

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

DEPARTMENT: MASS TRANSIT DEPARTMENT (SUN METRO)

AGENDA DATE: February 7, 2017

CONTACT PERSON/PHONE: Jay Banasiak, Department of Mass Transit (Sun Metro), 212-3300
Bruce D. Collins, Purchasing Director, 212-1181

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: NO. 7: Enhance and Sustain El Paso's Infrastructure Network

SUBJECT:

Approve a sole source contract with Cummins Rocky Mountain, LLC for Cummins retrofits from 8.3 Natural Gas Engines (Now Obsolete) to 8.9 Natural Gas Engines (2010 Emissions Compliant & including the engine cooling/radiator package) contract for an estimated 3 years for the total of \$3,000,000.00, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

BACKGROUND / DISCUSSION:

Mass Transit Department (Sun Metro) has reviewed solicitation 2017-631 and recommends the contract be awarded to vendor Cummins Rocky Mountain as the sole source, most responsive and responsible bidder meeting specifications for the award of the contract. Cummins is the only engine manufacturer making natural gas engines for the transit industry

Vendor's performance has been satisfactory in the past for parts, service and retrofits.

SELECTION SUMMARY:

Cummins Rocky Mountain LLC is the only factory authorized service and parts provider for Cummins Power Generation Products in the states of Arizona, Colorado, Idaho, Montana, New Mexico, Nevada, West Texas, Utah and Wyoming.

PROTEST

- ☒ There was no protest received for this requirement.
☐ Protest received.

COUNCIL REPRESENTATIVE BRIEFING:

Was a briefing provided? ☐ Yes or ☒ Not Applicable (Routine)

If yes, select the applicable districts.

- ☐ District 1
☐ District 2
☐ District 3
☐ District 4
☐ District 5
☐ District 6
☐ District 7
☐ District 8
☐ All Districts

PRIOR COUNCIL ACTION:

Mass Transit Board awarded 2014-159 (Cummins Rebuild/Retrofits) on May 13, 2014.

AMOUNT AND SOURCE OF FUNDING:

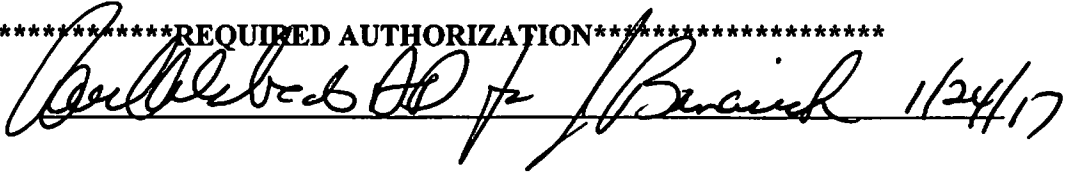
Year 1:	\$1,000,000.00
Year 2:	\$1,000,000.00
Year 3:	\$1,000,000.00
Total:	\$3,000,000.00
Funding:	580060-560-3200-60050-P6017 (Sun Metro Operating Funds) CMAQ transfer grant – G56016TX05 – 560-3210-60070

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:

 1/24/17



PURCHASING & STRATEGIC SOURCING DEPARTMENT

SOLE SOURCE AFFIDAVIT

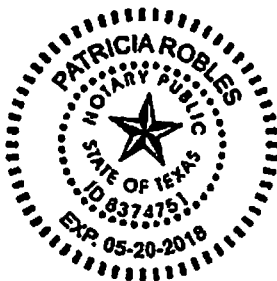
THIS IS AN OFFICIAL PURCHASING DOCUMENT-RETAIN WITH PURCHASE ORDER FILE

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 Carlos M. Payan. 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: Cummins Rocky Mountain LLC
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
The rebuild/retrofits for Cummins natural gas engines and upgrades
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 28th day of November, 2016



NOTARY PUBLIC

Patricia Robles

PRINTED NAME

05/20/2018

MY COMMISSION EXPIRES

COMPANY NAME: Cummins Rocky Mountain LLC.

ADDRESS, CITY, STATE & ZIP CODE: 14333 Gateway West, El Paso TX, 79928

PHONE: 915 791-6600 or 800 800-4240 FAX NUMBER: 915 852-3295

CONTACT NAME AND TITLE: Carlos Payan - General Manager

WEB ADDRESS: salesandservice.cummins.com EMAIL: carlos.payan@cummins.com

FEDERAL TAX ID NUMBER: 84-1586651 TEXAS SALES TAX NUMBER: 1-46-0480189-5



Cummins Rocky Mountain LLC
1921 Broadway NE
Albuquerque, NM 87102
505.247.2441 office 505.243.6689 fax

November 21, 2016

This letter serves as notification that Cummins Rocky Mountain LLC is the only factory authorized service and parts provider for Cummins Power Generation Products in the States of Arizona, Colorado, Idaho, Montana, New Mexico Nevada, West Texas, Utah and Wyoming.

Additionally Cummins Rocky Mountain LLC is the only service provider with the necessary programming and troubleshooting software for Cummins Power Generation Products.

Other vendors do not have the proper software and tooling required for Cummins Power Generation Products and they are not trained nor qualified to work on these products.

Any service work done by a vendor that cannot provide a letter of authorization from Cummins stating they are authorized to perform repairs and troubleshooting on Cummins Power Generation Products may jeopardize and possibly void all warranty coverage(s) on systems that are currently under warranty.

Please refer to your specific warranty documents supplied with your system for further information.

A handwritten signature in black ink, appearing to read 'Chris Tornillo', written over a horizontal line.

Chris Tornillo
Cummins Rocky Mountain LLC
632-474-2703
chris.tornillo@cummins.com

