

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

DEPARTMENT: Office of the Comptroller
AGENDA DATE: September 24, 2013
CONTACT PERSON/PHONE: Mark Sutter, Comptroller, Office of the Comptroller, (915)541-4014
Bruce D. Collins, Director, Purchasing and Strategic Sourcing Department
(915) 541-4308
DISTRICT(S) AFFECTED: All

SUBJECT:

Discussion and action on a resolution that the City Manager be authorized to sign an agreement between the City and Arbitrage Compliance Specialists, Inc. for arbitrage rebate compliance services. These services are required to be performed for outstanding debt subject to arbitrage. The annual estimated costs are \$14,850 for a five (5) year award not to exceed \$74,250 with a two (2) year extension option, as approved by City Council, for an additional \$29,700. The total estimated amount of this award for seven (7) years including the two year option would be for \$103,950. The amount is estimated since the amount will vary depending on the amount of bond issues that the City requires to be reviewed during any given year.

BACKGROUND / DISCUSSION:

The City of El Paso requires a firm to perform arbitrage rebate compliance services in order to determine the amount, if any, of arbitrage that the City may owe on a particular bond issuance. The chosen firm will work with City staff to establish an appropriate calculation methodology that complies with all aspects of the arbitrage regulations. Given the complex nature of these calculations, firms were evaluated based on qualifications, experience, and technical approach by an evaluation Committee comprised of representatives from the Office of the Comptroller and the Airport finance staff. The firms were also evaluated based on the fee structure submitted. Based on the evaluations performed by the Committee, the fee structure, and on the results of the reference checks made by Purchasing staff, the Committee recommended to the Chief Financial Officer that the contract be awarded to Arbitrage Compliance Services, Inc., one of three firms to submit a proposal. This was approved for placement before the Council.

PRIOR COUNCIL ACTION:

In 2001 and again in 2006, City Council approved FirstSouthwest as the City's arbitrage compliance services provider with awards renewed for the years through 2012.

AMOUNT AND SOURCE OF FUNDING:

The funding source for arbitrage compliance services is the Debt Service Fund. Estimated Costs for fiscal years 2014 through 2020 is \$103,950, including the two year option.

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:



**COUNCIL PROJECT FORM
(RFP OR RFQ)**

*******POSTING LANGUAGE BELOW*******

Please place the following item on the **CONSENT** agenda under **RFP's** for the Council Meeting of **SEPTEMBER 24, 2013**.

The award of Solicitation No. 2013-018R Arbitrage Rebate Compliance Services to Arbitrage Compliance Specialists, Inc. for a total estimated award of \$103,950.00.

| | |
|-------------------------------|--|
| Department: | Office of the Comptroller |
| Award to: | Arbitrage Compliance Specialists, Inc. Centennial, CO |
| Item(s): | All |
| Initial Term: | 5 years |
| Option to Extend: | 2 years |
| Annual Estimated Amount: | \$14,850.00 |
| Initial Term Estimated Award: | \$74,250.00 (5 years) |
| Option Estimated Award: | \$29,700.00 (2 years) |
| Total Estimated Award: | \$103,950.00 |
| Account No.: | Various |
| Funding Source: | Debt Service Fund |
| District(s): | All |

This is an RFP contract.

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

The Purchasing and Strategic Sourcing Department and Office of the Comptroller recommend award as indicated to Arbitrage Rebate Compliance Specialists, Inc. the highest ranked proposer based on evaluation factors established for this procurement.

*******ADDITIONAL INFO BELOW*******

COMMITTEE SCORE SHEET

SOLICITATION NO:

2013-018R

9/13/2013

SOLICITATION TITLE:

Arbitrage Rebate Compliance Services

DEPARTMENT:

Financial Services

| | American Municipal Tax- Exempt Compliance Corp. Avon, CT | Arbitrage Compliance Specialists, Inc Centennial, CO | FirstSouthwest Dallas, TX |
|---|--|--|------------------------------|
| EVALUATION FACTORS | | | |
| A. *Fee Proposal | | | |
| # points 25 | 24.80 | 25.00 | 13.75 |
| B. Experience & Qualifications | | | |
| # points 35 | 25.00 | 34.66 | 26.33 |
| C. Technical Approach | | | |
| # points 30 | 22.66 | 28.00 | 21.66 |
| D. Response of References | | | |
| # points 10 | 10.00 | 10.00 | 5.00 |
| | | | |
| GRAND TOTAL = 100 | 82.46 | 97.66 | 66.74 |



CITY OF EL PASO REQUEST FOR PROPOSAL TABULATION FORM



Bid Opening Date: APRIL 03, 2013

Project Name: ARBITRAGE REBATE COMPLIANCE PROFESSIONAL SERVICES

Solicitation #: 2013-018R

Department: FINANCIAL SERVICES

| | |
|---|------------------|
| Arbitrage Compliance Specialists, Inc. | Centennial, CO |
| PFM Asset Management, LLC. | Philadelphia, PA |
| First Southwest Asset Management, Inc. | Dallas, TX |
| American Municipal Tax-Exempt Compliance Corp - AMTEC | Avon, CT |
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| | |
| RFPs SOLICITED: 12 RFPs RECEIVED: 4 RFPs LOCAL: 7 NO RFPs: 0 | |

NOTE: The information contained in this r tabulation is for information only and does not constitute actual award/execution of contract.

APPROVED: /s/

DATE: 5/6/2013

BIXLER, CARLTON, PITTENGER &
COMPANY, P.C.
NORMAN W. PITTENGER, CPA
1280 HAWKINS, SUITE 200
EL PASO TX 79925

COLTON, STARR, THEISEN & CO.
4171 N MESA, SUITE B100
EL PASO TX 79902

FIRST SOUTHWEST ASSET
MANAGEMENT INC
325 NORTH PAUL ST STE 800
DALLAS TX 75201-3852

KPMG
SUITE 1900
111 CONGRESS AVENUE
AUSTIN TX 78701-4091

STOCKTON SCURRY & SMITH
2829 MONTANA AVE, SUITE 201
EL PASO TX 79903-2496

AIG FINANCIAL
4545 HONDO PASS AVE
EL PASO TX 79930

FIRST SOUTHWEST CO
221 N KANSAS ST STE 1200
EL PASO TX 79901

KPMG
CYNTHIA REINHART, MANAGING
PARTNER
SUITE 700, 6565 AMERICAS PARKWAY
NORTHEAST
ALBUQUERQUE, NM 87110

A & G EDWARDS & SONS
444 EXECUTIVE CENTER BLVD
EL PASO TX 79912

THE ARBITRAGE GROUP INC
3212 SMITH ST STE 201
HOUSTON TEX 77006

MORGAN STANLEY
641 N STANTON ST
EL PASO TX 79901

BKD, LLP
14241 DALLAS PARKWAY STE 1100
DALLAS, TX 75254