cash boxes.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$44,244.00 for the initial term, which represents a 30.98% increase due to price increases for this service.

Department:	Mass Transit (Sun Metro)
Vendor:	Trans America Protection Corporation
	El Paso, TX

Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$62,352.00
Initial Estimated Award:	\$187,056.00 (3 Years)
Total Estimated Award:	\$311,760.00 (5 Years)
Account No.:	560 – 3200 – 522150 – 60000 – P6003
Funding Source:	Sun Metro Operating Funds
District(s):	All

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing Department and Mass Transit (Sun Metro) Department recommend award as indicated to Trans America Protection Corporation the lowest responsive and responsible bidder.

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REGULAR AGENDA – OPERATIONAL FOCUS UPDATES

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

6. Far West Texas/El Paso Regional Transportation Coordination Committee update to be presented to Mass Transit Department Board Members.

Director of Mass Transit Anthony DeKeyzer introduced the item.

Mr. Xavier Bañales, Committee Member of WTEP, and Ms. Celia Garcia, Chief Operating Officer of Social Services with Project Amistad, presented a PowerPoint presentation (copy on file in the City Clerk’s Office) and were available to answer questions.

NO ACTION was taken on this item.

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

7. RESOLUTION

WHEREAS, on March 10, 2009 the Mass Transit Board authorized a purchase order to Genfare as the sole service provider of GFI ticket vending machines (“**TVM’s**”) and GFI software; and

WHEREAS, on March 30, 2010 the Mass Transit Board authorized a purchase order to Genfare for TVM’s for the transit centers on Glory Road and Mission Valley; and

WHEREAS, on June 12, 2012 the Mass Transit Board authorized a purchase order to Genfare for a one-time purchase of revenue collection equipment necessary at a new operations facility; and

WHEREAS, on October 23, 2012 the Mass Transit Board authorized a purchase order to Genfare for TVM's for the Eastside and Five-Points terminals; and

WHEREAS, on November 12, 2013 the Mass Transit Board authorized a purchase order to Genfare for 21 TVM's for the Mesa RTS corridor stations; and

WHEREAS, on May 13, 2014 the Mass Transit Board authorized a purchase order to Genfare, as the sole source provider for GFI ticket vending machines, for the procurement, delivery and required technical services to upgrade twenty TVM's model D-26350 from cashless model Vendstar-E in order to allow the ability to conduct cash transactions in the TVMs; and

WHEREAS, on January 7, 2020 the Mass Transit Board authorized the City Manager to execute a Software Support Agreement with Genfare for the operation of the TVMs; and

WHEREAS, on February 4, 2020 the Mass Transit Board authorized the City Manager to execute a subscription and support Agreement with Genfare for the subscription to Genfare's mobile Link services to allow the purchase of bus passes through Genfare's mobile application; and

WHEREAS, Genfare contracts with Payeezy Gateway ("**Payeezy**") as the third-party credit card payment processor for the credit card transactions submitted from the TVM's the city uses for the sale of bus passes; and

WHEREAS, Payeezy will retire its services as of August 31, 2023 and Genfare will now be using Chase Paymentech as the third-party credit card payment processor; and

WHEREAS, the City Manager signed a Payment Processing Agreement with Genfare, a limited liability company on July 25, 2023, for a term to begin Effective Date and end on December 1, 2024; the term is automatically extended every year for a one (1) year renewal term unless the parties provide 45-day termination notice. The contract price is for 5.5% +\$0.05 of total payments processed charged at a monthly interval; and

WHEREAS, the City Manager designee, Chief Transit and Field Operations Officer, signed a Submitter Merchant agreement with Chase Paymentech on July 31, 2023, to authorize Chase Paymentech to process the transactions as a third-party payment processor; and

WHEREAS, execution of such agreements was necessary before Payeezy retired its services, for the continued functionality of the TVM's and in order to maintain continued access for the public to purchase Sun Metro bus passes through the TVM's using non-cash methods;

WHEREAS, the parties now desire that the Mass Transit Board ratify the execution of the Payment Processing Agreement with Genfare and the Chase Paymentech Submitter Merchant Agreement.

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

1. That the Mass Transit Board ratifies the execution of the Submitter Merchant Agreement between the City of El Paso through its Mass Transit Department (Sun Metro) and Chase

Paymentech for the provision of third-party payment processing services and the execution of the Payment Processing Services Agreement between the City of El Paso through its Mass Transit Department (Sun Metro) and Genfare, a limited liability company, for credit card payment processing services connected to the continued functionality of the Ticket Vending Machines that the public uses to purchase Sun Metro bus passes, for a term to begin Effective Date and end on December 1, 2024; the term is automatically extended every year for a one (1) year renewal term unless the parties provide 45-day termination notice. The contract price is for 5.5% +\$0.05 of total payments processed charged at a monthly interval; and

2. That the City Manager or designee be authorized to take actions necessary and effectuate any budget transfers, sign all related agreements, amendments to such agreements and documents necessary to carry out the intent of this resolution.

Director of Mass Transit Anthony DeKeyzer commented.

Board Chair Leeser and Board Member Molinar commented.

Motion made by Board Member Fierro, seconded by Board Member Salcido, and carried to **APPROVE** the Resolution.

AYES: Board Chair Leeser and Board Members Kennedy, Annello, Salcido, Fierro, and Canales
NAYS: Board Member Molinar
ABSENT: Board Members Hernandez and Rivera

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8. Motion made by Board Member Molinar, seconded by Board Member Canales, and unanimously carried to **AUTHORIZE** the Managing Director of the Purchasing & Strategic Sourcing Department to issue a Purchase Order(s) to Siemens Mobility, Inc., the sole and authorized distributor for 2023-0066 Traction Power Substation Equipment and Services for a term of three (3) years for an estimated amount of \$1,388,747.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This contract will allow the purchase of Traction Power Substations Siemens Parts, Maintenance and Training needed to maintain the El Paso Streetcar track System.

Department:	Mass Transit (Sun Metro)
Award to:	Siemens Mobility, Inc. New York, NY
Year 1 Total:	\$471,747.00
Year 2 Total:	\$440,000.00
Year 3 Total:	\$477,000.00
Total Estimated Amount:	\$1,388,747.00 (3 years)
Account No.:	560-3210-60080-522140- P6018-P60FTA442-G60205307
Funding Source:	Federal Transit Administration Formula 5307 Grant
District(s)	All
Sole Source No.:	2023-0066

This is a Sole Source contract. General Exemption under Texas Local Government Code Section 252.022

Part 7 (A) items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) Departments recommend that the contract be awarded as indicated to Siemens Mobility, Inc. the sole source and authorized distributor for Siemens Traction Power Substation Equipment and Services.

The following City staff members commented:

1. Mr. Anthony DeKeyzer, Director of Mass Transit
2. Ms. Crystal Paz, Senior Procurement Analyst

AYES: Board Chair Leaser and Board Members Kennedy, Annello, Molinar, Salcido and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Board Member Fierro

ABSENT: Board Members Hernandez and Rivera

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9. Motion made by Board Member Annello, seconded by Board Member Salcido, and unanimously carried to **AWARD** Solicitation 2023-0673 Janitorial Services - Mass Transit (Re-Bid) to Francisco Corral dba Eagle Janitorial Services for an initial term of three (3) years for an estimated amount of \$6,804,579.00. The award also includes a two (2) year option for an estimated amount of \$4,536,386.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$11,340,965.00. This contract will provide daily janitorial services for the Sun Metro locations to promote safety and good public image on its operations.

Contract Variance:

Contract value exceeds current contract due to increase on hourly rates, number of facilities serviced, frequency of service and additional services.

Department:	Mass Transit (Sun Metro)
Vendor:	Francisco Corral dba Eagle Janitorial Service Co. El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$2,268,193.00
Initial Estimated Award:	\$6,804,579.00 (3 Years)
Total Estimated Award:	\$11,340,965.00 (5 Years)
Account No.:	560 – 3215 – 522060 – 60050 – P6018 – P60FTA117 – G60195307
Funding Source:	FTA Formula 5307 Grant
District(s):	All

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing Department and Mass Transit (Sun Metro) Department recommend award as indicated to Francisco Corral dba Eagle Janitorial Service Co. the lowest responsive and responsible bidder.

Chair Leaser and Board Member Molinar commented.

Ms. Janette Nevarez, Procurement Analyst, commented.

AYES: Board Chair Leaser and Board Members Kennedy, Annello, Molinar, Salcido, Fierro, and Canales
NAYS: None
ABSENT: Board members Hernandez and Rivera

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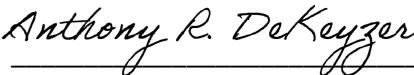
ADJOURN

Motion made by Board Member Canales, seconded by Board Member Molinar, and unanimously carried to **ADJOURN** the meeting at 10:37 a.m.

AYES: Board Chair Leaser and Board Members Kennedy, Annello, Molinar, Salcido, Fierro, and Canales
NAYS: None
ABSENT: Board members Salcido and Canales

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Approved as to content:



Anthony Dekeyzer, Director