



COUNTY OF EL PASO
500 East San Antonio, Suite PU500
El Paso, Texas 79901
(915) 546-2048 (915) 546-8180 Fax

Notice to Interested Parties

Sealed Request for Qualifications will be received at the County Purchasing Department, 500 E. San Antonio, Suite PU500, El Paso, Texas 79901 before 2:00 p.m., **Wednesday, May 14, 2008**. Responses will be opened at the County Purchasing Office the same date for **(RFQ) Data Center Design Project**. **A pre-bid conference will be held on Tuesday, April 29, 2008 at 10:00 a.m. in the Purchasing Conference Room located at 500 East San Antonio, Room 500, El Paso, Texas 79901.**

Qualifications must be in a sealed envelope and marked:

**"Qualifications to be opened May 14, 2008
(RFQ) Data Center Design Project
RFQ Number 08-056"**

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, May 6, 2008, at 12:00 p.m. Questions can be faxed to (915)-546-8180.

Said contract shall be let to the best qualified, and the **COMMISSIONER'S COURT RESERVES THE RIGHT TO REJECT ANY AND ALL RESPONSES AND WAIVE TECHNICALITIES**. Only responses that conform to specifications will be considered. Faxed responses will not be accepted.

In order to remain active on the El Paso County Vendor list, each vendor receiving this request for qualifications must respond in some form. Vendors submitting qualifications must meet or exceed all requirements herein. Vendors not responding to the request must submit their reason in writing to the El Paso County Purchasing Department.

PITI VASQUEZ
County Purchasing Agent

SIGNATURE PAGE

**Description – RFQ # 08-056
(RFQ) Data Center Design Project**
Vendor must meet or exceed specifications

Please submit one (1) original copy and two (2) duplicate copies of your statements of qualifications.

Company

Address

Federal Tax Identification No.

City, State, Zip Code

CIQ Document Number

CIQ Sent Date

Representative Name & Title

Telephone

Fax Number

E-mail

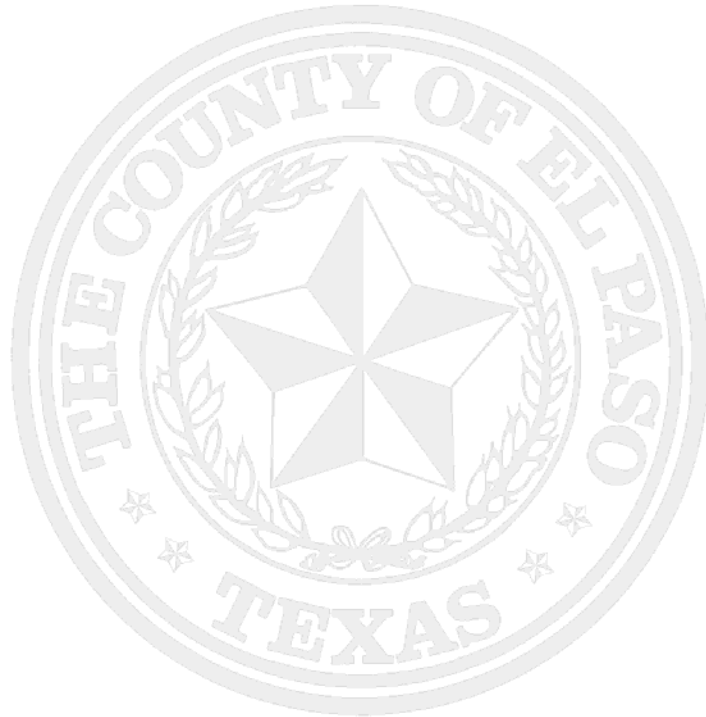
Signature

Date

**** THIS MUST BE THE FIRST PAGE ON RFQ RESPONSE ****

(RFQ) Data Center Design Project

RFQ #08-056



**Opening Date
Wednesday, May 14, 2008**

**Information Technology Department
For The County of El Paso**

RFQ – Datacenter Project



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SECTION 1 – Introduction

1.1 – Intent

The purpose of this document is to solicit proposals for a Data Center Design, which will be used to house the El Paso County (EPC) data and network infrastructure and co-locate other local government and educational entities.

1.2 – RFQ Schedule

The following schedule shall be used to direct the course of the RFQ. Any changes will be communicated to vendors from the Director of Purchasing of El Paso County.

- Release/Advertise RFQ
- Vendor Conference
- RFQ Response Due
- RFQ Opening
- Vendor Presentation and Demonstration
- Evaluation Committee Recommendations
- Commissioners Court Action to Award

If Additional time is required to complete the RFQ Opening, the recommendation and award schedules will be delayed.

1.3 – Project Overview

El Paso County is currently planning a new data center to be built on one of several existing County sites to replace the current mix of data closets and server rooms. The data center will become the County's primary data center housing critical applications as well as mid-tier enterprise and back office applications. The County envisions the existing facility will become the backup site and provide continuity of operations (COOP) functionality.

In addition to housing the County's technology infrastructure, there is some interest by other public and government entities to occupy a portion of the new facility. These entities include University of Texas El Paso, El Paso County Hospital, City of El Paso, El Paso Independent School District, and the El Paso Community College.

The County is also interested in performing an evaluation or study on the possibility of leasing space from a Datacenter tenancy. In the evaluation or study, the vendor would provide information that would detail the benefits or detriments to moving into such an environment. The county would use this data in the overall decision on leasing or owning a datacenter.

If the County chooses to build a datacenter, it has a desire to showcase environmentally sound design using "green" practices to reduce the use of energy and impacts on the

environment. The county also desires to use the new data center as a seed for attracting Internet and enterprise data centers to the area. The current budget is based on an investment of 4,000 square foot computing environment with a 5,000 to 6,000 square foot physical building structure.

The County's objective is to engage a single consulting firm to lead the County's effort to assess their needs, assist with technology architecture and lead the design effort for the new data center or the leased space. The County envisions beginning the process in March 2008 and completing the migration to the new data center by March 2010.

1.4 – Summary of Project

El Paso County is requesting written proposals from qualified vendors, to provide the following:

- A consulting partner to help develop the high level objectives and strategy that will serve as the basis for subsequent design and procurement decisions.

- A project manager to:
 - develop the data center strategy and concept
 - to assist in the procurement
 - Supervision of facility architecture and engineering professional services and a general construction contractor

SECTION 2 – RFQ Requirements and Guidelines

2.1 – Questions and Clarifications

All questions and requests for clarifications and/or additional information concerning the RFQ must be addressed to:

**Mr. Piti Vasquez
Purchasing Agent
El Paso County Purchasing Department,
500 East San Antonio Ave., Room 500
El Paso, Texas, 79901**

All questions must be submitted in written form. Answers will be provided at the vendors' conference and forwarded to vendors indicating a desire to respond. No other source or process is authorized for this RFQ.

2.2 – Vendor Qualification

EPC will evaluate proposals only from vendors that meet the following qualifications.

Note: Vendors designs must be independent and not narrowed to one equipment manufacturer. The designs must also be able to support any hardware platform that the EPC chooses in the final phases of the project.

The Vendor shall use a customized approach and methodology to discover the key drivers and criteria that will be necessary to propose a successful solution. These drivers are then applied to the specific development of technology architecture and the associated resources required supporting it. Finally, a design concept is developed in collaboration with the County staff and stakeholders that will incorporate industry best practices that meet the key drivers and criteria. The Vendor's involvement as the lead design consultant continues throughout the project to ensure an accurate implementation of the design intent.

Critical to the success of this project is an understanding of the technology architecture, including computing, storage, and network assets, not only for the County, but for its potential fellow occupants. The Vendor will be required to assist in an assessment of the current technology for the purpose of adding significant value to the County by:

- Reducing the consumption of resources such as space, cooling and power
- Reducing the initial cost of the data center
- Helping El Paso to realize the impacts of virtualization in their environment
- Improving the performance of the technology
- Reducing risk and increasing reliability
- Improve manageability of the infrastructure
- Ensuring optimum deployment of available County funds based on County priorities

The Project as outlined requires a number of competencies to ensure that these objectives can be met in a reasonable time frame and at a reasonable price. The County should not be funding a learning curve for firms with little experience with state-of-the-art high density, energy efficient, and high performing data center projects.

These competencies include:

- Experience building a Modular or Co-Location Datacenter
- Experience with executive and board room level planning methodologies
- Ability to articulate the purpose, procedure and expected outcome of each task and deliverable
- Demonstrated ability to perform relevant financial and asset allocation analysis and modeling
- Thorough understanding of Intel based servers
- Experience with server virtualization and consolidation initiatives
- Demonstrated ability to improve application performance with multi-core, multi-threaded optimization techniques
- Capable of architecting a high availability IT infrastructure as the basis for data center design
- Experience with the design and architecture of highly efficient data centers
- Demonstrated ability in using alternative, energy efficient, data center power and cooling design strategies such as high temperature chilled water, rack chimneys, rack baffles, and dry side air or wet-side economizers for free cooling.
- Demonstrated ability to design a high density data center that has the potential to achieve up to 500 watts per sq. ft. with air-only cooling systems

- Experience with data center commissioning
- Experience with planning and migrating critical data center applications to a new data center
- Experience with computational fluid dynamic modeling and analysis for data centers
- Thorough understanding of disaster recovery and governmental continuity of operations planning
- Experience in establishing ITIL-based operations and management best practices
 - Experience in Providing physical security
 - Experience with physical configuration innovation
 - Experience in providing benchmarks, measures, and metrics of datacenter systems
- Demonstrated ability to improve data center performance on a per unit basis, such as:
 - Initial cost per sq. ft.
 - Operating costs per sq. ft.
 - Incident response time
 - Availability (annual percent uptime)
 - Reduced server and application provisioning time
 - Number servers per operating staff
 - Number of terabytes of storage per staff
 - Recovery time for tier 1 critical applications

2.3 - Response Format

Vendor responses to the RFQ must follow the forms and format provided in the RFQ. Additional information can certainly be provided but not in lieu of the prescribed format. It is intended that the technical and application data be presented separate from the cost data and that the cost data contain no technical data. The Table of Contents for the RFQ responses is as follows:

- Section A - COVER LETTER
- Section B - VENDOR BUSINESS HISTORY
- Section C - VENDOR EXPERIENCE
- Section D - VENDOR REFERENCES
- Section E - FINANCIAL STATEMENTS
- Section F - OVERVIEW OF VENDOR PROPOSAL
- Section G - RESOURCE PLANNING
- Section H – IMPLEMENTATION PLAN AND PHASES
- Section I – PROPOSAL PRICE SUMMARY

2.4 – Vendor Conference

Vendors are encouraged to attend but attendance is not mandatory. All questions and requests for clarifications that have been submitted in writing will be addressed at that conference. Additional questions and requests for

clarification may be addressed at the vendor conference. The questions and answers will be forwarded to all vendors that have indicated their plan to respond to the RFQ. The County is not responsible for any oral instructions given by any County employees, agents, board members or elected officials concerning this RFQ. All questions, responses and changes will be handled through the El Paso County Purchasing Department.

2.5 – Vendor References

Proposals must include references of other counties, cities and entities that have used the services provided by the vendor.

- The references are mandatory.
- The references must clearly establish that the proposed services are in production usage.
- EPC is interested in only using a vendor with current experience with datacenters and high efficiency “green” technologies.
- The references must include cities, counties and other entities that have similar requirements to EPC.
- The references must clearly demonstrate that the proposed services are relevant to this project in all aspects.

2.6 – Vendor Presentations and Demonstrations

Vendors will be required to present and demonstrate their recommended solution to the evaluation committee. Vendors must be prepared to conduct this activity with limited notice. Presentation and demonstration are to be conducted at the County of El Paso, Texas.

2.7 - Evaluation Process

Criteria	VendorA	VendorB	VendorC	VendorD
Datacenter Experience (As described in 2.2)				
Project Planning				
> Budgeting				
> Meeting Timelines				
> Project Manager Bio				
> Team Bios				
> Overall Team Experience with Datacenters				
Understanding of High Efficiency Server Technology				
> Intel Based Servers				
> "Green" Technology				
Demonstrations of ability with Datacenter Designs				
> Cooling				
> Power				
> Chimneys				
> High Density				
Commissioning				
Industry References				
Partnerships with A/E Firms				
Contingency Planning				
Pricing				
Total Score				

All responses received in compliance with the terms and conditions of the El Paso County Purchasing Department will be submitted to the Information Technology Department (ITD). The responses will be reviewed and evaluated by a team selected by ITD.

- Vendors will be required to demonstrate or otherwise validate the effectiveness of proposed designs and plans.
- Recommendations from the ITD evaluation team will be presented to the Commissioners' Court for award.
- Evaluations will be based on the following criteria:

2.8 – Non Responsive Proposals

Any proposal that does not directly address the needs of El Paso County as described in the RFQ will be considered non-responsive and will not be considered. A proposal that does not prove the vendor's ability to furnish a suitable solution, based on experience and references, as well as response to the design and planning requirements in the RFQ, will not be considered.

2.9 – Contract/Agreement

The vendor is required to submit two originals of the vendor's proposed solution, design, terms and conditions for this project. These agreements must be included in the RFQ response package. It is anticipated, and the County reserves the right to do so, that the final contract will be negotiated with the Vendor

2.10 - Submittal Information

Vendors must submit one (1) original and eight (8) copies of their proposals; All materials submitted in response to this RFQ would become the property of El Paso County. Vendors will be aware that El Paso County is a public entity and as such, must abide by the public record laws. Proposals will be kept confidential until the selection process has been completed. At that time, the contents of the proposals become public record and open to inspection by all parties.

The vendor is responsible for all costs incurred in preparing and submitting the vendor's response to the RFQ. All costs incurred for the presentation and demonstration of the vendor's recommendation is the responsibility of the vendor.

2.11 - Cost/Price Certification

All costs and prices proposed in the response to this RFQ must be valid for a minimum of 120 days. El Paso County is not responsible for any vendor errors, omissions or miscalculations.

2.13 – RFQ Performance Bonds

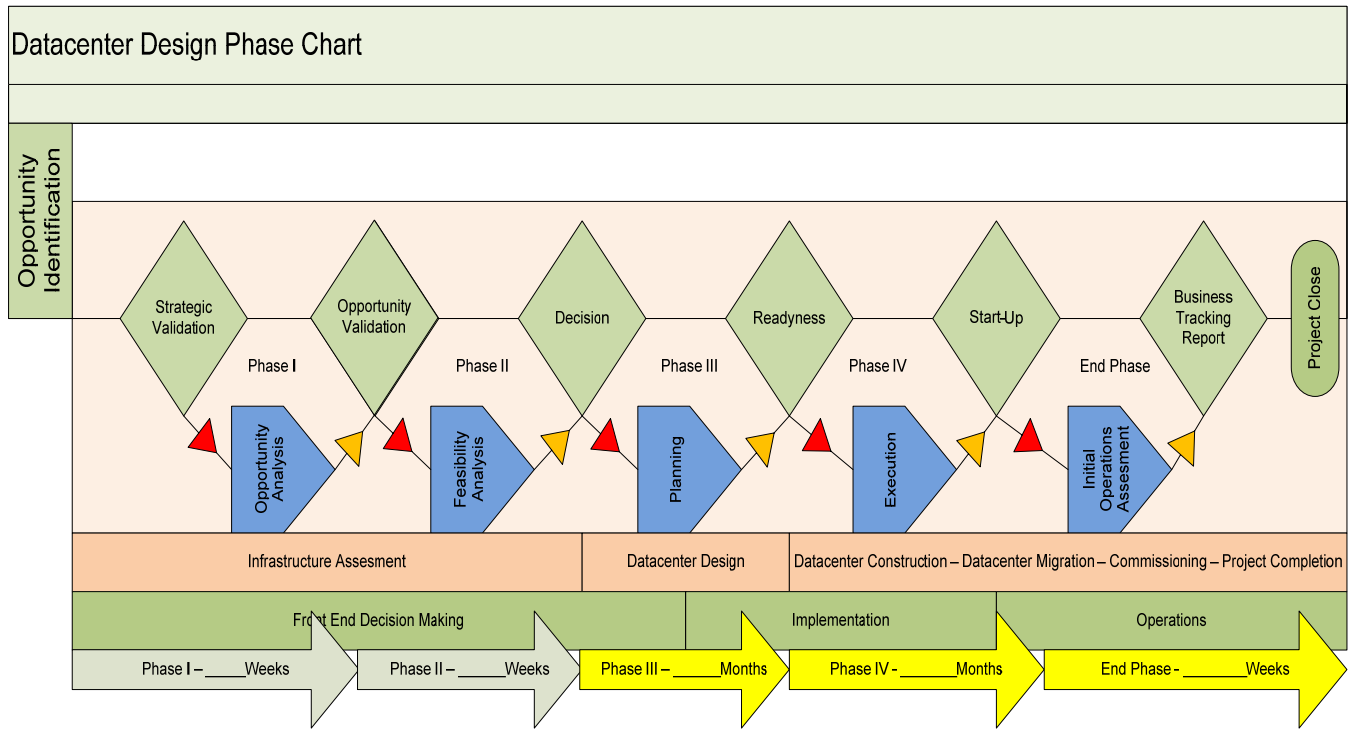
10% Performance surety bond will be required. The County may require that the award be insured by surety(s) authorized to do business in the State of Texas.

At the County's option, in addition to or in lieu of, the County may withhold a portion of the payment for the system until the County accepts the system as fully operational.

2.14 – Acceptance and Use of Proposals

El Paso County reserves the right to accept or reject any or all proposals. The County reserves the right to use any or all nonproprietary ideas, concepts, or configurations presented in vendors' responses.

Section 3 – Scope of Work



3.1 – Project Phases and Scopes

Phase 1 – Opportunity Analysis

- Objectives:
 - Determine current “as-is” state of the County’s IT architecture
 - Identify virtualization and consolidation opportunities
 - Obtain data from auto discovery tools if required (i.e. VM Capacity Planner)
 - Identify any fellow occupants of the data center and their respective requirements
 - Establish a growth profile
 - Establish reliability and availability requirements
 - Determine the “to-be” state goals
- Tasks:
 - Clear Timeframe of objectives
 - Discovery workshop with project stakeholders
 - Data review and analysis
 - Develop preliminary planning report
- Deliverables:
 - Periodic progress calls/meeting minutes and PM status reports
 - Preliminary Planning Report consisting of:
 - Summary of discovery workshop and interviews

- Description of “AS-IS” condition
- Growth Profile
- Summary of tier level reliability requirement
- Summary of virtualization and consolidation goals
- Description of the “TO-BE” state data center environment and IT architecture
- Appendix
- Supporting Data
- Relevant research (if any)

Phase 2 – Feasibility Study

- Objectives:
 - Identify specific functional areas to be included in the new data center program
 - Establish physical project criteria (space, thermal, power and communications)
 - Develop a programmatic budget identifying all project costs that will be incurred by the County.
 - Review site vulnerabilities
 - Identify the specific site to be occupied by the new data center
- Tasks:
 - Clear Timeframe of objectives
 - Program development workshop
 - Prepare adjacency diagram
 - Prepare block diagrams
 - Review sewer, water, power, storage, weather, location etc. vulnerabilities
 - Prepare site layout options (up to 3 options)
 - Prepare a program budget (order of magnitude based on sq. ft. areas)
- Deliverables:
 - Periodic progress calls/meeting minutes and PM status reports
 - Program Workshop
 - Feasibility Report including the following:
 - Executive Summary
 - Program Narrative describing the following:
 - Recap of “to-be” state objectives
 - Summary of program development workshop
 - Physical Project Criteria
 - Functional Area Tabular Data
 - Adjacency Diagram
 - Site Options & Vulnerabilities
 - Program Budget
 - Appendix
 - Supporting Data

- Relevant Research

Phase 3 – Planning/Design

- Objectives:
 - Establish design goals
 - Prepare general layout and thermal modeling options (up to 3 options)
 - Select the most appropriate option
 - Prepare floor plans, elevations and layout
 - Develop Conceptual Design Budget
- Tasks:
 - Clear Timeframe of objectives
 - Conduct a design charrette
 - Prepare 3 design options
 - Perform a Computational Fluid Dynamics (CFD) modeling analysis
 - For the selected option:
 - Prepare a 3D illustration
 - Prepare color coded thermal performance illustrations
 - Prepare a block level functional floor plan
 - Prepare a block level building section
 - Prepare a block level power and cooling plant concept diagram
 - Prepare a block level data room rack and IT layout
 - Prepare a final site layout
 - Prepare a Conceptual Cost Estimate (based on unit pricing)
- Deliverables:
 - Periodic progress calls/meeting minutes and PM status reports
 - Conceptual Design Report consisting of:
 - 11 x 17 drawings as follows:
 - Site Plan
 - Floor Plan
 - 3D and CFD thermal model illustrations
 - HVAC Plant Diagram
 - Power Plant Diagram
 - Data room layout
 - Detailed Design Narrative
 - Conceptual Cost Estimate
 - Final Concept Design Presentation to County Commissioners

Phase 3 – Final Design

During this phase, The Vendor will assist the County in procuring the services of a qualified data center facility architect and engineering (A/E) team to prepare construction documents for bidding and final implementation. The Vendors involvement will consist of creating an RFQ; evaluating A/E firm proposals; scheduling and managing interviews with the finalist A/E firms; managing the decision making process;

collaborating with the successful firm; and managing the design process until completion. The duration of this phase will be determined by the Vendor, Information Technologies Department and the A/E firm based on resources availability and County decision making processes.

Phase 4 – Construction

During this phase, The Vendor will periodically review the performance of the A/E firm and construction company by attending progress meetings, preparing progress reports and rendering opinions on material and equipment selections, design changes and overall project completion estimates. In addition, the Vendor will act as the commissioning agent and will manage the commissioning process conducted by the construction team to ensure a successfully performing data center prior to migration. This should be done by a team the vendor chooses as the “quality control” team, which will test the facility for any issues and make sure they are corrected before any migration. The duration of this phase varies depending on size and complexity as well as site constraints.

3.6 – Warranties

The Vendor will oversee the handling of all warranties of the project. Once all warranties are collected, they will be turned over to EPC. All proposals must clearly specify nature, extent, period and costs of any warranties that may be associated with the project. All warranties must include and cover all costs for vendor activities, including labor, travel and expenses.

Section 4 – Cost Schedules

4.1 – Total Costs

The vendor must provide total and detailed costs of the proposed project. All software, documentation, equipment, network, travel, training, labor, installation, conversion, maintenance and shipping must be priced separately. These costs will be summarized and presented on one page.

4.2 – Third Party Costs

The costs for third party items may subsequently be contracted with other vendors. The costs for their products and services that are required to implement the vendor’s proposal must be included in the response.

Section 5 - Response Format for Proposals

5.1 - Format

SECTIONS

A - COVER LETTER

B - VENDOR BUSINESS HISTORY

C - VENDOR EXPERIENCE

D - VENDOR REFERENCES

E - FINANCIAL STATEMENTS

F - OVERVIEW OF VENDOR PROPOSAL

G - RESOURCE PLANNING

H – IMPLEMENTATION PLAN AND PHASES

I – PROPOSAL PRICE SUMMARY

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SECTION A

COVER LETTER

The proposal must be accompanied by a cover letter, signed by an individual authorized to bind the proposing entity.

SECTION B

VENDOR BUSINESS HISTORY

The vendor shall submit the following information:

Official name and address. Indicate what type of entity, e.g. corporation, company, etc.

Complete name, address, telephone number and fax number of person to receive correspondence and who is authorized to make decisions or represent the vendor. Please state his or her capacity within the company.

Vendors must provide a detailed history of their company and its experience in designing, datacenters. The Vendor must include complete information on all company principals and their experience in these technologies. Proposers shall describe the background of their organization showing products, technologies, professional strengths and abilities that make them qualified. If a firm intends to have services provided by other consultants, it will be mandatory for the firm submitting the proposal to act as the prime consultant for all service delivery as specified in this RFQ. If the Vendor will be offering certain elements of the project through a subcontract, sufficient information and data with respect to each subcontractor must be provided to demonstrate that it has the requisite experience to perform the function assigned by the Vendor.

Proposals must include the following information of the Vendor and any sub-consultants:

Experience and Qualifications:

1. Total number of years in business, years supplying telecommunications services, general scope of services provided, and number of employees and principal areas of expertise.
.
2. A narrative description and organizational chart depicting the management of the firm's organization and its relationship to any larger business entity.
.
3. Description of current operations, the number and scope of other projects currently ongoing or set to begin within the next six (6) months.
4. Description of similar work performed involving public-private partnerships, diverse stakeholders, and extensive public processes and participation.
5. Statement whether the Vendor or any corporation or other entity which has a direct or indirect controlling interest in the Vendor or any subsidiary corporation or other entity has,

- a) Filed for bankruptcy or reorganization in the past five (5) years.
- b) Been suspended or barred from bidding on government (federal, state or local) contracts.
- c) Undergone any federal audits.
- d) Had any contracts terminated either voluntarily or involuntarily within the past five (5) years?

SECTION C

VENDOR EXPERIENCE

In this section the Vendor will provide an experience narrative. Include a description of experience the vendor has had implementing and installing the proposed system in the operating environment proposed.

The County will evaluate proposals only from vendors that have a proven, successful experience in Datacenter Design and Project Management. The Vendor's response to the RFQ must document and qualify this experience. The Vendor must support compliance rules for applicable states Department of Labor. The Vendor will have an established training program.

SECTION D

VENDOR REFERENCES

The vendor will provide a list of all city/county references that are of comparable scope and complexity to the County of El Paso and that have systems similarly configured and have been in operation for at least one year. The vendor shall include the following information for each reference:

1. Name of organization
2. Past Datacenter Building Projects
3. Implementation date
4. Contact name, title, address, and telephone number

SECTION E

FINANCIAL STATEMENTS

Each proposal must include a complete audited set of financial statements or suitable other documents for the last three (3) years. All required financial statements should be prepared in conformity with generally accepted accounting principles.

SECTION F

OVERVIEW OF VENDOR PROPOSAL

In this section the vendor must provide the solution or design of what is being proposed.

SECTION G

RESOURCE PLANNING

The vendor shall provide information on planning for the proposed solution and list any resources that are necessary to complete the project.

SECTION H

IMPLEMENTATION PLAN

In this section, the vendor shall propose a preliminary implementation schedule of the proposed system including major milestones showing the time required to complete all phases of the agreed plan.

Vendor must identify and include resumes for its project manager and other vendor employees to be assigned to this project.

SECTION I

Proposal Price Summary

In this section the vendor will provide a description of the Price associated with the proposed solution and design.

SECTION J

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COUNTY OF EL PASO, TEXAS

CERTIFICATIONS REGARDING LOBBYING, DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS; FEDERAL DEBT STATUS, AND NONDISCRIMINATION STATUS AND IMPLEMENTING REGULATIONS*

Instructions for the certifications:

General Requirements

The County of El Paso, Texas is required to obtain from all applicants of federal funds or pass-through certifications regarding federal debt status, debarment and suspension, and a drug free workplace. Institutional applicants are required to certify that they will comply with the nondiscrimination statutes and implementing regulations.

Applicants should refer to the regulations cited below to determine the certifications to which they are required to attest. Signature of the form provides for compliance with certification requirements under 21 CFR part 1405, "New Restrictions on Lobbying," 21 CFR part 1414, Government wide Debarment and Suspension (Non procurement), Certification Regarding Federal Debt Status (OMB Circular A-129), and Certification Regarding the Nondiscrimination Statutes and Implementing Regulations. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the County of El Paso determines to award the covered cooperative agreement

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented in 21 CFR part 1405, for persons entering into a cooperative agreement over \$100,000, as defined at 21 CFR Part 1405, the applicant certifies that;

(a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement,

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Standard Form -LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award document for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

1. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension and implemented at 21 CFR Part 1404, for prospective participants in primary covered transactions

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or and a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State, or local) transaction or contract under a public transaction violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to the application.

2. DRUG-FREE WORKPLACE

As required by the Drug Free Workplace Act of 1988, and implemented at 21 CFR Part 1404 Subpart F.

A. The applicant certifies that it will or will continue to provide a drug free workplace by:

(a). Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violations of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The applicant's policy of maintaining a drug free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a)

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee must

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such convictions. Employers of convicted employees must provide notice including position title, to: The County of El Paso, Texas, 500 East San Antonio Street, Suite 406, El Paso, Texas 79901. Notice shall include the identification number of each affected grant

(f) Taking one of the following actions within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal State, or local health, law enforcement, or other appropriate agency

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

3. CERTIFICATION REGARDING FEDERAL DEBT STATUS (OMB Circular A-129)

The Applicant certifies to the best of its knowledge and belief, that it is not delinquent in the repayment of any federal debt.

4. CERTIFICATION REGARDING THE NONDISCRIMINATION STATUTES AND IMPLEMENTING REGULATIONS

The applicant certifies that it will comply with the following nondiscrimination statutes and their implementing regulations: (a) title VI of the Civil right Act of 1964 (42 U.S.C. 2000D et seq.) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity for which the applicant received federal financial assistance; (b) Section 504 of the rehabilitation Act of 1973, as amended (29

U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance; (c) title IX of the Education Amendments of 1972m as amended (20 U.S.C. 1981 et seq.) which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance; and (d) the Age Discrimination Act of 1975, and amended (42 U.S.C. 6101 ec seq.) which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance, except that actions which reasonably take age into account as a factor necessary for the normal operation or achievement of any statutory objective of the project or activity shall not violate this statute.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Business Name

Date

Name of Authorized Representative

Signature of Authorized Representative

*All four (4) pages of this document must be included in all responses.

COUNTY OF EL PASO PURCHASING DEPARTMENT

COUNTY COURTHOUSE, 500 EAST SAN ANTONIO,
ROOM PU500, EL PASO, TEXAS 79901
(915) 546-2048, FAX: (915) 546-8180

PITI VASQUEZ, PURCHASING AGENT
JOSE LOPEZ, JR. ASST. PURCHASING AGENT
LINDA GONZALEZ, INVENTORY BID TECHNICIAN

BIDDING CONDITIONS

This is the only approved instruction for use on your invitation to bid. Items below apply to and become a part of the terms and conditions of the bid.

1. BY SUBMITTING A REQUEST FOR QUALIFICATIONS, EACH BIDDER AGREES TO WAIVE ANY AND ALL CLAIMS IT HAS OR MAY HAVE AGAINST THE COUNTY OF EL PASO, AND ITS OFFICERS, AGENTS AND EMPLOYEES, ARISING OUT OF OR IN CONNECTION WITH: THE DOCUMENTS, PROCEDURES, ADMINISTRATION, EVALUATION, OR RECOMMENDATION OF ANY RFQ; THE WAIVER BY EL PASO COUNTY OF ANY REQUIREMENTS UNDER THE RFQ DOCUMENTS OR THE CONTRACT DOCUMENTS; THE ACCEPTANCE OR REJECTION OF ANY BIDS; AND THE AWARD OF THE CONTRACT.
2. Request for Qualifications must be in the Purchasing Department **BEFORE** the hour and date specified. Faxed bids will not be accepted.
3. Late RFQ's properly identified will be returned to the submitter unopened. Late RFQ's will not be considered under any circumstances.
4. RFQ's must give full firm name and address of bidder. Failure to manually sign bid will disqualify it. Person signing should show title or authority to bind his firm in a contract.
5. No substitutions or cancellations permitted without written approval of County Purchasing Agent.
6. This Request for Qualifications inquiry only and implies no obligation of the part of the County of El Paso.
7. The County of El Paso is an Equal Opportunity Employer.
8. RFQ sent via express mail or overnight delivery service must have the proposal number and title clearly marked on the outside of the express mail or overnight delivery service envelope or package. Failure to clearly identify your RFQ may be cause for disqualification.
9. PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2253.021, A PRIME CONTRACTOR WHO IS AWARDED A PUBLIC WORKS CONSTRUCTION CONTRACT SHALL, PRIOR TO BEGINNING THE WORK, EXECUTE TO THE COUNTY:
 - 1) A PERFORMANCE BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$100,000; AND
 - 2) A PAYMENT BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$25,000.

10. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 262.032(b), ANY SUCCESSFUL BIDDER WHO IS AWARDED ANY CONTRACT IN EXCESS OF \$50,000 MAY BE REQUIRED TO EXECUTE A PERFORMANCE BOND TO THE COUNTY. SAID BOND SHALL BE IN THE FULL AMOUNT OF THE CONTRACT AND MUST BE FURNISHED WITHIN 30 DAYS AFTER THE DATE A PURCHASE ORDER IS ISSUED OR THE CONTRACT IS SIGNED AND PRIOR TO COMMENCEMENT OF THE ACTUAL WORK. ANY PERFORMANCE BOND REQUIRED PURSUANT TO THIS SECTION SHALL BE NOTED IN THE ATTACHED DETAILED BID SPECIFICATIONS OR SCOPE OF WORK. THIS SECTION DOES NOT APPLY TO A PERFORMANCE BOND REQUIRED BY CHAPTER 2253, TEXAS GOVERNMENT CODE.

11. "Beginning January 1, 2006, in order to implement HB 914 (adding new Local Government Code Chapter 176), ALL VENDORS MUST SUBMIT A CONFLICT OF INTEREST QUESTIONNAIRE (Form CIQ) disclosing its affiliations and business relationships with the County's Officers (County Judge and Commissioners Court) as well as the County employees and contractors who make recommendations for the expenditure of County funds. The names of the County Officers and of the County employees and contractors making recommendations to the County Officers on this contract are listed in the Specifications.

THE CONFLICT OF INTEREST QUESTIONNAIRE MUST BE FILED WITH THE COUNTY CLERK AND A COPY OR PROOF OF FILING MUST BE ATTACHED TO THE BIDDER'S RESPONSE SUBMITTED TO THE PURCHASING DEPARTMENT.

Bidders should be aware that this bidding condition is not intended to cover or to advise you about all situations in which Local Government Code Chapter 176 would require you to file a Form CIQ. You should consult your private attorney with regard to the application of this law and your compliance requirements. Failure to comply is punishable as a Class C misdemeanor.

NOTICE:

ALL COMMUNICATIONS BY A VENDOR TO THE COUNTY, ITS OFFICIALS, AND DEPARTMENT HEADS REGARDING THIS PROCUREMENT SHALL BE DONE THROUGH THE EL PASO COUNTY PURCHASING DEPARTMENT. **THE EL PASO COUNTY CODE OF ETHICS PROHIBITS ALL PRIVATE COMMUNICATION BETWEEN VENDORS AND CERTAIN COUNTY OFFICIALS AND EMPLOYEES AS DESCRIBED BELOW:**

No vendor, its representative, agent, or employee shall engage in private communication with a member of the El Paso County Commissioners Court or county department heads regarding any procurement of goods or services by the County from the date that the bid, RFP, or RFQ is released. No private communication regarding the purchase shall be permitted until the procurement process is complete and a purchase order is granted or a contract is entered into. Members of the commissioners court are required to make a reasonable effort to inform themselves regarding potential procurements and have a duty to inquire of vendors, their representatives or employees, the nature of any private communication being sought prior to engaging in any communication. "Private Communication" means communication with any vendor outside of a posted meeting of the governing body, a regular meeting of a standing or appointed committee, or a negotiation with a vendor which has been specifically authorized by the governing body.

Health Insurance Benefits Provided By Bidder

Consideration of Health Insurance Benefits*

1. Do you or your subcontractor(s) currently offer health insurance benefits to your employees?

If so, please describe those health insurance benefits that you or your subcontractor(s) currently provide/offer to your employees.

2. What percentage, if any, of your of your subcontractor's employees are currently enrolled in the health insurance benefits program?

El Paso County may consider provision of health insurance benefits as part of the overall "best value" determination. Failure to provide health insurance benefits will not disqualify you from participating in this bid selection process.

Business Name

Date

Name of Authorized Representative

Signature of Authorized Representative

* This page must be included in all responses.



COUNTY OF EL PASO
County Purchasing Department
500 East San Antonio, Suite PU500
El Paso, Texas 79901
(915) 546-2048
(915) 546-8180 Fax

RE: RFQ #08-056, (RFQ) Data Center Design Project

Dear Vendor:

As of January 1, 2006, the Texas Local Government Code Chapter 176 requires all vendors and potential vendors who contract or seek to contract for the sale or purchase of property, goods, or services with any local government entity to complete and submit a Conflicts of Interest Questionnaire. A copy of the requirements regarding vendors is attached. Also attached is a copy of the Questionnaire which needs to be filed and was prepared and approved for statewide use by the Texas Ethics Commission.

In filing out the Questionnaire, the following are the County Officers that will award the bid and the employees which will make a recommendation to the Commissioners Court:

County Officers: County Judge Anthony Cobos
Commissioner Luis C. Sariñana
Commissioner Veronica Escobar
Commissioner Miguel Teran
Commissioner Dan Haggerty

County Employees: Piti Vasquez, Purchasing Agent
Jose Lopez, Jr., Assistant Purchasing Agent
Peter Gutierrez, Buyer II
Linda Gonzalez, Inventory Bid Technician
Lucy Balderama, Inventory Bid Technician
Peter Cooper, Chief Technology Officer
Art Armas, Director Information Technology

Please note that the state law requires that the Questionnaire be filed with the **COUNTY CLERK** no later than **the 7th business day after submitting an application, response to an RFP, RFQ or bid** or any other writing related to a potential agreement with the County. Failure to file the questionnaire within the time provided by the statute is a Class C misdemeanor

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

2 **Check this box if you are filing an update to a previously filed questionnaire.**

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4

Signature of person doing business with the governmental entity

Date

Tex. Local Gov't Code § 176.006 (2005)

§ 176.006. Disclosure Requirements for Vendors and Other Persons; Questionnaire

(a) A person described by Section 176.002(a) shall file a completed conflict of interest questionnaire with the appropriate records administrator not later than the seventh business day after the date that the person:

(1) begins contract discussions or negotiations with the local governmental entity; or

(2) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential agreement with the local governmental entity.

(b) The commission shall adopt a conflict of interest questionnaire for use under this section that requires disclosure of a person's affiliations or business relationships that might cause a conflict of interest with a local governmental entity.

(c) The questionnaire adopted under Subsection (b) must require, for the local governmental entity with respect to which the questionnaire is filed, that the person filing the questionnaire:

(1) describe each affiliation or business relationship the person has with each local government officer of the local governmental entity;

(2) identify each affiliation or business relationship described by Subdivision (1) with respect to which the local government officer receives, or is likely to receive, taxable income from the person filing the questionnaire;

(3) identify each affiliation or business relationship described by Subdivision (1) with respect to which the person filing the questionnaire receives, or is likely to receive, taxable income that:

(A) is received from, or at the direction of, a local government officer of the local governmental entity; and

(B) is not received from the local governmental entity;

(4) describe each affiliation or business relationship with a corporation or other business entity with respect to which a local government officer of the local governmental entity:

(A) serves as an officer or director; or

(B) holds an ownership interest of 10 percent or more;

(5) describe each affiliation or business relationship with an employee or contractor of the local governmental entity who makes recommendations to a local government officer of the local governmental entity with respect to the expenditure of money;

(6) describe each affiliation or business relationship with a person who:

(A) is a local government officer; and

(B) appoints or employs a local government officer of the local governmental entity that is the subject of the questionnaire; and

(7) describe any other affiliation or business relationship that might cause a conflict of interest.

(d) A person described by Subsection (a) shall file an updated completed questionnaire with the appropriate records administrator not later than:

(1) September 1 of each year in which an activity described by Subsection (a) is pending; and

(2) the seventh business day after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

(e) A person is not required to file an updated completed questionnaire under Subsection (d)(1) in a year if the person has filed a questionnaire under Subsection (c) or (d)(2) on or after June 1, but before September 1, of that year.

(f) A person commits an offense if the person violates this section. An offense under this subsection is a Class C misdemeanor.

(g) It is a defense to prosecution under Subsection (f) that the person filed the required questionnaire not later than the seventh business day after the date the person received notice of the violation.

Tex. Local Gov't Code § 176.001 (2005)

§ 176.001. Definitions

In this chapter:

(1) "Commission" means the Texas Ethics Commission.

(2) "Family member" means a person related to another person within the first degree by consanguinity or affinity, as described by Subchapter B, Chapter 573, Government Code.

(3) "Local governmental entity" means a county, municipality, school district, junior college district, or other political subdivision of this state or a local government corporation, board, commission, district, or authority to which a member is appointed by the commissioners court of a county, the mayor of a municipality, or the governing body of a municipality. The term does not include an association, corporation, or organization of governmental entities organized to provide to its members education, assistance, products, or services or to represent its members before the legislative, administrative, or judicial branches of the state or federal government.

(4) "Local government officer" means:

(A) a member of the governing body of a local governmental entity; or

(B) a director, superintendent, administrator, president, or other person designated as the executive officer of the local governmental entity.

(5) "Records administrator" means the director, county clerk, municipal secretary, superintendent, or other person responsible for maintaining the records of the local governmental entity.

COUNTY OF EL PASO, TEXAS

Solicitation Check List

(RFQ) Data Center Design Project RFQ #08-056

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

_____ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Wednesday, May 14, 2008. Did you visit our website (www.epcounty.com) for any addendums?

_____ Did you sign the Signature Page?

_____ Did you sign the "Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Federal Debt Status, and Nondiscrimination Status And Implementing Regulations" document?

_____ Did you sign the "Consideration of Insurance Benefits" form?

_____ **Did you file a copy of the completed Conflict of Interest Questionnaire (Form CIQ) with the El Paso County Clerk (in person or by mail to 500 E. San Antonio, Suite 105, El Paso, TX 79901 or by fax to 915-546-2012 attention Joann) and write the confirmation number given as proof of filing on your bidding schedule? Please include the completed and signed form with your response whether a relationship exists or not?**

_____ Did you provide one original and two (2) copies of your response?
