

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

AGENDA DATE: June 22, 2021
PUBLIC HEARING DATE: Not applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Ben Fyffe, Director of Museums and Cultural Affairs, 915-212-5822
Bruce D. Collins, Director of Purchasing & Strategic Sourcing, (915) 212-1181

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 4 – Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments.

SUBGOAL: 4.2 – Create innovative recreational, educational and cultural programs

SUBJECT:

Discussion and action on the request that the City Manager be authorized to sign Service Agreements between the City of El Paso and Gibson Group TouchCity, Ltd., the sole source provider to upgrade and maintain the functionality of the DIGIE.org Interactive Exhibition Upgrade, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. These agreements will enhance and expand access to the DIGIE Touchwall experience on web browsers and provide maintenance service.

BACKGROUND / DISCUSSION:

The Software and firmware systems for the City of El Paso Museum of History's DIGIE were designed and delivered by Gibson Group TouchCity, Ltd. Expansion of the Digie.org website will provide DIGIE.org Interactive Exhibition Upgrade by expanding the interactive experience to all citizens via their browser. Current functionality is primarily limited to on-site experience. The cityscape interactivity comes with services that will support the upgraded site.

SELECTION SUMMARY:

N/A

CONTRACT VARIANCE:

No contract variance.

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

On February 11, 2014, City Council approved the award of contract 2014-191 to vendor for a one (1) year term, and two (2) year-option to extend the contract for a total amount of \$1,955,245.00.

AMOUNT AND SOURCE OF FUNDING:

Amount: \$342,406.40

Funding Source: General Fund \$104,846.40

Capital Projects \$237,560.00

Account: 239-1000-15240-522020-P1506

454-4930-54000-580030- PIF20ROHISTWALL

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Museums and Cultural Affairs

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:

Ben Fyffe, Director of Museums and Cultural Affairs

**COUNCIL PROJECT FORM
(Sole Source)**

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

Please place the following item on the **REGULAR** agenda for the Council Meeting of **June 22, 2021**.

Strategic Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments.

The linkage to the Strategic Plan is subsection: 4.2 – Create innovative recreational, educational and cultural programs.

Award Summary:

Discussion and action on the request that the City Manager be authorized to sign Service Agreements between the City of El Paso and Gibson Group TouchCity, Ltd., the sole source provider to upgrade and maintain the functionality of the DIGIE.org Interactive Exhibition Upgrade, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. These agreements will enhance and expand access to the DIGIE Touchwall experience on web browsers and provide maintenance service.

Contract Variance:
No contract variance.

Department:	Museums and Cultural Affairs
Award to:	Gibson Group TouchCity, Ltd Wellington, WN, 6011 New Zealand
Annual Estimated Amount:	\$237,560.00 (Implementation) \$ 26,211.60 (Year 1) \$ 39,317.40 (Year 2) \$ 39,317.40 (Year 3)
Total Estimated Award:	\$342,406.40 (3 Years, 2 months)
Account No.:	239-1000-15240-522020-P1506 454-4930-54000-580030-PIF20ROHISTWALL
Funding Source:	General Funds Capital Projects
Districts(s):	All
Reference No.:	2021-1112

This is a Sole Source, service contract.

*******ADDITIONAL INFO BELOW*******



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 Ann Paton. 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: Gibson Group TouchCity Ltd
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
TouchCity™ Interactive Walls Render Engine, Cityscape™ Touch Interface, TouchCity™ Walls project design and Management; TouchCity™ web sites back end (e.g. DIGIE.org website's back end)
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 *marked 1 A, 2,* 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 12th day of

February 2021

NOTARY PUBLIC

PRINTED NAME

MY COMMISSION EXPIRES

COMPANY NAME: Gibson Group TouchCity Ltd

ADDRESS, CITY, STATE & ZIP CODE Level 2, 78 Victoria Street, Wellington, 6011

PHONE: +64 9109796

FAX NUMBER: +64 4998286

CONTACT NAME AND TITLE: Ann Paton, General Manager

WEB ADDRESS: www.gibson.co.nz

EMAIL: ann@gibson.co.nz

FEDERAL TAX ID NUMBER: _____

TEXAS SALES TAX NUMBER: _____



APOSTILLE
(Convention de La Haye du 5 octobre 1961)

1. Country: New Zealand
Pays / País:
This public document
Le présent acte public / El presente documento público

2. has been signed by: Julie Anne Ballance
a été signé par :
ha sido firmado por:

3. acting in the capacity of: Notary Public
agissant en qualité de :
quien actúa en calidad de:

4. bears the seal / stamp of: Julie Anne Ballance
est revêtu du sceau / timbre de :
y está revestido del sello / timbre de:

Certified
Attesté / Certificado

5. at: Wellington
à / en:

6. the: 05 March 2021
le / el día:

7. by: The Authentication Unit
par / por:

8. No: 08766.2
sous n° / bajo el número:

9. Seal / Stamp:
Sceau / Timbre :
Sello / Timbre:

10. Signature:
Signature / Firma:

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Pour vérifier ce certificat Apostille, allez sur www.dia.govt.nz/apostille et cliquez sur e-Register.

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The purpose of this certificate is only to confirm that the signature, seal or stamp on the document is genuine. It does not mean that the contents of the document are correct or that the Authentication Unit of the Department of Internal Affairs approves of the contents.

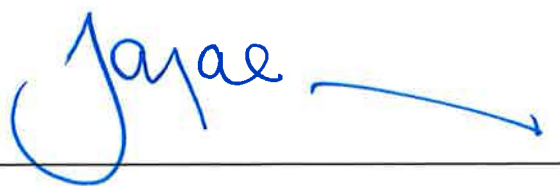
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La finalidad de este certificado es simplemente la de confirmar que la firma, sello o timbre del documento es genuina. No indica que el contenido del documento sea correcto ni que la Unidad de Autenticación del Ministerio de Asuntos Interiores apruebe su contenido.

NOTARIAL CERTIFICATE

I, JULIE ANNE BALLANCE, Notary Public, of Wellington, New Zealand HEREBY CERTIFY AND ATTEST that the attached document is this original Sole Source Affidavit signed in my presence by Ann Paton.

SIGNED and SEALED this 12th day of February 2021.

A handwritten signature in blue ink that reads "Jayae" with a long horizontal stroke extending to the right.

Julie Anne Ballance
NOTARY PUBLIC

Julie Anne Ballance
Notary Public
15 Tennyson Street
Wellington, New Zealand
Ph + 64 2146 4511



'A'

12th February 2021

To Whom It May Concern:

Sole Source Supplier for DIGIE website upgrades for increased accessibility and functionality, with porting of Cityscape touch wall experience to an on-line virtual experience

The digie.org site to be upgraded was created by Gibson Group TouchCity™ Ltd as part of the bespoke software and firmware systems created for the City of El Paso Museum of History's Digital Wall installation (DIGIE), which were designed and delivered under Sole Source Supplier contract 13-1044- 272/PL#253826/SMC between Gibson Group and City of El Paso Engineering, approved by Council February 11th, 2014, and authorized by City of El Paso Engineering Purchase Order CEP35-1400000290 issued February 27th, 2014.

These unique systems consisted of original conceptual and artistic models, bespoke proprietary software and firmware developed uniquely by The Gibson Group, and remain unlike any other currently available interactive wall product.

The digital wall and the digie.org website have been maintained by Gibson Group TouchCity™ Ltd since the installation's opening in 2015, under various SLA's, the current one in force being sole source contract 2018-1691 authorized by council motion August 21, 2018.

The digital wall and the digie.org website share a common bespoke database created by Gibson Group. The upgrade required by the current accessibility improvement project requires the Graphic User Interface application created by Gibson Group for the Digital Wall to be migrated to the website.

The project therefore consists of significant modifications to the City of El Paso's DIGIE systems which are made up of specialized, confidential and exclusive software and artistic content not available from any other supplier, and Gibson Group alone has the originating programmers, technicians and artists who have the knowledge and the authorization to access and upgrade the source code and GUI art of the touch interface to meet project requirements.



Ann Paton
General Manager
Gibson Group & Gibson Group TouchCity Ltd

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