

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

AGENDA DATE: June 11, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Richard J. Bristol, Streets & Maintenance Director, (915) 212-7000
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: 7.5 – Set one standard for infrastructure across the city

SUBJECT:

Discussion and action that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for solicitation 2024-0265 Bobcat Proprietary Parts & Services to Total Equipment & Rental of El Paso, LLC dba Bobcat of El Paso, the sole and authorized distributor for a term of three (3) years for an estimated amount of \$450,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year.

BACKGROUND / DISCUSSION:

This contract will allow Streets & Maintenance to purchase parts and service for the Bobcat Proprietary Parts & Services.

SELECTION SUMMARY:

General Exemption under Texas Local Government Code Section 252.022 Part 7 (D) captive replacement parts or components for equipment. Total Equipment & Rental of El Paso, LLC dba Bobcat of El Paso is the sole and authorized distributor of Bobcat Proprietary Parts & Services.

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: An increase of \$360,000.00 for the initial term, which represents a 400.00% increase due to additional contract capacity to maintain parts inventory and service.

PROTEST

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$450,000.00

Funding Source: Internal Service Fund

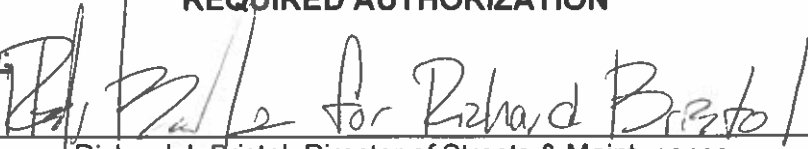
Account: 532-3600-531250-37020-P3701 (Service)
532-3600-531210-37020-P3701 (Parts)

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Streets & Maintenance
SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:

for Richard Bristol

Richard J. Bristol, Director of Streets & Maintenance

Project Form
Non-Competitive

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

Please place the following item on the Regular Agenda for the City Council Meeting of June 11, 2024

Strategic Goal 7 - Enhance and Sustain El Paso's Infrastructure Network

The linkage to the Strategic Plan is subsection: 7.5 - Set one standard for infrastructure across the city

Award Summary:

Discussion and action that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for solicitation 2024-0265 Bobcat Proprietary Parts & Services to Total Equipment & Rental of El Paso, LLC dba Bobcat of El Paso, the sole and authorized distributor for a term of three (3) years for an estimated amount of \$450,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This contract will allow Streets & Maintenance to purchase parts and service for the Bobcat Proprietary Parts & Services.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$360,000.00 for the initial term, which represents a 400.00% increase due price increases and additional contract capacity to maintain parts inventory.

Department:	Streets & Maintenance
Award to:	Total Equipment & Rental of El Paso, LLC dba Bobcat of El Paso
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$150,000.00
Initial Term Estimated Award:	\$450,000.00
Option Term Estimated Award:	N/A
Total Estimated Award:	\$450,000.00
Account(s):	532-3600-531250-37020-P3701 (Service) 532-3600-531210-37020-P3701 (Parts)
Funding Source(s):	Internal Service Fund
District(s):	All

Non-Competitive Procurement under Local Government General Exemption: Section 252.022 - (7) a procurement of items that are available from only one source – (D) captive replacement parts or components for equipment;

The Purchasing & Strategic Sourcing and Streets & Maintenance Departments recommend award as indicated to Total Equipment & Rental of El Paso, LLC dba Bobcat of El Paso 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.



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 David Kofoed. 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: Total Equipment & Rental of El Paso LLC dba Bobcat of El Paso
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
Bobcat Equipment
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 12 day of October, 2023



NOTARY PUBLIC

PRINTED NAME

MY COMMISSION EXPIRES

COMPANY NAME: Total Equipment & Rental of El Paso LLC dba Bobcat of El Paso

ADDRESS, CITY, STATE & ZIP CODE 11179 Rojas Drive, El Paso, Texas 79935

PHONE: 915-860-1145

FAX NUMBER: _____

CONTACT NAME AND TITLE: David Kofoed Controller

WEB ADDRESS: https://www.totalequipmentandrental.com

EMAIL: Forms@totalbobcat.com

FEDERAL TAX ID NUMBER: 46-2816650

TEXAS SALES TAX NUMBER: 32051088501



Bobcat

250 East Beaton Drive
West Fargo, ND 58078

November 14, 2023

To Whom It May Concern:

Bobcat Company authorizes and acknowledges Total Equipment (Bobcat of El Paso) as the sole source authorized dealer for Bobcat® Compact Construction Equipment, Parts, and Accessories for the territory of El Paso, TX. If you have further questions or concerns regarding this, please don't hesitate to call me at 701-241-8746 or email at randy.fuss@doosan.com.

Best Regards,

Randy L. Fuss

Randy L. Fuss
Director, Government Accounts
Doosan Bobcat North America
Bobcat Company