

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

AGENDA DATE: July 2, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Roberto Tinajero, International Bridges Director (915) 212-7509
K. Nicole Cote, Managing Director of Purchasing & Strategic Sourcing (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 1 – Create an Environment Conducive to Strong sustainable Economic Development.

SUBGOAL: 1.5 Stimulate economic growth through transit and bridges integration

SUBJECT:

Request that the Managing Director of the Purchasing & Strategic Sourcing Department be authorized to issue Purchase Order(s) for solicitation 2024-0554 Restroom Maintenance to Public Facilities and Services, Inc., the sole developer and provider of Exeloo Automated Public Toilets for a three (3) year term for an estimated amount of \$270,000.00 The supplier will be required to provide an updated sole source letter and affidavit each year. This contract will enable the International Bridges Department to purchase a three-year maintenance service agreement for their automated restrooms located at the Stanton and Paso Del Norte Bridges in El Paso.

BACKGROUND / DISCUSSION:

This contract is necessary to uphold janitorial and maintenance services for the Exeloo Automated Public Toilets, ensuring optimal operation.

SELECTION SUMMARY:

This procurement is a sole-source due to maintenance, calibration and certification as a component purchase to an existing system currently in use for public restrooms. Under Texas Government Code, 252.022 (7) a procurement of items that are available from only one source, including (A) items that are available from only one source because of patents, copyrights, secret processes or natural monopolies., qualifies for non-competitive procurement. In accordance with the City of El Paso Procurement and Sourcing Policy, the requirements of this procurement will be fulfilled by a non-competitive award.

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: An increase of \$40,320.00 which represents a 17.55% increase. This is due to the higher frequency of replacing parts on the automated restrooms that are over 10 years old. The increase is also attributed to price increasing.

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$270,000.00
Funding Source: 522060-564-3300-64830
Account: International Bridges Operations
2024-0554 Restroom Maintenance

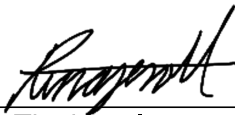
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: International Bridges

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:



Robert Tinajero, International Bridges Director

Project Form
Sole Source

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

Please place the following item on the Regular Agenda for the City Council of July 2, 2024.

Strategic Goal 1 – Create an Environment Conducive to Strong sustainable Economic Development.

The linkage to the Strategic Plan is subsection: 1.5 Stimulate economic growth through transit and bridges integration

Award Summary:

Discussion and action that the Managing Director of the Purchasing & Strategic Sourcing Department be authorized to issue Purchase Order(s) for solicitation 2024-0554 Restroom Maintenance to Public Facilities and Services, Inc., the sole developer and provider of Exeloo Automated Public Toilets for a three (3) year term for an estimated amount of \$270,000.00. The supplier will be required to provide an updated sole source letter and affidavit each year. This contract will enable the International Bridges Department to purchase a three-year maintenance service agreement for their automated restrooms located at the Stanton and Paso Del Norte Bridges in El Paso.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$40,320.00 which represents a 17.55% increase. This is due to the higher frequency of replacing parts on the automated restrooms that are over 10 years old. The increase is also attributed to wage inflation and parts price inflation.

Department:	International Bridges
Award to:	Public Facilities and Service, Inc.
City & State:	Lithia Springs, GA
Item(s):	All
Initial Term:	3 Years
Option Term:	NA
Total Contract Time:	3 Years
Annual Estimated Award:	\$90,000.00
Initial Term Estimated Award:	\$270,000.00
Option Term Estimated Award:	NA
Total Estimated	\$270,000.00
Award: Account(s):	522060-564-3300-64830
Funding Source(s):	International Bridges Operations
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 (A) items that are available from only one source because of patents, copyrights, secret processes or natural monopolies.

The Purchasing & Strategic Sourcing Department and International Bridges recommend award as indicated to Public Facilities and Services, 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.



May 22, 2024

Miriam Coronel
International Bridges Department
City of El Paso
300 N. Campbell
El Paso, TX 79901

Dear Miriam:

This letter verifies that Public Facilities & Services is the only company in the United States trained and qualified to service and maintain Automated Public Restrooms. As such, we are the Sole Source Agent for this service for the City of El Paso and other municipalities using Automated Public Restroom technology.

Automated Public Restrooms require technical knowledge of PLC computer systems specific to process control and low voltage systems. Additionally, they require periodic adjustments as identified by the manufacturer in a Preventative Maintenance schedule. Finally, they require a higher level of technical proficiency to provide janitorial maintenance as the person maintaining the unit must be able to operate the PLC through the control board in the service bay.

Public Facilities and Services is unique in that it trains its employees and provides its customers with a broad-based skill-set that includes both technical as well as janitorial services for the Automated Public Restrooms. Please also know that Public Facilities & Services is a minority owned business enterprise as certified by the Georgia Department of Transportation and City of Atlanta.

We appreciate the opportunity to maintain and service the Automated Public Restrooms for the City of El Paso and look forward to a continued business relationship.

Regards,

Tony Berkley

Tony Berkley
President



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 Tony Berkley. 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: Public Facilities and Services, Inc
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
Exeloo Public Toilet Service and Maintenance
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 22nd day of May, 2024



NOTARY PUBLIC
Sabrina Johnson

PRINTED NAME

MY COMMISSION EXPIRES

COMPANY NAME: Public Facilities and Services, Inc.

ADDRESS, CITY, STATE & ZIP CODE 1820 Lee Rd., Lithia Springs, GA 30122

PHONE: 404-925-7414

FAX NUMBER: 404-829-2297

CONTACT NAME AND TITLE: Tony Berkley President and CEO

WEB ADDRESS: www.publicfs.com

EMAIL: tony@publicfs.com

FEDERAL TAX ID NUMBER: 20-2282733

TEXAS SALES TAX NUMBER: _____



May 22, 2024

Omar Sepeda
City of El Paso
International Bridges Department
El Paso, Texas 79901

Subject: Exeloo Public Restroom Janitorial and Maintenance Services

Dear Mr. Sepeda

Public Facilities and Services, Inc. (PFS) is pleased to offer the following proposal to provide professional Janitorial and Maintenance Services for the Exeloo Automated Public Toilets (APT) located at the Stanton and Paso Del Norte Bridges in El Paso.

Scope of Work

- A. Provide complete janitorial services and furnish all materials, supplies and consumables for the operation and maintenance (O&M) of the two APT units.
- B. Respond to all as-needed service requests within 4 hours, including but not limited to, calls for "out of service". Upon receiving notice, PFS shall make all necessary repairs within 48 hours. In the event that a part must be ordered from the manufacturer, PFS will notify the City regarding the scheduled replacement date. •
- C. Any repairs needed due to vandalism or natural disaster will be submitted to the City of El Paso for approval prior to beginning work. All associated costs will be billed directly to the City of El Paso.

Schedule

Daily cleaning and maintenance for both APT units will occur twice (2x) daily.

Term

The duration of the agreement will be a three (3) year term. September 1, 2024 - August 31, 2027

Fees

The rates for the services provided are as follows: \$90,000 annually, billed monthly at \$7,500; Net 30 day terms.

Conclusion

We appreciate the opportunity to submit this proposal and look forward to continuous service with El Paso. We welcome any comments that you may have concerning our proposal. If you have any questions or require clarification, please feel free to contact Tony Berkley at 404-229-7505 or tony@publicfs.com

City of El Paso
International Bridges Department
300 N. Campbell
El Paso, Texas 79901

Public Facilities and Services, Inc.
2255 Cumberland Parkway
Atlanta, GA 30339

By: _____
Printed Name: _____
Title: _____
Date: _____

By: David C. Sorrentino
Printed Name: David C. Sorrentino
Title: Chief Financial Officer
Date: 5/24/24