

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

**AGENDA DATE:** June 20, 2023  
**PUBLIC HEARING DATE:** Not Applicable

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**  
Lilia Worrell, Director, (915) 212-5822  
K. Nicole Cote, Managing Director (915) 212-1092

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** No. 2 – Set the Standard for a Safe and Secure City

**SUBGOAL:** 2.7 – Maximize Municipal Court efficiency and enhance customer experience.

**SUBJECT:**

Discussion and action on the award of solicitation No. 2023-0282R Collections Fines and Fees to Delgado Acosta Spencer Linebarger & Perez, LLP., for an initial four (4) year term for an estimated amount the initial term of \$3,796,035.80. The award also includes a three (3), one (1) year options for an estimated amount of \$2,847,026.85. The total value of the contract is, including the Initial term plus the options, for a total of seven (7) years, for an estimated amount of \$6,643,062.65. This contract will allow collection services for the Municipal Court.

**BACKGROUND / DISCUSSION:**

Since 2003, the Municipal Court has contracted with an outside collection agency as approved by the Texas Code of Criminal Procedures, Section 103.0031. The Court refers delinquent Class C warrants, warrant fees, and parking citations to the agency for collection. Each vendor submitted a minimum recovery rate for each account category, as well as a penalty fee associated with each category of accounts if the vendor fails to meet the guaranteed recovery rates.

It is important to note that no City money is paid to the collection agency. Section 103.0031 of the Texas Code of Criminal Procedure authorizes municipalities to pass on to the defendants and vehicle owners a 30% collection fee when an outside collection agency or firm is used.

**SELECTION SUMMARY:**

N/A

**CONTRACT VARIANCE:**

The variance is based on the recovery rate percentage compared from previous contract as follows: Warrants decreased by 26%, Capias Pro Fine decreased by 20% and Civil decreased by 30%. The decrease is due to the changes in the recovery rate categories.

**PROTEST**

No protest received for this requirement.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$6,643,062.65

Funding Source: Collection Agency Payable

Account: 203400-111-1000-11030

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?  X  YES   NO**

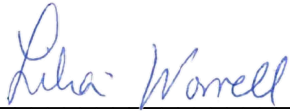
**PRIMARY DEPARTMENT:** Municipal Court

**SECONDARY DEPARTMENT:** Purchasing & Strategic Sourcing

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**



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Lilia Worrell - Director of El Paso Municipal Court

**PROJECT FORM  
(REQUEST FOR PROPOSAL)**

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Please place the following item on the **REGULAR** agenda for the Council Meeting of **June 20, 2023**.

**STRATEGIC GOAL 2 – Set the Standard for a Safe and Secure City**

The linkage to the Strategic Plan is subsection 2.7 – Maximize Municipal Court efficiency and enhance customer.

**Award Summary:**

Discussion and action on the award of solicitation No. 2023-0282R Collections Fines and Fees to Delgado Acosta Spencer Linebarger & Perez, LLP., for an initial four (4) year term for an estimated amount the initial term of \$3,796,035.80. The award also includes a three (3), one (1) year options for an estimated amount of \$2,847,026.85. The total value of the contract is, including the Initial term plus the options, for a total of seven (7) years, for an estimated amount of \$6,643,062.65. This contract will allow collection services for the Municipal Court.

**Contract Variance:**

The variance is based on the recovery rate percentage compared from previous contract as follows: Warrants decreased by 26%, Capias Pro Fine decreased by 20% and Civil decreased by 30%. The decrease is due to the changes in the recovery rate categories.

Department:	Municipal Court
Vendor:	Delgado Acosta Spencer Linebarger & Perez, LLP El Paso, YX
Item(s):	All
Initial Term:	4 Years
Option to Extend:	Years (3), one (1) Year
Annual Estimated Award:	\$949,008.95
Initial Term Estimated Award:	\$3,796,035.80
Total Estimated Award:	\$6,643,062.65
Account No.:	111-203400-1000-11030
Funding Source:	Collection Agency Payable
District(s):	All

This is a Request for Proposal, service contract.

The Purchasing & Strategic Sourcing and Municipal Court Departments recommend award as indicated to Delgado Acosta Spencer Linebarger & Perez, LLP the highest ranked proposer based on evaluation factors established for this procurement.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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## CITY OF EL PASO RFP SCORESHEET

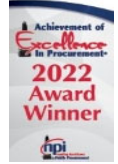
PROJECT: 2023-0282R Collections Fines and Fees

*Evaluation of Submittal*

	MAX POINTS	Delgado Acosta spencer Linebarger & Perez, LLP El Paso, TX	GC Parent, LLC dba GC Services Limited Partnership Houston, TX
A. Proposed Minimum Recovery Rate	35	24.00	35.00
B. Experience – Comparable Contracts	30	30.00	20.00
C. References	10	10.00	10.00
D. Employee Medical Benefits and Incentives	10	2.00	2.00
E. Added-Value Services	15	15.00	13.94
<b>TOTAL SCORE</b>	<b>100</b>	<b>81.00</b>	<b>80.94</b>
		1	2



## CITY OF EL PASO REQUEST FOR PROPOSALS TABULATION FORM



**Solicitation Title: Collections Fines and Fees**

**Solicitation #: 2023-0282R**

**Due Date: March 01, 2023**

**Department: Municipal Court**

BIDDER'S NAME:	LOCATION:	AMENDMENT(S) ACKNOWLEDGED:
Delgado Acosta Spencer Linebarger & Perez, LLP	El Paso, TX	Yes
GC Parent, LLC dba GC Services Limited Partnership	Houston, TX	Yes
<b>RFPs SOLICITED: 542 LOCAL RFPs SOLICITED: 175 RFPs RECEIVED: 2 LOCAL RFPs RECEIVED: 1 NO BIDS: 6</b>		

**NOTE: The information contained in this RFP tabulation is for information only and does not constitute actual award/execution of contract.**

Approved:           /s/          

Date:   3/9/2023

## 2023-0282R Collections Fines and Fees - Viewers List

<u>Viewers No.</u>	<u>Participant Name</u>	<u>Response Da</u>	<u>Response Status</u>	<u>City</u>	<u>State</u>
1	Delgado Acosta Spencer Linebarger & Perez	03/01/2023	Submitted	El Paso	TX
2	The Outsource Connection, Inc	02/27/2023	No Bid	El Paso	TX
3	WOFFORD TRUCK PARTS (TE EL PASO,LLC)	01/24/2023	No Bid	EL PASO	TX
4	Aquatic Adventures LLC		Viewed	El Paso	TX
5	Bella Luna Engineering and Building Maintenance		Viewed	El Paso	TX
6	Servin, LLC		Viewed	El Paso	TX
7	Sidi Corp Home LLC		Viewed	El Paso	TX
8	Sigma Construction Group, LLC		Viewed	El Paso	TX
9	Textbook Warehouse (Textbook Warehouse, LLC)	02/23/2023	No Bid	Alpharetta	GA
10	Value Payment Systems		Viewed	Brentwood	TN
11	ConstructConnect		Viewed	Cincinnati	OH
12	Net Gain Marketing, Inc.		Viewed	Collingswood	NJ
13	Smith Temporaries Inc, dba CornerStone Staffing		Viewed	Dallas	TX
14	Superior Elevator Inspections & Consulting (Superior Elevator Insp		Viewed	FENTON	MO
5	GC Services Limited Partnership	03/01/2023	Submitted	Houston	TX
16	Emeniss Call Center		Viewed	Houston	TX
17	Stantec (Stantec Consulting Services, Inc)	01/24/2023	No Bid	Plano	TX
18	Alliance One, Inc.		Unsubmitted	Plymouth Meeting	PA
19	Dale Carnegie of El Paso (Leadership Training Group, LLC)	01/26/2023	No Bid	Ripon	CA
20	Money Handling Machines, Inc	02/16/2023	No Bid	Tempe	AZ

## **RESOLUTION**

**WHEREAS**, there is a substantial need for the legal services to be provided pursuant to the Agreement for Delinquent Court Fines and Fees Services;

**WHEREAS**, these legal services cannot be adequately performed by the attorneys and supporting personnel of the City of El Paso at a reasonable cost;

**WHEREAS**, these legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of delinquent court fines and fees penalties provided by Texas Code of Criminal Procedure 103.0031 and because the City of El Paso does not desire to allocate the additional funds to pay the estimated amounts required under a contract only for the payment of hourly fees;

**WHEREAS**, Delgado Acosta Spencer Linebarger & Perez, LLP, is well qualified and competent to perform the legal services required to comply with the terms of the contract;

**WHEREAS**, Delgado Acosta Spencer Linebarger & Perez, LLP has provided these specialized legal services to the City of El Paso in the past and has been well satisfied with the quality and outcome of the legal services provided, and;

**WHEREAS**, the contract with Delgado Acosta Spencer Linebarger & Perez, LLP is the result of a procurement issued by the City of El Paso and to which Delgado Acosta Spencer Linebarger & Perez, LLP submitted a proposal to provide the requested services; and

**WHEREAS**, the parties agree that the contract for delinquent court fines and fees penalties is fair and reasonable.

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF EL PASO:**

That after having provided adequate notice as required by Sec. 2254.1036 of the Texas Government Code, the Agreement for Delinquent Court Fines and Fees Services, pursuant to Solicitation 2023-0282R Collection Services for Delinquent Fines and Fees - Municipal Court, is awarded to Delgado Acosta Spencer Linebarger & Perez, LLP and that the City Manager, or his designee, is authorized to execute the Agreement and any related documents with Delgado Acosta Spencer Linebarger & Perez, LLP required to effectuate this award.

(SIGNATURE PAGE FOLLOWS)

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

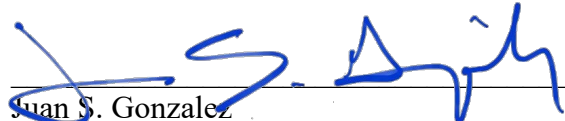
**THE CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

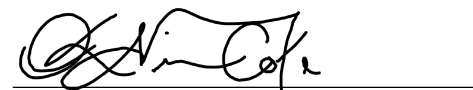
**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Juan S. Gonzalez  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
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K. Nicole Cote, Managing Director  
Purchasing and Strategic Sourcing