



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, July 9, 2008**. Responses will be opened at the County Purchasing Office the same date for **RFQ Data Center Consultant**.

Qualifications must be in a sealed envelope and marked:

**"Qualifications to be opened July 9, 2008
RFQ Data Center Consultant
RFQ Number 08-094"**

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, July 1, 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 # 08-094
RFQ Data Center Consultant
Vendor must meet or exceed specifications

Please submit one (1) original copy and eight (8) 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 Consultant

RFQ #08-094



**Opening Date
Wednesday, July 9, 2008**

Information Technology Department
For The County of El Paso

Request for Qualifications:
Professional Services/Datacenter Consultant

Date: May 30, 2008

Revisions:



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SECTION 1 – Summary

1.1 - Purpose

The purpose of this Request for Qualifications (“RFQ”) is to invite qualified professional services firms to prepare and submit a proposal (or “bid”) to provide an analysis of the El Paso County’s existing data center environment, to articulate future growth projections, and to develop recommendations based on findings, “best practices” and business case analysis for a next generation data center architecture for El Paso County (EPC).

1.2 - Summary

Power and space constraints are significant inhibitors today on the EPC network. As a result, current investments in redundant and costly computing systems are unsustainable and leave no obvious options for expansion to address future needs. EPC needs a more cost effective, energy efficient, integrated approach to provisioning data center computing services for the EPC network and is committed to exploring a range of options to fulfill future requirements. A successful partnership with consulting experts will result in a compelling business case for adoption of new strategies to move to a more innovative, sustainable, flexible and cost effective model for computing services infrastructure to serve the mission-critical activities of the EPC network.

1.3 – Overview

El Paso County is currently evaluating the prospect of building a new data center on one of several existing county sites to replace the current mix of data closets and server rooms. The data center will become the EPC’s primary data center housing critical applications as well as mid-tier enterprise and back office applications. EPC envisions the existing facilities to become the backup site and provide disaster recovery functionality. In addition to housing the EPC’s technology infrastructure, there is some interest by other public and government entities to occupy a portion of the new facility.

El Paso 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 El Paso 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. EPC also wishes 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 project as soon as the RFQ is awarded to the prospective vendor.

1.4 – Objectives

The overall objective of the RFQ is to select a professional services partner(s) to assist EPC with:

- The development the high level objectives and strategy that will serve as the basis for subsequent design and procurement decisions.
- Data collection, using a series of clearly defined, industry standard metrics (e.g. sq ft, MIPS, terabytes, clusters, megawatts, FTE, operating costs, and other metrics as required.)
- Developing future growth projections for data center infrastructure and/or services required for EPC network based on location data and external benchmarks.
- Identifying, assessing and recommending options for new models for delivery of state of the art, cost effective, energy efficient data center solutions for EPC networks
- Working with EPC information technology department (ITD) to develop a business case for presentation to the El Paso County Commissioners Court.
- A dedicated project manager to oversee the entire project and report to EPC ITD designated project counterparts.

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 - 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
- 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.

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 QUALIFICATION

Section C - VENDOR EXPERIENCE

Section D - VENDOR REFERENCES

Section E - FINANCIAL STATEMENTS

2.4 – Addenda to the Request for Qualification

Any changes, additions, or deletions to the request for qualification will be in the form of written addenda issued by the El Paso County Purchasing Department. Any Addenda to the RFQ will be posted at the EPC bid posting website:

<http://www.epcounty.com/purchasing/bids/default.htm>

Bidders are instructed to check the website often for updates regarding the RPQ

2.5 – 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.

2.6 – Vendor Qualifications

The intent of this solicitation is to provide for EPC’s successful implementation of the projects as specified herein. EPC believes that the supplier’s previous experience, financial stability, expertise of its personnel, overall cost and related factors are important in assessing the bidder’s potential to meet the goals and objectives of the project. Accordingly, prospective vendors must conform to the following minimum qualification standards and be able to provide the following information if requested, in order to be considered for award.

1. For this RFQ, bidders must have verifiable successful experience in the last three years in providing the range of services specified in this RFQ as a primary vendor for at least three large, decentralized, multi location organizations.

2. Vendors shall submit audited financial statements (or equivalent data) for the past (3) three years in order to establish its financial capability to provide the required products and services.

3. Vendors shall furnish documentation which shall evidence their capability to provide the required services by possessing adequate available resources, including personnel, support, systems, comprehensive methodologies/tools, organization structure, operation controls, quality control, and other related factors.

4. Vendors shall demonstrate the ability to obtain the necessary insurance required by the County of El Paso, Texas.

5. Vendors shall possess all trade, professional, or business licenses as may be required by the work contemplated by this RFQ.

2.7 – 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.
- 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.

2.8 – Vendor Presentations and Demonstrations

Presentations/Demonstrations maybe required.

2.9 – Evaluation Process

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.

2.10 – 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.

2.11 – Contracts and Agreements

The vendor is required to submit the proposed solution, design, terms and conditions for this project in written format. 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 selected vendor.

2.12 – 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.

2.13 – 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 –Qualifications

3.1 – Summary of Qualifications

The Prospective Professional Service Firm must submit a written proposal for the information requested below.

El Paso County will evaluate proposals only from professional services firms that meet the following qualifications.

Note: Professional services firm 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 Professional services firms 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 will then be 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, which will incorporate industry best practices that meet the key drivers and criteria. The professional services firm’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 EPC 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:
 - 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

3.2 – Responses for Qualification

A. **Company Profile**

1. Provide an introduction and general description of your company's background, nature of business activities performed by your company and experience in providing professional services. Provide a list of your company's office locations, indicating the primary location from which this project would be managed.

B. **Bidder's Data Center Analysis Capabilities**

Please address your company's capabilities as they relate to the following questions.

1. Can your company satisfy all EPC's requirements as stated in this RFQ and provide uniform expert capabilities for El Paso County? (Please refer to Section 3.1 for summary of requirements). Please provide a statement describing your company's ability to provide all the services required by this RFQ, including any plans (if necessary) to subcontract any portion of the work.
2. Provide an overview of your firm's data center analysis capabilities, including number and experience of staff by position, average years of experience, and total number of engagements within the government environment.
3. What was the nature of your experience with government clients? In addition to your work in government settings, describe your firm's experience working in local government environments.
4. What differentiates your firm from other companies that provide these services?
5. What methodologies and tools do you use in these kinds of engagements?
6. What are your strengths and core capabilities for government clients?
7. Who are your major clients in government/local government? In private industry?

8. Describe your company's capabilities and experience in providing client training. Specifically address knowledge transfer activities in data center analysis and design.
9. What is your experience promoting the use of Environmentally Preferable Products and designing for Environmental Sustainability? What certifications, if any, do your staff hold which support environmentally-conscious data center design and recommendations?
10. How long in terms of years has your professional services firm provided services relating to Data Center design, Implementation and Commissioning? Has your firm won any awards or accreditations based on designs?

C. Outline Proposed Services & Methodology

Please describe your company's services and methodology for the following sections, as they will apply to the work described in this RFQ. Include a high-level work plan and expected staffing.

1. Please provide an overview of the overall approach to determine the full data center and research computing environment inventory which would be performed at EPC's current locations. What technology and/or "toolsets" differentiate your practice? List all data elements and sources of information which you would require to ensure accurate output is developed within each category for analysis.
2. How many and what level of your staff would perform various aspects of the data gathering?
3. Indicate the level of involvement required by EPC/ITD personnel during the data gathering phase of the project. Specify the role of the each EPC/ITD person who would be most helpful to your staff at each step in the data gathering process, the number of hours you anticipate spending with that person, and what data/information that person is expected to be able to provide to you for you to complete your analysis on time.
4. Provide an overview of your knowledge transfer client experience and potential tools that could be used on a going forward basis by EPC.
5. Detail your firms benchmarking capabilities and thought leadership in data center design, particularly in the local government space.
6. List any known conflicts of interest with this initiative. If none, please confirm.
7. Please provide copies of similar analyses you have performed. Note: These analyses will be used by EPC for the sole purpose of ascertaining the bidder's capacity to perform the analysis contained in the proposal. EPC will keep all proprietary information confidential if the pages containing such information are marked in the proposal by the label "Confidential Information."

D. Bidder's Staffing and Qualifications

1. Indicate the name and title of the person who will have the overall account management responsibility as specified in this RFQ. Provide a brief resume of the account manager(s) background, training, experience and length of time with the company. Specifically discuss the individual's experience in managing professional services engagements.
2. Please provide an organization chart, including functions and responsibilities of your company's recommended account management team for EPC. This section should include the name of staff, their background and qualifications, and their proposed role in providing services to EPC.
3. Quality Management and Continuous Improvement Process. Vendor shall describe its plan for quality management and process for continuous improvement of this professional services program.
4. Please also include your assumptions regarding what EPC must provide in terms of project management and staffing and any other non-staff resources required to meet the vendor's expectations.
5. Please provide detailed work experience and biographical information for key staff members you propose to use on this project. For each key staff member, please provide the monthly percent of time each will spend on this project for each month during the contract period.
6. If sub-contractors or outside consultants are expected to be employed in the fulfillment of this project, please provide:
 - A description of those persons or firms
 - A description of the monetary arrangements between the responder and the subcontractor
 - A description of the nature of work being undertaken by the subcontractor or consultant.

E. Exclusions

Bidders should list any products, services, and/or options as specified in this RFP they wish to exclude from the proposal.

Section 4 - Response Format for Proposals

4.1 - Format

SECTIONS

A - COVER LETTER

B - VENDOR QUALIFICATION

C - VENDOR EXPERIENCE

D - VENDOR REFERENCES

E - FINANCIAL STATEMENTS

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 QUALIFICATIONS

Please Refer to Section 3.2 – Responses for Qualification for the completion of this section.

SECTION C

VENDOR EXPERIENCE

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.

SECTION D

VENDOR REFERENCES

Provide three client references to verify direct experience in providing professional services of a similar nature to the scope presented in this RFQ. Please include company names, contact names, e-mail address and phone numbers for all the references. At least one of the references should be from local government or government.

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.

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 #08-094, RFQ Data Center Consultant

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
David Garcia, Business Applications Project Administrator

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 Consultant RFQ #08-094

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

_____ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Wednesday, July 9, 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 eight (8) copies of your response?
