



**MASS TRANSIT DEPARTMENT BOARD MINUTES
CITY COUNCIL CHAMBERS
December 5, 2023**

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A meeting of the Mass Transit Department Board was called to order at 10:16 a.m. Board Chair Oscar Leeson was present and presiding and the following Board Members answered roll call: Brian Kennedy, Alessandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Art Fierro, Henry Rivera, and Chris Canales.

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CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the Mass Transit Department Board on items that are not on the Mass Transit Department Board Agenda.

Ms. Carol Cassidy, member of the public, commented.

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NOTICE TO THE PUBLIC:

Motion made by Board Member Anello, seconded by Board Member Molinar, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk.)

AYES: Board Chair Leeson and Board Members Kennedy, Anello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None

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CONSENT AGENDA - APPROVAL OF MINUTES:

Goal 6: Set the Standard for Sound Governance and Fiscal Management

1. *Motion made, seconded, and unanimously carried to **APPROVE** the minutes of the Regular Mass Transit Department Board Meeting of November 7, 2023.
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CONSENT AGENDA – REQUEST TO EXCUSE ABSENT MASS TRANSIT BOARD MEMBERS:

2. Request to excuse absent Mass Transit Department Board Members.

NO ACTION was taken on this item.

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CONSENT AGENDA – RESOLUTIONS:

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

3. ***RESOLUTION**

WHEREAS, on March 06, 2018 the City of El Paso Mass Transit Department Board (“MTB”) approved contract No. 2017-1280 with Ace Government Services, LLC, a three-year janitorial contract; and

WHEREAS, the MTB agenda posting for March 06, 2018 stated that the award was for an initial amount of \$1,053,174.64 for three years and the award included a two year option in the amount of \$702,116.60 for the a total five year award of \$1,755,291.66 for janitorial services; and

WHEREAS, a Contract modification was executed on April 18, 2018 to add janitorial services for new Sun Metro facilities of Streetcar and Northgate terminals for a total added amount of \$71,367.25; and

WHEREAS, a Contract modification was approved by MTB on January 7, 2020 to add janitorial services for new BRIO and Streetcar shelters for a total added amount of \$59,928; and

WHEREAS, a Contract modification was executed on April 20, 2020 to increase frequency of janitorial services in response to COVID-19 pandemic in the amount of \$25,137; and

WHEREAS, the option to extend the contract for an additional two years was exercised on December 3, 2020 for an amount of \$702,116.60; and

WHEREAS, a Contract modification was approved by MTB on May 09, 2023 to extend the contract for an additional six months in the amount of \$228,187.74 to allow for procurement of a new contract for janitorial services and to align the contractual provisions with the requirements of the federal transit administration; and

WHEREAS, a Contract modification was approved by MTB on August 1, 2023 to extend the contract for an additional five weeks in the amount of \$54,202.51 to allow the continuation of janitorial services in the time needed for procurement of a new contract for janitorial services; and

WHEREAS, the award of the contract approved by MTB was exceeded but in order for Sun Metro to continue to operate in a clean and safe environment promoting the public health and safety, a Contract modification was administratively executed to extend contract No. 2017-1280 to continue janitorial services through October 31, 2023 in the amount of \$123,249.14, until a new contract for janitorial services was executed; and

WHEREAS, a new contract for janitorial services was procured and on October 10, 2023 MTB awarded Contract No. 2023-0673 for janitorial services to Francisco Corral dba Eagle Janitorial Service Co.; and

WHEREAS, the parties now desire that MTB ratify the expended amounts associated with the continued use of this contract through October 31, 2023 for janitorial services provided in the months of August, September and October by Ace Government Services, LLC in the amount of \$123,249.14 with all award terms and conditions remaining the same.

NOW THEREFORE, BE IT RESOLVED BY THE MASS TRANSIT DEPARTMENT BOARD OF THE CITY OF EL PASO:

1. That the Mass Transit Department Board finds the above recitals to be true and correct; and
2. That the Mass Transit Department Board, in order to promote the public health and safety, ratifies the additional expenditures in the amount of \$123,249.14. associated with the continued use of janitorial services Contract No. 2017-1280 with Ace Government Services, LLC through October 31, 2023 and that the terms and conditions of the ratified award will remain unmodified; and
3. That the City Manager or designee be granted broad authority to take all action and execute all documents necessary to effectuate the intent of this resolution.

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CONSENT AGENDA – NOTICE FOR NOTATION:

Goal 7: Enhance and Sustain El Paso's Infrastructure Network

4. *Motion made, seconded, and unanimously carried to **ACCEPT** the annual updates to the Sun Metro Public Transportation Agency Safety Plan

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

Goal 7: Enhance and Sustain El Paso's Infrastructure Network

5. Motion made by Board Member Anello, seconded by Board Member Rivera, and unanimously carried to **AWARD** Solicitation 2023-0538 Pre-Fabricated Bus Shelters to Tolar Manufacturing, Inc. for an initial term of three (3) years for an estimated amount of \$10,361,340.00. This contract will allow Sun Metro to buy bus shelters, as needed, for installation in selected stops that already have required platform and accessibility. Bus Shelters will enhance customer's experience by improving accessibility and protection from elements.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$8,966,940.00 for the initial term, which represents a 147.69% increase due to additional units being purchased for shelters, trash receptacles and bike racks, previous contract 120 units - this contract 660 units, in addition to an overall 35.10% price increase for these items.

Department	Mass Transit Sun Metro
Award to:	Tolar Manufacturing, Inc.
City & State:	Corona, CA
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$3,453,780.00
Initial Term Estimated Award:	\$10,361,340.00
Option Term Estimated Award:	N/A
Total Estimated Award	\$10,361,340.00
Account(s)	560-3210-60050-580040-P60FTA113-G60215339
Funding Source(s):	Federal Transit Administration Formula 5339 Grant
District(s):	All

This was a Low Bid Procurement - unit price contract

The Purchasing & Strategic Sourcing Department and Mass Transit (Sun Metro) Department recommend award as indicated to Tolar Manufacturing, Inc. the lowest responsive and responsible bidder

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.

AYES: Board Chair Leeser and Board Members Kennedy, Annello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
 NAYS: None

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REGULAR AGENDA – OTHER BUSINESS:

Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

7. *Motion made, seconded, and unanimously carried to **DELETE** the discussion and action on the request that the Managing Director of Purchasing and Strategic Sourcing be authorized to notify Tolar Manufacturing Company, Inc. that the City is terminating Contract No. 2020-988 Pre-Fabricated Bus Shelters for convenience, pursuant to Part 4 – Contract Clauses – Section 8A of this contract, and that the termination shall be effective as of November 7, 2023.

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ADJOURN

Motion made by Board Member Rivera and seconded by Board Member Annello, and unanimously carried to **ADJOURN** the meeting at 10:23 a.m.

AYES: Board Chair Leeser and Board Members Kennedy, Annello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
 NAYS: None

Approved as to content:

Anthony DeKeyser, Director

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