

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

AGENDA DATE: June 4, 2024
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 Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for solicitation 2024-0340 AC Proprietary Parts to Thermo King West, Inc. dba Thermo King Chesapeake Inc., the sole and authorized distributor for a term of three (3) years for an estimated amount of \$3,240,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year.

BACKGROUND / DISCUSSION:

This contract will allow Sun Metro to provide the required preventive and corrective maintenance for the Air Conditioner systems in the Sun Metro buses and streetcars.

SELECTION SUMMARY:

General Exemption under Texas Local Government Code Section 252.022 Part 7 (D) captive replacement parts or components for equipment. Thermo King West, Inc. is the sole and authorized distributor of Thermo King Parts for the El Paso region.

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: An increase of \$1,740,000.00 for the initial term, which represents a 116.00% increase due to additional contract capacity to maintain parts inventory.

PROTEST

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$3,240,000.00

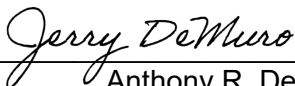
Funding Source: Federal Transit Administration Formula 5307 Grant

Account: 560-3215-60050-531180- P6019-P60FTA117-G60225307

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Mass Transit (Sun Metro)
SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD: Deputy Transit Officer
 FOR

Anthony R. Dekeyzer, Director of Mass Transit

Project Form
Non-Competitive

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

Please place the following item on the Regular Agenda for the Mass Transit Board Meeting of June 4, 2024

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

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

Award Summary:

Discussion and action on the request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for solicitation 2024-0340 AC Proprietary Parts to Thermo King West, Inc. dba Thermo King Chesapeake Inc., the sole and authorized distributor for a term of three (3) years for an estimated amount of \$3,240,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This contract will allow Sun Metro to provide the required preventive and corrective maintenance for the Air Conditioner systems in the Sun Metro buses and streetcars.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$1,740,000.00 for the initial term, which represents a 116.00% increase due to additional contract capacity to maintain parts inventory.

Department:	Mass Transit (Sun Metro)
Award to:	Thermo King West, Inc. dba Thermo King Chesapeake Inc.
City & State:	Tolleson, AZ
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$1,080,000.00
Initial Term Estimated Award:	\$3,240,000.00
Option Term Estimated Award:	N/A
Total Estimated Award:	\$3,240,000.00
Account(s):	560-3215-60050-531180- P6019-P60FTA117-G60225307
Funding Source(s):	Federal Transit Administration Formula 5307 Grant
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 Mass Transit (Sun Metro) Departments recommend award as indicated to Thermo King West, Inc. dba Thermo King Chesapeake Inc., 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.



THERMO KING

Thermo King LLC
314 W. 90th St.
Bloomington, MN 55420
Tel (952) 887-2200

www.thermoking.com

January 30th, 2024

Norma E. Jimenez
Contract Compliance Manager
Sun Metro

Subject: Thermo King Sole Source

Dear Ms. Jimenez,

This letter is to verify that Thermo King LLC is the sole source of genuine Thermo King parts.

Thermo King LLC distributes these parts exclusively through our authorized Dealers or via the Bus OEMs. These components are for replacement and new units if parts cannot be repaired.

The Thermo King HVAC systems, including compressors, were original equipment installed by New Flyer, and previously NABI, when manufactured.

Parts replacement with OEM parts maintains uniformity across the fleet by keeping buses as original as possible.

Thermo King Dealers are the only authorized warranty service centers for Thermo King products. They are assigned Primary Areas of Responsibility and are encouraged to suppose these areas.

Please feel free to call or email me with any questions on this topic.

Sincerely,

Ryan Freeman
General Manager, Bus HVAC
Thermo King LLC
651-280-8565
rffreeman@thermoking.com

TRANE
TECHNOLOGIES



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 Ryan Freeman. 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: Thermo King LLC
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
Genuine Thermo King parts, Thermo King warranty service through our Thermo King dealer network.
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

18th

day of

January 2024

NOTARY PUBLIC

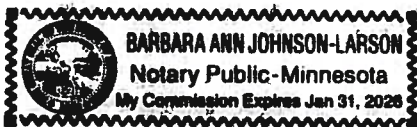
Barbara Johnson-Larson

PRINTED NAME

Barbara A. Johnson-Larson

MY COMMISSION EXPIRES

January 31, 2026



COMPANY NAME:

Thermo King LLC

ADDRESS, CITY, STATE & ZIP CODE

314 W 90th St, Bloomington MN 55420

PHONE:

952-887-2200

FAX NUMBER:

CONTACT NAME AND TITLE:

Ryan Freeman, General Manager Bus HVAC

WEB ADDRESS:

www.thermoking.com

EMAIL:

rfreeman@thermoking.com

FEDERAL TAX ID NUMBER:

TEXAS SALES TAX NUMBER: