

**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:
Norma Martinez, Director of Library Services (915) 212-3200
K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 4: Enhance El Paso's Quality of Life through Recreational, Cultural, and Educational Environments

SUBGOAL: 4.2 Create innovative recreational, educational and cultural programs

SUBJECT:

Discussion and action that that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for Solicitation 2024-0314 PC Time & Print Management to Comprise Technologies, Inc., the sole developer and provider of SAM, SmartALEC, SmartPAY and Smart Kiosk Payment Centers for a term of three (3) years for an estimated amount of \$120,203.59. The supplier will be required to provide an updated sole source letter and affidavit each year. This contract will provide continued services and allow purchase of additional licenses and kiosks for the Main library.

BACKGROUND / DISCUSSION:

The El Paso Public Library is a currently a licensee of SAM, SmartALEC, SmartPay and Smart Kiosk Payment Centers provided by Comprise Technologies, Inc.

SELECTION SUMMARY:

Not Applicable

CONTRACT VARIANCE:

The 3-year service for combined contracts 2021-1138 and 2021-0776 is priced at \$163,486.00. In comparison, the 3-year service price for contract 2024-0314 is \$120,203.59, reflecting a difference of \$43,282.41. This constitutes a 26.47% decrease in the annual prices.

PROTEST

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$120,203.59
Funding Source: Libraries – General Fund
Account: 239-1000-15240-522020-P1506

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES ___ NO

PRIMARY DEPARTMENT: Libraries

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:

Norma P. Martinez

Norma Martinez, Director of Library Services

Project Form
Non-Competitive

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

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

Strategic Goal 4 - Enhance El Paso's Quality of Life through Recreational, Cultural, and Educational Environments

The linkage to the Strategic Plan is subsection: 4.2 Create innovative recreational, educational and cultural programs

Award Summary:

Discussion and action that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for Solicitation 2024-0314 PC Time & Print Management to Comprise Technologies, Inc., the sole developer and provider of SAM, SmartALEC, SmartPAY and Smart Kiosk Payment Centers for a term of three (3) years for an estimated amount of \$120,203.59. The supplier will be required to provide an updated sole source letter and affidavit each year. This contract will provide continued services and allow purchase of additional licenses and kiosks for the Main library.

Contract Variance:

The difference based in comparison to the previous contracts is as follows: a decrease of \$43,282.41 for a three (3) year term, which represents a 26.47% decrease due to combining contracts of integrated solutions of software and hardware functions.

Department:	Libraries
Award to:	Comprise Technologies Inc
City & State:	Navesink, NJ
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$35,274.58 Year 1 \$40,392.22 Year 2 \$44,536.79 Year 3
Initial Term Estimated Award:	\$120,203.59
Option Term Estimated Award:	N/A
Total Estimated Award:	\$120,203.59
Account(s):	239-1000-15240-522020-P1506
Funding Source(s):	General Fund
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 Department and Libraries Department recommend award as indicated to Comprise Technologies 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.

Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.



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 Daniel Curtin. I am over the age of 18, have never been of a convicted crime and am competent to make this affidavit.
 - I am an authorized representative of the following company or firm: Comprise Technologies
2. The above named company or firm is the sole source for the following item(s), product(s) or service(s): SAM PX (PC/Print Management on Public PCs, SmartALEC Mobile Printing, SmartPAY Online Payments and Smart Kiosks Payment Centers. All these products are already installed and in use at the library. Comprise owns the code and is the only company to support these products.
3. 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).
4. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
5. **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.**

Daniel Curtin
Signature

SUBSCRIBED AND SWORN to before me on this 11th day of March, 2024

BRIAN WERNER JR
NOTARY PUBLIC, NEW JERSEY
MONMOUTH COUNTY
COMM# 50111683
COMMISSION EXP ON 08/29/2024

Brian Werner Jr
NOTARY PUBLIC
Brian Werner Jr
PRINTED NAME
August 29 2024
MY COMMISSION EXPIRES

COMPANY NAME: Comprise Technologies, Inc.
ADDRESS, CITY, STATE & ZIP CODE 1041 Rt. 36, building B, PO Box 425, Navesink, NJ 07752
PHONE: 800-854-6822 FAX NUMBER: 732-291-3600
CONTACT NAME AND TITLE: Daniel J. Curtin, President
WEB ADDRESS: https://comprisetechologies.com EMAIL: dancurtin@comprisetechologies.com
FEDERAL TAX ID NUMBER: 22-3200334 TEXAS SALES TAX NUMBER: _____



Comprise Technologies, Inc.
1041 Route 36, P.O. Box 425
Navesink, NJ 07752
Voice: 800.854.6822
Fax: 732.291.3699

Empowering Patrons – Liberating Librarians

March 5, 2024

El Paso Public Library
501 North Oregon Street
El Paso, TX 79901

Sole Source Certification

Comprise Technologies, Inc. (Comprise) is pleased to submit this document in support of sole source consideration for the **Smart Kiosk Self-Service Payment System**. Comprise licenses this product on an annual fee basis.

The **Smart Kiosk Self-Service Payment System** is a proprietary software product of Comprise. It uses product source code that was developed and is maintained as application code by Comprise. Our proprietary code operates the kiosk PC as well as firmware installed on the component parts. Comprise does not authorize any other company to support or maintain the source or application code whether on the kiosk PC or a component part. Any attempt to reverse engineer the software is an express violation of our License Agreement.

Comprise has under its' employ, Software Developers, Technical Support Specialists, Remote Software and On-site Implementation staff to support our customers that use these products. Comprise is the only source for these products and services.

Since Comprise is the sole developer of the **Smart Kiosk Self-Service Payment System** software, and the only company that is authorized to maintain the software, Comprise is the only Company that can modify either application to meet the configuration requirements of each customer.

The information contained herein is submitted in support of sole source consideration. Comprise is the only company that offers their product and services as described herein. To the best of the knowledge and belief of Comprise this information is true, correct, and complete.

Please let us know if additional information is necessary. We look forward to the opportunity to serve your Library.

Sincerely,

A handwritten signature in black ink that reads "Dan Curtin".

Dan Curtin
President
Comprise Technologies, Inc.



Comprise Technologies, Inc.
1041 Route 36, P.O. Box 425
Navesink, NJ 07752
Voice: 800.854.6822
Fax: 732.291.3699

Empowering Patrons – Liberating Librarians

March 3, 2024

El Paso Public Library
501 North Oregon Street
El Paso, TX 79901

Sole Source Certification

Comprise Technologies, Inc. (Comprise) is pleased to submit this document in support of sole source consideration for the **SAM (Smart Access Manager) Public-PC Management** and **SmartALEC Mobile Printing Systems and self-service Smart Kiosk Payment Centers**. Comprise licenses these products on an annual fee basis.

The El Paso Public Library is a current licensee of both **SAM, SmartALEC and Smart Kiosk Payment Centers**. The contemplated purchase is to renew the current product licenses and add a licenses for two new locations.

SAM, SmartALEC and Smart Kiosk Self-Service Payment System are proprietary software products of Comprise. Their product source code was developed and is maintained by Comprise. For the Smart Kiosk, our proprietary code operates the kiosk PC as well as firmware installed on the component parts. Comprise does not authorize any other company to support or maintain the source or application code for these products. Any attempt to reverse engineer their software is an express violation of our License Agreement.

Comprise has under its' employ, Software Developers, Technical Support Specialists, Remote Software and On-site Implementation staff to support our customers that use these products. Comprise is the only source for these products and services.

Since Comprise is the sole developer of **SAM, SmartALEC and Smart Kiosks** software, is the only company that is authorized to maintain the software, Comprise is the only Company that can modify either application to meet the configuration requirements of each customer.

The information contained herein is submitted in support of sole source consideration. Comprise is the only company that offers their product and services as described herein. To the best of the knowledge and belief of Comprise this information is true, correct, and complete.

Please let us know if additional information is necessary. We look forward to the opportunity to serve your Library.

Sincerely,

A handwritten signature in black ink that reads "Dan Curtin".

Dan Curtin
President
Comprise Technologies, Inc.