

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

AGENDA DATE: October 10, 2023

PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Anthony R. Dekeyzer, Director of Mass Transit, (915) 212-3306

K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 7 – Enhance and Sustain El Paso's Infrastructure Network

SUBGOAL: 7.3 – Enhance regional comprehensive transportation system

SUBJECT:

Discussion and action on the request that the Managing Director of the Purchasing & Strategic Sourcing Department be authorized 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.

BACKGROUND / DISCUSSION:

This contract will allow the purchase of Traction Power Substations Siemens Parts, Maintenance and Training needed to maintain the El Paso Streetcar track system.

SELECTION SUMMARY:

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. Siemens Mobility, Inc. is the sole and authorized distributor of Traction Power Substation Siemens parts, maintenance and training.

CONTRACT VARIANCE:

N/A

PROTEST

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$1,388,747.00

Funding Source: Federal Transit Administration Formula 5307 Grant

Account: 560-3210-60080-522140- P6018-P60FTA442-G60205307

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES ___ NO

PRIMARY DEPARTMENT: Mass Transit (Sun Metro)

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:



Anthony R. Dekeyzer, Director of Mass Transit

**COUNCIL PROJECT FORM
(Sole Source)**

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

Please place the following item on the **REGULAR AGENDA** for the Mass Transit Board Meeting of **October 10 2023.**

STRATEGIC GOAL: No. 7: Enhance and Sustain El Paso’s Infrastructure Network

The linkage to the Strategic Plan is subsection 7.3 – Enhance regional comprehensive transportation system.

Discussion and action on the request that the Managing Director of the Purchasing & Strategic Sourcing Department be authorized 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.



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 Reiner Martin. 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: Siemens Mobility Inc.
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
TPSS Training sessions, components / Parts and other related services.
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.**

[Handwritten Signature]
Signature

SUBSCRIBED AND SWORN to before me on this 6 day of September, 2022

NOTARY PUBLIC

PRINTED NAME

MY COMMISSION EXPIRES
See attached document

COMPANY NAME: Siemens Mobility, Inc

ADDRESS, CITY, STATE & ZIP CODE: 5301 Price Ave., McClellan Park, CA 95652

PHONE: (916) 291-9931 FAX NUMBER: (844) 284-5257

CONTACT NAME AND TITLE: Reiner Martin, Director CS RldTK

WEB ADDRESS: _____ EMAIL: reiner.g.martin@siemens.com

FEDERAL TAX ID NUMBER: 30-10118552 TEXAS SALES TAX NUMBER: _____

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Sacramento

Subscribed and sworn to (or affirmed) before me
on this 6th day of September 2022,
by _____
Date Month Year
(1) Reiner Martin

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.



Signature [Signature] Notary Public
Signature of Notary Public

Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document Purchasing & Strategic sourcing department
Title or Type of Document: Sole Source Affidavit Document Date: N/A
Number of Pages: 1 Signer(s) Other Than Named Above: N/A





Siemens Mobility Inc.
Customer Service

To whom may concern,

This letter is in response to City of El Paso's request for a Sole Source Letter from Siemens as a service provider for a Training, Components / Parts and other related services for Siemens' Traction Power Substations.

Siemens is the original manufacturer and sole supplier of the Traction Power Substations (TPSS) covered in this agreement with the City of El Paso.

The systems, components, parts and technology used and/or installed in the TPSS project and included in the scope of the required service are products designed, manufactured and supplied exclusively by or for Siemens.

Siemens is the OEM of the main systems the TPSS are equipped with (i.e.: protective relays SITRAS PRO) and responsible for all manuals and training contents describing operational and maintenance procedures.

Siemens views itself as the only qualified entity to perform service and training, provide components and parts as per the latest revisions and to provide obsolescence monitoring on these systems. Using or receiving training, components and parts or other related services from other sources than Siemens may affect the quality of service and reliability of the Siemens TPSS system. It could also cause a reduction in the quality of training received, components and parts received and other related services as the content, technology, and best practices for maintenance are proprietary to Siemens and this information is always maintained by Siemens for its sole use and customer instruction only.

For all the reasons described above Siemens Mobility Inc. should be considered the sole expert source for Siemens TPSS equipment training and support sessions, components and parts supply and other related services.

Siemens Mobility Inc. Customer Service compromises to provide the TPSS Training Session, to provide components and parts and other related services observing the highest quality standards focusing on fulfill City of El Paso's needs.

**Martin
Reiner**

Digitally signed by Martin Reiner
DN: cn=Martin Reiner, c=DE,
o=Siemens,
email=reiner.g.martin@siemens.com
Date: 2022.09.06 12:02:41 -07'00'

Reiner Martin
Senior Director
Siemens Mobility, Inc., Customer Services

Siemens Mobility, Inc.
Mobility Division
Customer Services

5301 Price Ave
McClellan, CA 95652
USA

Tel: +1 916 621 2700
Fax: +1 844 284 5257
usa.siemens.com/industry