

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

**AGENDA DATE:** June 8, 2021  
**PUBLIC HEARING DATE:** Not Applicable

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**

Richard J. Bristol, Director of Streets and Maintenance, (915) 212-7001  
Bruce D. Collins, Director of Purchasing & Strategic Sourcing, (915) 212-1181

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** No. 7 – Enhance and Sustain El Paso's Infrastructure Network

**SUBGOAL:** 7.2 – Improve the competitiveness through infrastructure improvements impacting the quality of life

**SUBJECT:**

That the City Manager be authorized to sign the First Amendment to the Parks Litter Control Contract by and between the City of El Paso (City) and WorkQuest f/k/a TIBH INDUSTRIES, INC. ("WorkQuest"), a private non-profit corporation and the certifying party, and BORDER TM INDUSTRIES, INC. D/B/A XCEED RESOURCES ("XCEED"), the performing party, to add additional park sites to the list of locations and to add additional cleanings to parks in the current list at which the contractors will perform cleaning and maintenance services until the expiration of this contract for an additional estimated cost to the City of an amount not to exceed \$63,044.52.

**BACKGROUND / DISCUSSION:**

The agreement between the City of El Paso and WorkQuest f/k/a TIBH Industries, Inc., and Xceed Resources is to clean and remove trash and debris from all park areas. WorkQuest f/k/a TIBH Industries, Inc., is a non-profit corporation that certifies the Xceed Resources will employ individuals with disabilities in accordance with Texas Human Resources code 122.013. This amendment will allow for the enhancement of identified areas as well as improving the image of the areas in which they are located.

**SELECTION SUMMARY:**

N/A

**CONTRACT VARIANCE:**

N/A

**PROTEST**

No protest received for this requirement.

**PRIOR COUNCIL ACTION:**

On June 9, 2020 City Council approved the award of contract 2020-937 Park Litter Control to WorkQuest f/k/a TIBH INDUSTRIES, INC. ("WorkQuest"), a private non-profit corporation and the certifying party, and BORDER TM INDUSTRIES, INC. D/B/A XCEED RESOURCES ("XCEED"), the performing party, for a one (1) year initial term and one (1) year-option to extend the contract for at total amount of \$2,104,039.40.

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$63,044.52

Funding Source: Grounds Keeping Horticultural Contracts, Environmental Fee Fund

Account: 451-2305-51295-522210-P5120

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?  YES  NO

PRIMARY DEPARTMENT: Streets and Maintenance

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

*Richard Bristol* 05/27/2021

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Richard J. Bristol, Director of Streets and Maintenance

**PROJECT FORM**

**(Resolutions)**

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Please place the following item on the **Consent** agenda (under Resolutions) for the Council Meeting of **June 8, 2021**

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

The linkage to the Strategic Plan is subsection 7.2 – Enhance and Sustain El Paso’s Infrastructure Network

**Award Summary:**

That the City Manager be authorized to sign the First Amendment to the 2020-937 Parks Litter Control Contract by and between the City of El Paso (City) and WorkQuest f/k/a TIBH INDUSTRIES, INC. (“WorkQuest”), a private non-profit corporation and the certifying party, and BORDER TM INDUSTRIES, INC. D/B/A XCEED RESOURCES (“XCEED”), the performing party, to add additional park sites to the list of locations and to add additional cleanings to parks in the current list at which the contractors will perform cleaning and maintenance services until the expiration of this contract for an additional estimated cost to the City of an amount not to exceed \$63,044.52.

**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 the Parks Litter Control Contract by and between the City of El Paso (City) and WorkQuest f/k/a TIBH INDUSTRIES, INC. (“WorkQuest”), a private non-profit corporation and the certifying party, and BORDER TM INDUSTRIES, INC. D/B/A XCEED RESOURCES (“XCEED”), the performing party, to add additional park sites to the list of locations and to add additional cleanings to parks in the current list at which the contractors will perform cleaning and maintenance services until the expiration of this contract for an additional estimated cost to the City of an amount not to exceed \$63,044.52.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

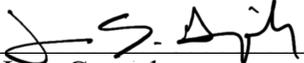
**CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura Prine  
City Clerk

**APPROVED AS TO FORM**

  
\_\_\_\_\_  
Juan Gonzalez  
Senior Assistant City Attorney

**APPROVED AS CONTENT:**

*Richard Bristol*  
\_\_\_\_\_  
Richard J. Bristol, Director  
Streets and Maintenance

THE STATE OF TEXAS )  
 )  
 )  
 )  
COUNTY OF EL PASO )

FIRST AMENDMENT TO PARKS  
LITTER CONTROL

THIS FIRST AMENDMENT to the Parks Litter Control ("Contract") is made this \_\_\_\_ day of \_\_\_\_\_ 2021, by and between the CITY OF EL PASO, a home rule municipal corporation (hereinafter referred to as the "City"), and WorkQuest f/k/a TIBH INDUSTRIES, INC. ("WorkQuest" or "TIBH"), a private non-profit corporation and the certifying party, and BORDER TM INDUSTRIES, INC. D/B/A XCEED RESOURCES ("XCEED"), the performing party, hereinafter collectively referred to as the "Contractors".

**WHEREAS**, the City entered into the Contract with the Contractors to provide specified grounds maintenance services for certain properties managed by the City of El Paso's Streets & Maintenance Department for the period of July 6, 2020 through July 5, 2021; and

**WHEREAS**, the City desires to amend the Contract to add additional park sites to the list of locations and additional cleaning services to park sites in the original list at which the Contractors will perform cleaning and maintenance services, specifically at park sites described in Attachment "A-1" to this First Amendment; and

**WHEREAS**, the parties agree to amend the Contract to include the additional park sites for cleaning and maintenance services and additional cleaning and maintenance services for park sites included in the original award for the duration of the Contract, for the additional consideration set forth below.

**NOW, THEREFORE**, the parties do hereby mutually agree to amend the Contract as follows:

1. Section 2.1 Exhibit A of the original Contract is hereby amended to add Attachment "A-1" including the additional locations and additional cleaning and maintenance services for park sites in the original list.
2. Section 2 (Scope of Services) of the original contract is of the original Contract is hereby amended to add the locations listed in Attachment "A-1" to the park sites at which the Contractors shall provide grounds maintenance services, only as needed and as directed by the City's Streets and Maintenance Department Director or designee.
3. Section 4 (Consideration) of the original Contract shall be amended to add the following paragraph after the 1<sup>st</sup> paragraph and before the 2nd paragraph pertaining to non-scheduled or emergency work:

As consideration for the performance of the Services outlined in the First Amendment to the Parks Litter Control Contract, the City shall pay WorkQuest, on behalf of the Contractors, according to the fees set forth in

Attachment "A-1", for the amount not to exceed sixty three thousand forty four dollars and fifty two cents (\$63,044.52) for the duration of the Contract.

4. Except as expressly modified herein all other terms and conditions of the Contract shall remain in full force and effect and shall remain as written unless expressly modified herein.
5. All notices required or permitted in the Contract and this First Amendment shall be sufficient if sent by certified or registered mail, return receipt requested, postage fully prepaid, addressed to the proper party at the following addresses:

CITY: City of El Paso  
ATT: City Manager  
301 N. Campbell  
El Paso, Texas 79901

with copy to: City of El Paso  
ATTN: Director of Streets and Maintenance  
7968 San Paulo Drive  
El Paso, Texas 79907

Contractors: WorkQuest  
Attn: Henry Hernandez – Regional Marketing Manager  
5503 Grissom Rd. Ste. 103  
San Antonio, TX 78238

XCEED  
Attn: Everardo M. Sanchez – Executive Director  
201 B N. Clark  
El Paso, TX 79905

or to such other addresses and/or addressees as the parties may designate to each other in writing from time to time.

6. Each individual signing this First Amendment acknowledges that he or she is authorized to do so, and warrants that each is authorized to commit and bind that party to the terms and conditions of this instrument.

*[SIGNATURES BEGIN ON THE FOLLOWING PAGE]*

IN WITNESS WHEREOF, the parties have executed this First Amendment to the Parks Litter Control Contract on the \_\_\_\_ day of \_\_\_\_\_, 2021.

CITY  
CITY OF EL PASO:

\_\_\_\_\_  
Tomás Gonzalez  
City Manager

APPROVED AS TO FORM:

APPROVED AS CONTENT:

  
\_\_\_\_\_  
Juan Gonzalez  
Senior Assistant City Attorney

  
\_\_\_\_\_  
Richard J. Bristol  
Director, Streets and Maintenance

WORKQUEST  
WorkQuest f/k/a TIBH INDUSTRIES, INC.

  
\_\_\_\_\_  
Henry Hernandez  
Regional Marketing Manager

XCEED  
BORDER TM INDUSTRIES, INC.  
D/B/A XCEED RESOURCES

  
\_\_\_\_\_  
Everardo M. Sanchez  
Executive Director

5-19-2021

# WorkQuest

April 12, 2021

Rene Barraza  
 City of El Paso - Streets and Maintenance Department  
 7968 San Paulo Drive  
 El Paso, TX 79907

RE: City Parks Litter

Dear Mr. Barraza:

Mr. Everardo (Eddie) M. Sanchez of Border TM Industries, Inc. dba Xceed Resources is submitting the below quote for the City's consideration. All parks listed below will be cleaned 7 days a week.

	Site	Address	Type	Price/Pickup	Total/Week
1	Chamizal Recreation Service	2119 Cypress Ave	Spray Park	\$ 24.66	\$345.24
2	Sue Young Park	9730 Diana Drive	Spray Park	\$ 49.32	\$690.48
3	Hidden Valley Park	200 Coconut Tree	Spray Park	\$ 24.66	\$345.24
4	Grandview Park	3100 Jefferson	Spray Park	\$ 24.66	\$345.24
5	Pavo Real Park	9301 Alameda	Spray Park	\$ 49.32	\$690.48
6	Westside Community Park	7400 High Ridge	Spray Park	\$ 59.32	\$830.48
7	Marty Robbins Park	11600 Vista Del Sol	Spray Park	\$ 24.66	\$345.24
8	Braden Aboud Memorial Park	4325 River Bend	Spray Park	\$ 24.66	\$345.24
9	Salvador Rivas Jr. Park	12480 Pebble Hills	Spray Park	\$ 49.32	\$690.48

	Site	Address	Type	Price/Pickup	Total/Week
1	Valle Bajo Recreational Center	7380 Alameda Eve.	Park	\$ 37.84	\$262.36
2	Chamizal Recreation Service	2119 Cypress Ave.	Park	\$ 51.89	\$363.23

Please let me know if you have any questions or recommendations. I look forward to assisting in expediting the contract. Thank you for your continued support of and dedication to local Texans with disabilities.

Best regards,



Henry Hernandez

cc: Eddie Sanchez, Executive Director, Border TM Industries, Inc. dba Xceed Resources  
 Juan Gonzalez, Accounts Manager, Border TM Industries, Inc. dba Xceed Resources  
 5503 Grissom Rd., Ste. 103 | San Antonio, TX 78238 | P: 210-521-3742 | F: 210-521-7108 | www.workquesttx.com