



AGENDA FOR THE SPECIAL MASS TRANSIT DEPARTMENT BOARD MEETING

**February 28, 2023
COUNCIL CHAMBERS, CITY HALL, 300 N. CAMPBELL AND VIRTUALLY
10:00 AM**

**THE LOCAL HEALTH AUTHORITY STRONGLY RECOMMENDS THE USE OF
MASKS IN ALL CITY FACILITIES AND INDOOR SPACES**

**Teleconference phone number: 1-915-213-4096
Toll free number: 1-833-664-9267
Conference ID: 374-446-430#**

AND

**AGENDA REVIEW MEETING
COUNCIL CHAMBERS, CITY HALL, 300 N. CAMPBELL AND VIRTUALLY
February 27, 2023
9:00 AM**

**Teleconference phone number: 1-915-213-4096
Toll free number: 1-833-664-9267
Conference ID: 325-586-340#**

Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>
Via television on City15,
YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

In compliance with the requirement that the City provide two-way communication for members of the public, members of the public may communicate with Council during public comment, and regarding agenda items by calling either of the numbers listed above and entering the corresponding conference ID.

**The public is strongly encouraged to sign up to speak on items on this agenda before the start
of this meeting on the following links:**

<https://www.elpasotexas.gov/city-clerk/forms/>

<https://app.smartsheet.com/b/form/cc20aad8258146ab8f63761079bd1091>

A quorum of the Mass Transit Department Board must participate in the meeting.

ROLL CALL

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.

Members of the public may communicate with Board Members during public comment, and regarding agenda items by calling 1-915-213-4096 or toll free number 1-833-664-9267 at the prompt please enter the following Conference ID: 374-446-430#

A sign-up form is available online at:

<https://app.smartsheet.com/b/form/dc001f113c14440db558b9da4e973ce2>

for those who wish to sign up in advance of the meeting date. Requests to speak must be received by 9:00 a.m. on the date of the meeting. 30 Minutes total is allotted for speakers. Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC:

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by Mass Transit Department Board to be routine and will be enacted by one motion unless separate discussion is requested by Board Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. The Mass Transit Department Board may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA - APPROVAL OF MINUTES:

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

1. Approval of minutes of the Mass Transit Department Board meeting of February 7, 2023. [23-259](#)

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000

CONSENT AGENDA – REQUEST TO EXCUSE ABSENT MASS TRANSIT BOARD MEMBERS

2. Request to excuse absent Mass Transit Board Members.

[23-262](#)

CONSENT AGENDA - NOTICE FOR NOTATION:

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

3. FOR NOTATION ONLY

[23-281](#)

Notice of Sun Metro’s Title VI exemption to provide a major service change analysis for the service modifications implemented on November 6, 2022. After careful review Sun Metro did not meet the service change threshold for a major service change analysis.

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000

CONSENT AGENDA - REQUESTS TO ISSUE PURCHASE ORDERS:

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

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

[23-266](#)

Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue a Purchase Order to Oklahoma Investigation Group dba Tricorp Security, Inc. referencing Contract 2022-0467 Security Guard Services - Sun Metro. This will be a change order to increase the award by \$183,738.24 for a total amount not to exceed \$6,181,914.24. This change order will cover expenses for additional security guard services need at six (6) park locations throughout the City for a period of fourteen (14) months.

Department: Mass Transit (Sun Metro)
Award to: Oklahoma Investigation Group dba Tricorp Security, Inc.
Kerens, TX
Total Estimated Award: \$183,738.24
Account No: 560 - 3200 - 522120 - 60040 - P6016
Funding Source: Sun Metro Operation Fund
District(s): All

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000
Purchasing & Strategic Sourcing, K. Nicole Cote, (915) 212-1092

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

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

[23-256](#)

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 Cummins, Inc. dba Cummins Sale and Service, the sole and authorized distributor for the 2022-0803 CNG Engines, Generator Parts & Services for a term of three (3) years for an estimated amount of \$3,090,000.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This contract will provide Sun Metro with parts and repair services and for CNG Engines and Generators. The CNG Engines are located at Transit Operations Center and LIFT Facilities.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$18,000.00 for the initial term, which represents a 0.59% increase due to current market conditions and inflation.

Department: Mass Transit (Sun Metro)
Award to: Cummins, Inc. dba Cummins Sale and Service
El Paso, TX
Annual Estimated Award: \$1,030,000.00
Total Estimated Award: \$3,090,000.00 (3 years)
Account No: 560-3215-60050-532010-P6018-P60FTA117-
G60195307
Funding Source: Federal Transit Administration Formula 5307
Grants
District(s): All

This is a Sole Source contract. Texas Local Government Code Section 252.022 (a) (7) (D) Captive Replacement Parts or Components.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) departments recommend award as indicated to Cummins, Inc. dba Cummins Sale and Service, the sole and authorized distributor for these goods and services.

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000
Purchasing & Strategic Sourcing, Claudia A. Garcia, (915) 212-1218

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

[23-264](#)

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 Brookville Equipment Corporation, the sole and authorized distributor for the 2023-0339 Truck assemblies, Propulsion System,

HVAC Parts and Services for Streetcar for a term of three (3) years for an estimated amount of \$500,000.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This contract will allow Sun Metro to get the Truck Assemblies, Propulsion Systems, HVAC, Electrical and Car Body parts for El Paso Streetcars.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$401,000.00 for the initial term, which represents a 405.05% increase due to an increase in parts and maintenance needed by the streetcars to remain operational and safe.

Department: Mass Transit (Sun Metro)
Award to: Brookville Equipment Corporation
Brookville, PA
Annual Estimated Award: \$166,666.67
Total Estimated Award: \$500,000.00 (3 years)
Account No: 560-3215-60080-522280-P6017-P60FTA117
-G60205307
Funding Source: Federal Transit Administration Formula 5307
District(s): All

This is a Sole Source contract. Texas Local Government Code Section 252.022 (a)(7)(D) Captive Replacement Parts or Components.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) departments recommend award as indicated to Brookville Equipment Corporation, the sole and authorized distributor for these goods and services.

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000
Purchasing & Strategic Sourcing, K. Nicole Cote, (915) 212-1092

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

[23-265](#)

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 Parkeon, Inc., the sole and authorized distributor of FlowBird Axio validators, Strada Ticket Vending Machines, Astreo Ticket Vending Machines and Flowbird software support and maintenance for 2023-0306 Ticket Vending Machines, Validators, and Software Support and Maintenance for a term of three (3) years for an estimated amount of \$1,371,002.93. This contract will allow the purchase of ticket vending machines and validators that will enhance the customer service experience by providing new features and technology throughout the City's Brio Routes.

Department: Mass Transit (Sun Metro)
Award to: Parkeon, Inc.
Moorestown, NJ
Year 1: \$1,276,710.77
Year 2: \$47,146.08

Year 3: \$47,146.08
Total Estimated Award: \$1,371,002.93 (3 years)
Account No: 560-3210-60050-580100- P9018-P60FTA113
-G60175339
Funding Source: Federal Transit Administration Formula 5339
District(s): All

This is a Sole Source contract. Texas Local Government Code Section 252.022
(a) (7) (D) Captive Replacement Parts or Components.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) departments recommend award as indicated to Parkeon, Inc., the sole and authorized distributor for these goods and services.

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000
Purchasing & Strategic Sourcing, K. Nicole Cote, (915) 212-1092

EXECUTIVE SESSION

The Mass Transit Department Board of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Mass Transit Department Board of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The Mass Transit Department Board will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
- Section 551.089 DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

ADJOURN

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for this meeting. If you need Spanish Interpreter Services, you must email CityClerk@elpasotexas.gov at least 72 hours in advance of the meeting.

MASS TRANSIT BOARD AGENDAS ARE PLACED ON THE INTERNET THE THURSDAY PRIOR TO EACH MEETING AT THE FOLLOWING ADDRESS:

<https://elpasotexas.legistar.com/Calendar.aspx>

<http://www.elpasotexas.gov/>



Legislation Text

File #: 23-259, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Approval of minutes of the Mass Transit Department Board meeting of February 7, 2023.



**MASS TRANSIT DEPARTMENT BOARD MINUTES
CITY COUNCIL CHAMBERS
February 7, 2023**

A meeting of the Mass Transit Department Board was called to order at 10:14 a.m. Chair Oscar Leeser was present and presiding and the following Board Members answered roll call: Board Members Brian Kennedy, Alexandra Anello, Isabel Salcido, Art Fierro, Henry Rivera and Chris Canales. Late arrival: Board Member Cassandra Hernandez at 10:16 a.m. Board Member Joe Molinar 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. Josue Rodriguez
2. Blanca Yniguez
3. Ruben Montoya
4. Ruben Fernandez

CONSENT AGENDA

*Motion made by Board Member Hernandez, seconded by Board Member Canales, and unanimously carried to **APPROVE, AS AMENDED**, 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 Members Kennedy, Anello, Hernandez, Salcido, Fierro, Rivera, Canales and Board Chair Leeser
NAYS: None
ABSENT: Board Member Molinar

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 Mass Transit Board Meeting of January 18, 2023.



CONSENT AGENDA – REQUEST TO EXCUSE ABSENT MASS TRANSIT BOARD MEMBERS

- 2. *Motion made, seconded, and unanimously carried to **EXCUSE** Board Member Joe Molinar from the February 7, 2023, Mass Transit Department Board Meeting.



CONSENT AGENDA – BOARD APPOINTMENTS

Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 3. *Motion made, seconded, and unanimously carried to **APPOINT** Sylvia Carreon to the Sun Metro Citizen’s Advisory Committee by Board Member Henry Rivera, District 7.



ADJOURN

Motion made by Board Member Fierro, seconded by Board Member Salcido, and unanimously carried to **ADJOURN** the meeting at 10:28 a.m.

- AYES: Board Members Kennedy, Annello, Hernandez, Salcido, Fierro, Rivera, Canales, and Board Chair Leeser
- NAYS: None
- ABSENT: Board Member Molinar



Approved as to content:

Ellen A. Smyth, Chief Transit & Field Operations Officer



Legislation Text

File #: 23-262, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Request to excuse absent Mass Transit Board Members.



Legislation Text

File #: 23-281, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

FOR NOTATION ONLY

Notice of Sun Metro's Title VI exemption to provide a major service change analysis for the service modifications implemented on November 6, 2022. After careful review Sun Metro did not meet the service change threshold for a major service change analysis.

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

AGENDA DATE: February 28, 20223

PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Ellen A. Smyth, (915) 212-6000

DISTRICT(S) AFFECTED: All

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

SUBGOAL: 7.3 – Enhance a regional comprehensive transportation system

SUBJECT: FOR NOTATION ONLY.

Notice of Sun Metro's Title VI exemption to provide a major service change analysis for the service modifications implemented on November 6, 2022. After careful review Sun Metro did not meet the service change threshold for a major service change analysis.

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Sun Metro

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:

Astrid Bunner

For Ellen Smyth, Chief Transit and Field Operations Office

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



Sun Metro

MAYOR
Oscar Leeser

DATE: February 28, 2023

TO: Mass Transit Department Board

CITY COUNCIL

FROM: Ellen Smyth, P.E., Chief Transit and Field Operations Officer

District 1
Brian Kennedy

SUBJECT: Service Change Overview

District 2
Alexandra Anello

Under Title VI of the Civil Rights Act of 1964, as amended, as recipients of federal financial assistance Sun Metro Mass Transit Board, without regard to race, color, or national origin, operate and plan for transit services so that:

District 3
Cassandra Hernandez

- Transit benefits and services are available and provided equitably.
- Transit services are adequate to provide access and mobility for all.
- Opportunities to participate in the transit planning and decision-making process are open and accessible.
- Sun Metro takes remedial and corrective actions to prevent discriminatory treatment of any beneficiary.

District 4
Joe Molinar

District 5
Isabel Salcido

District 6
Art Fierro

District 7
Henry Rivera

District 8
Chris Canales

Service Modifications November 6, 2022

This communication serves to provide a notice of Sun Metro’s exemption to provide a major service change analysis for the service modifications implemented on November 6, 2022. According to Sun Metro’s “Major Service Change Policy,” a major service change is defined as a reduction or increase of 30 percent or more in total vehicle revenue miles or total revenue hours in service on any service area during a service review period.

CITY MANAGER
Tommy Gonzalez

In addition, the following service changes are exempt:

- Changes to a service on a route with fewer than 20 total trips per unit are not considered “major” unless service on that route is eliminated completely on any such day.
- The introduction or discontinuation of short or limited-term service (e.g., promotional, demonstration, seasonal or emergency service, or service provided as mitigation or diversions for construction or other similar activities), as long as the service will be/has been operated for no more than twelve months.
- Sun Metro-operated transit service that is replaced by a different mode or operator providing a service with the same or better headways, transfer options, span of service, and stops.

Ellen Smyth, P.E. – Chief Transit and Field Operations Officer
Environmental Services Department | 7968 San Paulo | El Paso, TX 79907
O: (915) 212-6000 | Email: SmythEA@elpasotexas.gov





Sun Metro

MAYOR

Oscar Leeser

- Deactivation of a route if it does not reach above 10 passengers per hour or 1 passenger per mile after 6 months' period of implementation.

CITY COUNCIL

District 1

Brian Kennedy

District 2

Alexsandra Anello

District 3

Cassandra Hernandez

District 4

Joe Molinar

District 5

Isabel Salcido

District 6

Art Fierro

District 7

Henry Rivera

District 8

Chris Canales

CITY MANAGER

Tommy Gonzalez

After careful review, Sun Metro is at a 15% increase in total vehicles revenue miles. This means Sun Metro did not meet the service change threshold for a major service change analysis and is therefore exempt.

Ellen Smyth, P.E. – Chief Transit and Field Operations Officer
Environmental Services Department | 7968 San Paulo | El Paso, TX 79907
O: (915) 212-6000 | Email: SmythEA@elpasotexas.gov



Legislation Text

File #: 23-266, Version: 3

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000
Purchasing & Strategic Sourcing, K. Nicole Cote, (915) 212-1092

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

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

Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue a Purchase Order to Oklahoma Investigation Group dba Tricorp Security, Inc. referencing Contract 2022-0467 Security Guard Services - Sun Metro. This will be a change order to increase the award by \$183,738.24 for a total amount not to exceed \$6,181,914.24. This change order will cover expenses for additional security guard services need at six (6) park locations throughout the City for a period of fourteen (14) months.

Department:	Mass Transit (Sun Metro)
Award to:	Oklahoma Investigation Group dba Tricorp Security, Inc. Kerens, TX
Total Estimated Award:	\$183,738.24
Account No:	560 - 3200 - 522120 - 60040 - P6016
Funding Source:	Sun Metro Operation Fund
District(s):	All

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

AGENDA DATE: February 28, 2023
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Ellen Smyth, Chief Transit and Field Operations Officer, (915) 212-6060
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:

Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue a Purchase Order to Oklahoma Investigation Group dba Tricorp Security, Inc. referencing Contract 2022-0467 Security Guard Services – Sun Metro. This will be a change order to increase the award by \$183,738.24 for a total amount not to exceed \$6,181,914.24.

BACKGROUND / DISCUSSION:

This change order will cover expenses for additional security guard services needed at six (6) park locations throughout the City for a period of fourteen (14) months.

SELECTION SUMMARY:

N/A

CONTRACT VARIANCE:

N/A

PROTEST

N/A

PRIOR COUNCIL ACTION:

On July 6, 2022 City Council approved the award of contract 2022-0467 to Oklahoma Investigation Group dba Tricorp Security, Inc. for a three (3) year term for at total amount of \$5,998,176.00. The award also included a two (2) year option for an estimated amount of \$3,998,784.00. The total value of the contract is, including the initial term plus the option for a total of five (5) years, for an estimated amount of \$9,996,960.00

AMOUNT AND SOURCE OF FUNDING:

Amount: \$183,738.24
Funding Source: Sun Metro Operation Fund
Account: 560 – 3200 – 522120 – 60040 – P6016

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Mass Transit (Sun Metro)

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:

For Ellen Smyth


Ellen Smyth, Chief Transit and Field Operations Officer

**PROJECT FORM
(Change Order)**

Please place the following item on the **CONSENT** agenda for the Council Meeting of **February 28, 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

Award Summary:

Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue a Purchase Order to Oklahoma Investigation Group dba Tricorp Security, Inc. referencing Contract 2022-0467 Security Guard Services – Sun Metro. This will be a change order to increase the award by \$183,738.24 for a total amount not to exceed \$6,181,914.24. This change order will cover expenses for additional security guard services need at six (6) park locations throughout the City for a period of fourteen (14) months.

Department:	Mass Transit (Sun Metro)
Award to:	Oklahoma Investigation Group dba Tricorp Security, Inc. Kerens, TX
Total Estimated Amount:	\$183,738.24
Account No.:	560 – 3200 – 522120 – 60040 – P6016
Funding Source:	Sun Metro Operation Fund
District(s):	All



Legislation Text

File #: 23-256, Version: 2

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000
Purchasing & Strategic Sourcing, Claudia A. Garcia, (915) 212-1218

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

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 Cummins, Inc. dba Cummins Sale and Service, the sole and authorized distributor for the 2022-0803 CNG Engines, Generator Parts & Services for a term of three (3) years for an estimated amount of \$3,090,000.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This contract will provide Sun Metro with parts and repair services and for CNG Engines and Generators. The CNG Engines are located at Transit Operations Center and LIFT Facilities.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$18,000.00 for the initial term, which represents a 0.59% increase due to current market conditions and inflation.

Department:	Mass Transit (Sun Metro)
Award to:	Cummins, Inc. dba Cummins Sale and Service El Paso, TX
Annual Estimated Award:	\$1,030,000.00
Total Estimated Award:	\$3,090,000.00 (3 years)
Account No:	560-3215-60050-532010-P6018-P60FTA117- G60195307
Funding Source:	Federal Transit Administration Formula 5307 Grants
District(s):	All

This is a Sole Source contract. Texas Local Government Code Section 252.022 (a) (7) (D) Captive Replacement Parts or Components.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) departments recommend award as indicated to Cummins, Inc. dba Cummins Sale and Service, the sole and authorized distributor for these goods and services.

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

AGENDA DATE: February 28, 2023

PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Ellen Smyth, Chief Transit and Field Operations Officer, (915) 212-6060
Claudia A. Garcia, Interim Director of Purchasing & Strategic Sourcing, (915)
212-1218

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 Cummins, Inc. dba Cummins Sale and Service, the sole and authorized distributor for the 2022-803 CNG Engines, Generator Parts & Services for a term of three (3) years for an estimated amount of \$3,090,000.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

BACKGROUND / DISCUSSION:

This contract will provide Sun Metro with parts and repair services and for the CNG Engines and Generators. The CNG Engines are located at Transit Operations Center and LIFT Facilities.

SELECTION SUMMARY:

General Exemption under Local Government Code Section 252.022 (a) (7) (D) Captive Replacement Parts or Components for Equipment. Cummins Sales and Services is the Sole Source Distributor located in the El Paso region.

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: An increase of \$18,000.00 for the initial term, which represents a 0.59% increase due to current market conditions and inflation.

PROTEST

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$3,090,000.00

Funding Sun Metro FTA Formula 5307 Grants

Account: 532010-560-3215-60050-P6018-G60195307-P60FTA117

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Mass Transit (Sun Metro)

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:

 For Ellen Smyth

Ellen Smyth, Chief Transit and Field Operations Officer

**COUNCIL PROJECT FORM
(Sole Source)**

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

Please place the following item on the **REGULAR AGENDA** for the Council Meeting of **February 28, 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 Cummins, Inc. dba Cummins Sale and Service, the sole and authorized distributor for the 2022-0803 CNG Engines, Generator Parts & Services for a term of three (3) years for an estimated amount of \$3,090,000.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This contract will provide Sun Metro with parts and repair services and for CNG Engines and Generators. The CNG Engines are located at Transit Operations Center and LIFT Facilities.

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: An increase of \$18,000.00 for the initial term, which represents a 0.59% increase due to current market conditions and inflation.

Department:	Mass Transit (Sun Metro)
Award to:	Cummins, Inc. dba Cummins Sale and Service El Paso, TX
Annual Estimated Award:	\$1,030,000.00
Total Estimated Award:	\$3,090,000.00 (3 Years)
Account No.:	560 – 3215 – 60050 – 532010 – P6018 – P60FTA117-G60195307
Funding Source:	Federal Transit Administration Formula 5307 Grants
District(s):	All

This is a Sole Source contract. Texas Local Government Code Section 252.022 (a) (7) (D) Captive Replacement Parts or Components.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) departments recommend award as indicated to Cummins, Inc. dba Cummins Sale and Service, the sole and authorized distributor for these goods and services.



PURCHASING & STRATEGIC SOURCING DEPARTMENT

SOLE SOURCE AFFIDAVIT

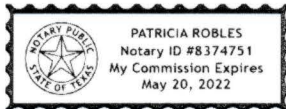
THIS IS AN OFFICIAL PURCHASING DOCUMENT-RETAIN WITH PURCHASE ORDER FILE

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 Carlos Payan. 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: Cummins Inc.
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
LNG CNG Parts and Service for all Cummins Engines and Power Generation Products
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.**

Carlos Payan
Signature

SUBSCRIBED AND SWORN to before me on this 10 day of February



Patricia Robles Digitally signed by Patricia Robles Date: 2022.02.10 13:22:44 -07'00'

Patricia Robles
NOTARY PUBLIC
Patricia Robles
PRINTED NAME
05/20/2022
MY COMMISSION EXPIRES

COMPANY NAME: Cummins Sales and Service
ADDRESS, CITY, STATE & ZIP CODE: 14333 Gateway Blvd West, El Paso TX, 79928
PHONE: 915 791-6600 800 800-4240 FAX NUMBER: 915 852-3295
CONTACT NAME AND TITLE: Carlos Payan General Manager
WEB ADDRESS: salesandservice.cummins.com EMAIL: carlos.payan@cummins.com
FEDERAL TAX ID NUMBER: 35-0257090 TEXAS SALES TAX NUMBER: 1-35-0257090-9



Cummins Sales and Service
14333 Gateway West
El Paso TX 79928
Direct 915 791 6600
Toll free 800 800 4240
salesandservice.cummins.com

February 10, 2022

This letter serves as notification that Cummins Sales and Service is the **OEM** factory authorized service and parts provider for Cummins Engines and Power Generation Products in the United States.

Additionally, Cummins Sales and Service is the **OEM** service provider with the necessary programming and troubleshooting software for Cummins Engines and Power Generation Products.

Other vendors who are not trained and do not have the proper software and tooling required for Cummins Engines and Power Generation Products are not qualified to work on these products.

Any service work done by a vendor that cannot provide a letter of authorization from Cummins stating they are authorized to perform repairs and troubleshooting on Cummins Engines and Power Generation Products may jeopardize and possibly void all warranty coverage(s) on systems that are currently under warranty.

Please refer to your specific warranty documents supplied with your Engine and Power Generation systems for further information.

A handwritten signature in black ink, appearing to read 'Carlos M. Payan'. The signature is written in a cursive style and is enclosed within a thin, hand-drawn oval border.

Carlos M. Payan
General Manager
Cummins Sales and Service
14333 Gateway West
El Paso TX 79928
Direct 915 791 6606
Cell 915 503 0280
Toll free 800 800 4240
salesandservice.cummins.com
carlos.payan@cummins.com



Legislation Text

File #: 23-264, Version: 2

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000
Purchasing & Strategic Sourcing, K. Nicole Cote, (915) 212-1092

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

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 Brookville Equipment Corporation, the sole and authorized distributor for the 2023-0339 Truck assemblies, Propulsion System, HVAC Parts and Services for Streetcar for a term of three (3) years for an estimated amount of \$500,000.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This contract will allow Sun Metro to get the Truck Assemblies, Propulsion Systems, HVAC, Electrical and Car Body parts for El Paso Streetcars.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$401,000.00 for the initial term, which represents a 405.05% increase due to an increase in parts and maintenance needed by the streetcars to remain operational and safe.

Department:	Mass Transit (Sun Metro)
Award to:	Brookville Equipment Corporation Brookville, PA
Annual Estimated Award:	\$166,666.67
Total Estimated Award:	\$500,000.00 (3 years)
Account No:	560-3215-60080-522280-P6017-P60FTA117 -G60205307
Funding Source:	Federal Transit Administration Formula 5307
District(s):	All

This is a Sole Source contract. Texas Local Government Code Section 252.022 (a)(7)(D) Captive Replacement Parts or Components.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) departments recommend award as

indicated to Brookville Equipment Corporation, the sole and authorized distributor for these goods and services.

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

AGENDA DATE: February 28, 2023
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Ellen Smyth, Chief Transit and Field Operations Officer, (915) 212-6060
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 Brookville Equipment Corporation, the sole and authorized distributor for the 2023-0339 Truck assemblies, Propulsion System, HVAC Parts and Services for Streetcar for a term of three (3) years for an estimated amount of \$500,000.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

BACKGROUND / DISCUSSION:

This contract will allow Sun Metro to get the Truck Assemblies, Propulsion Systems, HVAC, Electrical and Car Body parts for El Paso Streetcars.

SELECTION SUMMARY:

General Exemption under Local Government Code Section 252.022 Part 7 (D) Captive Replacement Parts or Components for Equipment. Brookville Equipment Corporation is the sole and authorized distributor for the Truck Assemblies, Propulsion Systems, HVAC, Electrical and Car Body parts for El Paso Streetcars.

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: An increase of \$401,000.00 for the initial term, which represents a 405.05% increase due to an increase in parts and maintenance needed by the streetcars to remain operational and safe.

PROTEST

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$350,000.00

Funding Source: Federal Transit Administration Formula 5307

Account: 560-3215-60080-522280- P6017-P60FTA117-G60205307

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES ___ NO

PRIMARY DEPARTMENT: Mass Transit (Sun Metro)

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

2023-0339 Truck assemblies, Propulsion System, HVAC for Streetcar

Revised 1/23/2023-V3 – Previous Versions Obsolete

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

DEPARTMENT HEAD:

A. R. DeLeon For Ellen Smyth

Ellen Smyth, Chief Transit and Field Operations Officer

**COUNCIL PROJECT FORM
(Sole Source)**

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

Please place the following item on the **REGULAR AGENDA** for the Council Meeting of **February 28, 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 Brookville Equipment Corporation, the sole and authorized distributor for the 2023-0339 Truck assemblies, Propulsion System, HVAC Parts and Services for Streetcar for a term of three (3) years for an estimated amount of \$500,000.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This contract will allow Sun Metro to get the Truck Assemblies, Propulsion Systems, HVAC, Electrical and Car Body parts for El Paso Streetcars.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$401,000.00 for the initial term, which represents a 405.05% increase due to an increase in parts and maintenance needed by the streetcars to remain operational and safe.

Department:	Mass Transit (Sun Metro)
Award to:	Brookville Equipment Corporation Brookville, PA
Annual Estimated Award:	\$166,666.67
Total Estimated Award:	\$500,000.00 (3 Years)
Account No.:	560 – 3215 – 60080 – 522280 – P6017 – P60FTA117-G60205307
Funding Source:	Federal Transit Administration Formula 5307
District(s):	All

This is a Sole Source contract. Texas Local Government Code Section 252.022 (a)(7)(D) Captive Replacement Parts or Components.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) departments recommend award as indicated to Brookville Equipment Corporation, the sole and authorized distributor for these goods and services.



PURCHASING & STRATEGIC SOURCING DEPARTMENT

SOLE SOURCE AFFIDAVIT

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

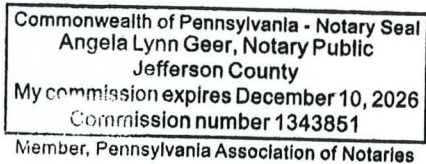
Before me, the undersigned official, on this day, personally appeared _____ a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

- 1. My name is Stanley A Bailey. 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: Brookville Equipment Corp
- 3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
El Paso Streetcar parts

- 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.**

Stanley A Bailey
Signature

SUBSCRIBED AND SWORN to before me on this 13th day of January 2023



Angela Lynn Geer
NOTARY PUBLIC
Angela Lynn Geer
PRINTED NAME
December 10, 2026
MY COMMISSION EXPIRES

COMPANY NAME: Brookville Equipment Corporation
 ADDRESS, CITY, STATE & ZIP CODE: 175 Evans St. Brookville, PA 15825
 PHONE: 814-849-2000 FAX NUMBER: 814-849-2010
 CONTACT NAME AND TITLE: Dan Eberts, Parts Sales Account Manager
 WEB ADDRESS: debarts@brookvillecorp.com EMAIL: www.brookvillecorp.com
 FEDERAL TAX ID NUMBER: 25 1259897 TEXAS SALES TAX NUMBER: _____

City of El Paso Sole Source Justification

To Whom it may concern-

Brookville Equipment Corporation has been a manufacturer of rail equipment for 100+ years. In these many years, there have been many parts, vehicles, operations, trainings that BEC is solely capable of providing.

In this case of providing parts & service for the El Paso Streetcars, Brookville is the OEM remanufacturer of these heritage streetcars and many or most of the parts therein, including truck assemblies, propulsion systems, HVAC, electrical and carbody are either manufactured at Brookville or are purchased and modified here at Brookville to work within these streetcars.

There are many OEM specific parts on the El Paso Streetcars. Part of what makes Brookville unique is our ability to take the old and make it new. Every day, we incorporate new technology into heritage systems, giving our customers the best of both worlds. We will be happy to provide further sole source parts/training justifications on an individual case basis.

Thank you for your continued support of Brookville!



Dan Eberts
Parts Sales Manager



Legislation Text

File #: 23-265, Version: 2

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Sun Metro Mass Transit, Ellen A. Smyth, (915) 212-6000
Purchasing & Strategic Sourcing, K. Nicole Cote, (915) 212-1092

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

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 Parkeon, Inc., the sole and authorized distributor of FlowBird Axio validators, Strada Ticket Vending Machines, Astreo Ticket Vending Machines and Flowbird software support and maintenance for 2023-0306 Ticket Vending Machines, Validators, and Software Support and Maintenance for a term of three (3) years for an estimated amount of \$1,371,002.93. This contract will allow the purchase of ticket vending machines and validators that will enhance the customer service experience by providing new features and technology throughout the City's Brio Routes.

Department:	Mass Transit (Sun Metro)
Award to:	Parkeon, Inc. Moorestown, NJ
Year 1:	\$1,276,710.77
Year 2:	\$47,146.08
Year 3:	\$47,146.08
Total Estimated Award:	\$1,371,002.93 (3 years)
Account No:	560-3210-60050-580100- P9018-P60FTA113 -G60175339
Funding Source:	Federal Transit Administration Formula 5339
District(s):	All

This is a Sole Source contract. Texas Local Government Code Section 252.022 (a) (7) (D) Captive Replacement Parts or Components.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) departments recommend award as indicated to Parkeon, Inc., the sole and authorized distributor for these goods and services.

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

AGENDA DATE: February 28, 2023

PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Ellen Smyth, Chief Transit and Field Operations Officer, (915) 212-6060
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:

Request that the Managing Director of the Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order(s) to Parkeon, Inc., the sole and authorized distributor of FlowBird Axio validators, Strada Ticket Vending Machines, Astreo Ticket Vending Machines and Flowbird Software Support and Maintenance for 2023-0306 Ticket Vending Machines, Validators and Software Support and Maintenance for a term of three (3) years for an estimated amount of \$1,371,002.93.

BACKGROUND / DISCUSSION:

This contract will allow the purchase of ticket vending machines and validators that will enhance the customer service experience by providing new features and technology throughout the City's Brio Routes.

SELECTION SUMMARY:

General Exemption under Texas Local Government Code Section 252.022 (a) (7) (D) Captive Replacement Parts or Components for Equipment. Parkeon, Inc., the sole and authorized distributor of FlowBird Axio validators, Strada Ticket Vending Machines, Astreo Ticket Vending Machines and Flowbird software support and testing.

CONTRACT VARIANCE:

N/A

PROTEST

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: 1,371,002.93

Funding Source: Federal Transit Administration Formula 5339

Account: 560-3210-60050-580100- P9018-P60FTA113-G60175339

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES ___ NO

PRIMARY DEPARTMENT: Mass Transit (Sun Metro)

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:

Astrid Bunner

for Ellen Smyth, Chief Transit and Field Operations Officer

**COUNCIL PROJECT FORM
(Sole Source)**

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

Please place the following item on the **REGULAR AGENDA** for the Council Meeting of **February 28, 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 Parkeon, Inc., the sole and authorized distributor of FlowBird Axio validators, Strada Ticket Vending Machines, Astreo Ticket Vending Machines and Flowbird software support and maintenance for 2023-0306 Ticket Vending Machines, Validators, and Software Support and Maintenance for a term of three (3) years for an estimated amount of \$1,371,002.93. This contract will allow the purchase of ticket vending machines and validators that will enhance the customer service experience by providing new features and technology throughout the City’s Brio Routes.

Department:	Mass Transit (Sun Metro)
Award to:	Parkeon, Inc. Moorestown, NJ
Year 1:	\$1,276,710.77
Year 2:	\$47,146.08
Year 3:	\$47,146.08
Total Estimated Award:	\$1,371,002.93 (3 Years)
Account No.:	560-3210-60050-580100- P9018-P60FTA113-G60175339
Funding Source:	Federal Transit Administration Formula 5339
District(s):	All

This is a Sole Source contract. Texas Local Government Code Section 252.022 (a) (7) (D) Captive Replacement Parts or Components.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) departments recommend award as indicated to Parkeon, Inc., the sole and authorized distributor for these goods and services.



PURCHASING & STRATEGIC SOURCING DEPARTMENT

SOLE SOURCE AFFIDAVIT

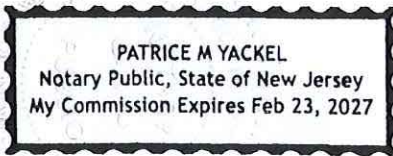
THIS IS AN OFFICIAL PURCHASING DOCUMENT-RETAIN WITH PURCHASE ORDER FILE

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 Ron Kroes. 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: Parkeon, Inc. (dba Flowbird)
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
Flowbird Axio validators - including the validator software
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.**

Signature _____

SUBSCRIBED AND SWORN to before me on this 11th day of January 2023



Patrice M. Yackel
 NOTARY PUBLIC
Patrice M. Yackel
 PRINTED NAME
February 23, 2027
 MY COMMISSION EXPIRES

COMPANY NAME: Parkeon, Inc.
 ADDRESS, CITY, STATE & ZIP CODE: 40 Twosome Drive, Suite 7, Moorestown, NJ 08057
 PHONE: 856 274 8000 FAX NUMBER: _____
 CONTACT NAME AND TITLE: Ron Kroes, Chief Financial Officer
 WEB ADDRESS: www.flowbird.group EMAIL: ronald.kroes@flowbird.group
 FEDERAL TAX ID NUMBER: 01-0778174 TEXAS SALES TAX NUMBER: 1-01-0778174-1

Flowbird Transport Intelligence
40 Twosome Drive, Suite 7
Moorestown, New Jersey 08057
P +1 856-234-8000
www.flowbird.group/transport

August 9, 2022

Sent via email to CaraveoVA@elpasotexas.gov

Victor A. Caraveo, MSSE
Contract Compliance Manager
Sun Metro
10151 Montana Ave.
El Paso, Texas 79925

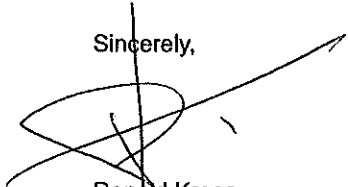
Re: 2022-0471R TICKET VENDING MACHINES, VALIDATORS, AND BACK OFFICE (RE-BID)

Dear Mr. Caraveo

This letter will serve as confirmation that Parkeon Inc. (Flowbird) is the designer, manufacturer and only authorized supplier and repairer of the Axio on-board validator procured by the Sun Metro as part of contract 2022-0471R.

Therefore, Flowbird is the sole-source supplier of this equipment.

Sincerely,



Ronald Kroes
Chief Financial Officer
Parkeon, Inc. dba Flowbird