

AI-39010

Purchasing Department  
23. A. 3.

CC REGULAR

Meeting Date: 06/04/2013

Submitted For: Martha L. Salazar

Submitted By: Marty Salazar,  
PURCHASING DEPT.

Department: IT DEPARTMENT

---

Information

CAPTION

A. Requesting exemption from competitive procurement requirements pursuant to Texas Local Government Code, 262.024(a)(7)(C);

B. Approval of a "Sole Source Declaration" for GTE Southwest, dba, Verizon for the provision of telephone and Related services for Hidalgo County's Elected Offices, Departments, Programs and/or Agencies (all funding sources);

C. Approval for Hidalgo County Elected Offices, Departments, Programs and/or Agencies to purchase phone & related services from GTE Southwest, dba, Verizon inasmuch as this provider has proprietary/exclusive areas/zones.

BACKGROUND

---

Fiscal Impact

FISCAL YEAR: ACCT. #:

FUNDS AVAILABLE Y/N?: MATCHING FUNDS Y/N?:

BUDGETARY IMPACT:

Budgetary expenditures are the responsibility of the individual end users.

---

Attachments

Backup

TXLGC-262.024

SOLE SOURCE -GTE Southwest, dba, Verizon

---

Form Review

Inbox	Reviewed By	Date
Purchasing Department	Marty Salazar	05/30/2013 02:20 PM

Budget & Management

Obdett Calzada

05/30/2013 04:08 PM

Auditor's Office

Monica Badillo

05/31/2013 05:25 PM

Form Started By: Marty Salazar

Started On: 05/30/2013 10:18 AM

Final Approval Date: 05/31/2013

Zimbra

martha.salazar@co.hidalgo.tx.us

---

**Fwd: Verizon serviced addresses**

---

**From :** Renan Ramirez <renan.ramirez@co.hidalgo.tx.us>

Thu, May 23, 2013 03:29 PM

**Subject :** Fwd: Verizon serviced addresses**To :** Martha Salazar <martha.salazar@co.hidalgo.tx.us>**Cc :** Lee Pena <lee.pena@co.hidalgo.tx.us>, Edna Kirby  
<edna.kirby@co.hidalgo.tx.us>

Marty,

As per the email below. We requested that AT&T provide an answer to service requests at the addresses currently being serviced by Verizon. Below is their answer. I believe this should be enough information to proceed with a sole source declaration of Verizon services in those areas.

Thanks!

-----  
Renán Ramirez  
Chief Information Officer  
County of Hidalgo, Texas  
956-289-7444

---

**From:** "BRENDA L MONTEITH" <bm3274@att.com>  
**To:** "Lee Pena" <lee.pena@co.hidalgo.tx.us>  
**Cc:** "Renan Ramirez" <renan.ramirez@co.hidalgo.tx.us>  
**Sent:** Thursday, May 23, 2013 2:01:29 PM  
**Subject:** RE: Verizon serviced addresses

Hi Lee,

So, when we look up an address all it tells us is that it is "out of region" and local carrier is GTE Southwest dba Verizon. I am not able to send you a screen shot due to proprietary. I hope this helps some.

Thanks,  
Brenda Monteith  
Technical Sales Consultant 2  
AT&T - Texas  
Government/Education Accounts  
(512) 421-5055  
STOP texting while driving. Take the pledge at [itcanwait.com](http://itcanwait.com)

**From:** Lee Pena [mailto:lee.pena@co.hidalgo.tx.us]  
**Sent:** Wednesday, May 22, 2013 4:28 PM  
**To:** MONTEITH, BRENDA L  
**Cc:** Renan Ramirez  
**Subject:** Re: Verizon serviced addresses

Thank you Brenda.

"Lee" Leonila Pena | Technical Services Manager | Information Technology  
County of Hidalgo, Texas | Tel: 956.292.7000 x6031 | [lee.pena@co.hidalgo.tx.us](mailto:lee.pena@co.hidalgo.tx.us)

---

**From:** "BRENDA L MONTEITH" <[bm3274@att.com](mailto:bm3274@att.com)>  
**To:** "Lee Pena" <[lee.pena@co.hidalgo.tx.us](mailto:lee.pena@co.hidalgo.tx.us)>  
**Cc:** "Renan Ramirez" <[renan.ramirez@co.hidalgo.tx.us](mailto:renan.ramirez@co.hidalgo.tx.us)>  
**Sent:** Wednesday, May 22, 2013 4:28:59 PM  
**Subject:** RE: Verizon serviced addresses

I'm glad to help. I hope to be able to provide you with something showing AT&T doesn't service that area but that isn't to say there isn't some other company out there that can or will provide service to Weslaco.

In Weslaco, Verizon is the ILEC (Incumbent Local Exchange Carrier) and any other provider would be a CLEC (Competitive Local Exchange Carrier). I do believe there are some CLECs servicing Weslaco but I'm not certain about how you would find out who.

The ILEC services all local end-users prior to a market opening up to local competition. The CLEC is a competing provider also selling local service to end users.

Using McAllen as an example, AT&T is the ILEC but there are also CLECs like SmartCom, Time Warner Telecom etc.

I'll get back to you and let you know if I have something more to share.

Have a nice evening.

Thanks,  
Brenda Monteith  
Technical Sales Consultant 2  
AT&T - Texas  
Government/Education Accounts  
(512) 421-5055  
STOP texting while driving. Take the pledge at [itcanwait.com](http://itcanwait.com)

---

**From:** Lee Pena [mailto:lee.pena@co.hidalgo.tx.us]  
**Sent:** Wednesday, May 22, 2013 4:00 PM  
**To:** MONTEITH, BRENDA L  
**Cc:** Renan Ramirez

**Subject:** Re: Verizon serviced addresses

Ok. Auditors is requesting that we prove that no other vendor can provide service at those addresses. Can AT&T provide a us with something in writing stating that AT&T does not service those addresses?

I'd greatly appreciate your help on this.

"Lee" Leonila Pena | Technical Services Manager | Information Technology  
County of Hidalgo, Texas | Tel: 956.292.7000 x6031 | [lee.pena@co.hidalgo.tx.us](mailto:lee.pena@co.hidalgo.tx.us)

---

**From:** "BRENDA L MONTEITH" <[bm3274@att.com](mailto:bm3274@att.com)>

**To:** "Lee Pena" <[lee.pena@co.hidalgo.tx.us](mailto:lee.pena@co.hidalgo.tx.us)>

**Sent:** Wednesday, May 22, 2013 3:55:54 PM

**Subject:** RE: Verizon serviced addresses

True. We do not service Weslaco. I'll see what I can get from the business office. We use a premise street address guide system but I don't know what can be shared.

Thanks,

Brenda Monteith

Technical Sales Consultant 2

AT&T - Texas

Government/Education Accounts

(512) 421-5055

STOP texting while driving. Take the pledge at [itcanwait.com](http://itcanwait.com)

---

**From:** Lee Pena [<mailto:lee.pena@co.hidalgo.tx.us>]

**Sent:** Wednesday, May 22, 2013 3:19 PM

**To:** MONTEITH, BRENDA L

**Subject:** Verizon serviced addresses

Brenda,

Below are the addresses, I think for the Pct. 1 and the Indigent accounts, we have an AT&T T1 and Verizon.

Hidalgo County of

PCT-1 Hidalgo County Of

Telephone Number: 956 968-7800 040811

Account Number: 10 5492 2882678665 00

Service address:1901 N Bridge Ave, Weslaco, TX 78596

Hidalgo County of

PCT-1 Hidalgo County Of

Telephone Number: 956 968-3423 040909

Account Number: 10 5492 2898682810 06  
Service address: 1901 N Bridge Ave, Weslaco, TX 78596

County of Hidalgo  
Indigent  
Telephone Number: 956 969-4700 071029  
Account Number: 10 5492 2821135867 03  
Service address: 1901 N Bridge, Weslaco, TX 78596

Hidalgo County Sheriff's OFC  
Telephone Number: 956 973-1606 121018  
Account Number: 10 5492 2826441184 06  
Service address: 3003 E. MILE 11 NORTH, WESLACO, TEXAS 78596

"Lee" Leonila Pena | Technical Services Manager | Information Technology  
County of Hidalgo, Texas | Tel: 956.292.7000 x6031 |  
[lee.pena@co.hidalgo.tx.us](mailto:lee.pena@co.hidalgo.tx.us)

---

**From:** "Lee Pena" <[lee.pena@co.hidalgo.tx.us](mailto:lee.pena@co.hidalgo.tx.us)>  
**To:** "BRENDA L MONTEITH" <[bm3274@att.com](mailto:bm3274@att.com)>  
**Sent:** Wednesday, May 22, 2013 2:45:01 PM  
**Subject:** Re: Telephone/T1 Billing

Thank you Brenda. I have another question, maybe you can direct me to the right person/department. We have several bills with Verizon, but they do not have a DIR contract or any contract from what we know. We need to prove that they are the only ones that can provide service in the areas that they are billing us for. How can I go about having AT&T tell us if they can or can not provide service in those areas?

Thank you in advance,

"Lee" Leonila Pena | Technical Services Manager | Information  
Technology  
County of Hidalgo, Texas | Tel: 956.292.7000 x6031 |  
[lee.pena@co.hidalgo.tx.us](mailto:lee.pena@co.hidalgo.tx.us)

Sec. 262.024. DISCRETIONARY EXEMPTIONS. (a) A contract for the purchase of any of the following items is exempt from the requirement established by Section 262.023 if the commissioners court by order grants the exemption:

(1) an item that must be purchased in a case of public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the county;

(2) an item necessary to preserve or protect the public health or safety of the residents of the county;

(3) an item necessary because of unforeseen damage to public property;

(4) a personal or professional service;

(5) any individual work performed and paid for by the day, as the work progresses, provided that no individual is compensated under this subsection for more than 20 working days in any three month period;

(6) any land or right-of-way;

(7) an item that can be obtained from only one source, including:

(A) items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies;

(B) films, manuscripts, or books;

(C) electric power, gas, water, and other utility services; and

(D) captive replacement parts or components for equipment;

(8) an item of food;

(9) personal property sold:

(A) at an auction by a state licensed auctioneer;

(B) at a going out of business sale held in compliance with Subchapter F, Chapter 17, Business & Commerce Code; or

(C) by a political subdivision of this state, a state agency of this state, or an entity of the federal government;

(10) any work performed under a contract for community

and economic development made by a county under Section 381.004; or

(11) vehicle and equipment repairs.

(b) The renewal or extension of a lease or of an equipment maintenance agreement is exempt from the requirement established by Section 262.023 if the commissioners court by order grants the exemption and if:

(1) the lease or agreement has gone through the competitive bidding procedure within the preceding year;

(2) the renewal or extension does not exceed one year;  
and

(3) the renewal or extension is the first renewal or extension of the lease or agreement.

(c) If an item exempted under Subsection (a)(7) is purchased, the commissioners court, after accepting a signed statement from the county official who makes purchases for the county as to the existence of only one source, must enter in its minutes a statement to that effect.

(d) The exemption granted under Subsection (a)(8) of this section shall apply only to the sealed competitive bidding requirements on food purchases. Counties shall solicit at least three bids for purchases of food items by telephone or written quotation at intervals specified by the commissioners court. Counties shall award food purchase contracts to the responsible bidder who submits the lowest and best bid or shall reject all bids and repeat the bidding process, as provided by this subsection. The purchasing officer taking telephone or written bids under this subsection shall maintain, on a form approved by the commissioners court, a record of all bids solicited and the vendors contacted. This record shall be kept in the purchasing office for a period of at least one year or until audited by the county auditor.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 59(c), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 962, Sec. 1, eff. Sept. 1, 1989; Acts 1989, 71st Leg., ch. 1001, Sec. 2, eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 1060, Sec. 1, eff. Aug. 28, 1989; Acts 1991, 72nd Leg., ch. 16, Sec. 13.03, eff. Aug. 26, 1991; Acts 1997, 75th Leg., ch. 442, Sec. 2, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1065, Sec. 1, eff. June 15, 2001.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1272, Sec. 3, eff. September 1, 2007.



PURCHASING DEPARTMENT  
County Of Hidalgo

**MEMORANDUM**

**“SOLE SOURCE DECLARATION”**

To: Hidalgo County Commissioners Court

From: Martha L. Salazar  
Hidalgo County Purchasing Agent *mls*

Date: June 4, 2013

Re: “Sole Source Declaration” - GTE Southwest, dba, Verizon

---

Hidalgo County currently has telephone & related services with AT&T (awarded vendor) through our membership and participation with the State of Texas’ Department of Information Resources.

However, certain areas throughout the County cannot be purchased through AT&T’s contract as GTE Southwest has proprietary areas which provides phone and related services.

These circumstances are supported by correspondence from AT&T.

Therefore, Hidalgo County Elected Offices, Departments, Agencies and Programs (all funding sources) must acquire telephone and related services through GTE Southwest, dba, Verizon in those exclusive/specific service areas.

This declaration remains in effect unless revoked by Hidalgo County Commissioner’s Court.