

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

AGENDA DATE: October 11, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Ellen A. Smyth, (915) 212-6000

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: Goal 7 – Enhance regional comprehensive transportation system

SUBGOAL:

SUBJECT:

That the City Manager be authorized to sign the First Amendment to 2019-607R Management of Fixed Transit Services and Contracted Service for Lift Paratransit-Solicitation by and between the City of El Paso and MV Contract Transportation, Inc. improving the quality of the services provided to citizens and increasing the contract value to an amount not to exceed \$57,905,447.15

BACKGROUND / DISCUSSION:

The City and MV have identified efficiencies within the existing contract parameters to better address the needs and usage of the citizens availing themselves of these services.

PRIOR COUNCIL ACTION:

The City Council for the City of El Paso awarded 2019-607R - Management of Fixed Transit Services and Contracted Service for LIFT Paratransit-Solicitation to MV Contract Transportation Inc on or about October 29, 2019.

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Sun Metro

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign the First Amendment to 2019-607R Management of Fixed Transit Services and Contracted Service for Lift Paratransit-Solicitation by and between the City of El Paso and MV Contract Transportation, Inc. improving the quality of the services provided to citizens and increasing the contract value to an amount not to exceed \$57,905.447.15.

APPROVED this ____ day of _____, 2022.

CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Ellen A. Smyth,
Chief Transit and Field Operations Officer

**FIRST AMENDMENT TO
2019-607R - MANAGEMENT OF FIXED TRANSIT SERVICES AND
CONTRACTED SERVICE FOR LIFT PARATRANSIT-SOLICITATION**

This First Amendment (“**First Amendment**”) to 2019-607R - Management of Fixed Transit Services and Contracted Service for LIFT Paratransit-Solicitation (“**Contract**”) is between the City of El Paso, Texas (the “**City**”) and the MV Contract Transportation, Inc. (“**Contractor**” or “**MV**”), each referred to individually as a “**Party**” or collectively as the “**Parties.**”

WHEREAS on or about October 29th, 2019 the City Council for the City of El Paso awarded 2019-607R - Management of Fixed Transit Services and Contracted Service for LIFT Paratransit-Solicitation to MV Contract Transportation, Inc.; and

WHEREAS citizens’ usage of the services provided by this contract have been affected by labor and asset limitations that have been exacerbated by the ongoing COVID-19 pandemic; and

WHEREAS City and MV have identified efficiencies within the existing contract parameters to better address the needs and usage of the citizens availing themselves of the services provided by this contract; and

WHEREAS the Parties wish to amend the contract to provide clarity and improve the quality of the requested services provided to citizens.

NOW THEREFORE, the Parties agree as follows:

Section 1. The following changes are made to the Scope of Work (“**SOW**”) associated with the Contract:

a) Page 9 of SOW, Section 5.1.3 shall be revised in its entirety to read as follows:

Direct cost including 10% of said cost of a Subcontractor per ADA-eligible passenger trip performed. Any amounts above the direct cost are associated with Contractor’s administration and coordination with Subcontractor in order to provide the requested services.

b) Page 35 of SOW, Section 11.7.13 shall be revised in its entirety to read as follows:

Each vehicle shall include adequate safety restraints consistent with the purpose and design of the vehicle. Said safety restraints will be in compliance with the specific vehicles’ intended use and comply with Americans with Disabilities Act (ADA) and Federal Motor Vehicle Safety Standards (FMVSS); as may be applicable.

Section 2. Any liquidated damages provided under this Agreement shall be suspended from August 1, 2022 through July 31, 2023.

Section 3. The award amount for the initial 5-year term is increased to an amount not to exceed \$57,905,447.15.

Section 4. The authority delegated in the October 29, 2019 resolution which accompanied the award of the Contract remains in full force and effect; subject to the revisions contained in this Amendment.

Section 5. The effective date of this First Amendment is the date when the Resolution approving this Amendment is approved by the City Council for the City of El Paso.

Section 6. Except as amended in this First Amendment, the Agreement remains in full force and effect.

The parties are signing this agreement as of the effective date.

CITY:
CITY OF EL PASO:

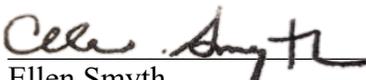
Tomas Gonzalez
City Manager

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Ellen Smyth
Chief Transit and Field Operations Officer

CONTRACTOR:
MV Contract Transportation, Inc.

By: 

Name: JAMES PROCTOR
Title: CEO