



COUNTY OF EL PASO
800 E. Overland, Suite 300
El Paso, Texas 79901
(915) 546-2048 (915) 546-8180 Fax

Notice to Interested Parties

Sealed Request for Proposals (RFP) will be received at the County Purchasing Department, 800 E. Overland, RM 300, El Paso, Texas 79901 before 2:00 p.m., **Wednesday, April 1, 2009** to be opened at the County Purchasing Office the same date for **Rebid (RFP) Collections Software for the County Clerk's Collections Division.**

Proposals must be in a sealed envelope and marked:

"Proposals to be opened **April 1, 2009**

**Rebid (RFP) Collections Software for the County Clerk's Collections Division
RFP Number 09-024"**

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, March 24, 2009, at 12:00 p.m. Questions can be faxed to (915)-546-8180.

Award will be made based on a review of qualifications, scope of services and price. **COMMISSIONER'S COURT RESERVES THE RIGHT TO REJECT ANY AND ALL PROPOSALS AND WAIVE TECHNICALITIES.** Only proposals that conform to specifications will be considered. Successful Proposer shall not order items or services until a Purchasing Order is received from the County Purchasing Office. Payment will not be made on items delivered without an Agreement.

If the proposal totals more than \$100,000.00, the bidder shall furnish a certified cashiers check made payable to the County of El Paso or a good and sufficient bid bond in the amount of 5% of the total contract price, executed with a surety company authorized to do business in the State of Texas. The certified cashiers check must be included with the proposal at the time of the opening.

In order to remain active on the El Paso County Vendor list, each Vendor receiving this proposal must respond in some form. Vendors submitting a proposal must meet or exceed all specifications herein. Vendors submitting a no proposal must submit their reason in writing to the El Paso County Purchasing Department.

PITI VASQUEZ
County Purchasing Agent

PROPOSAL SCHEDULE

To: El Paso County, Texas

I or we agree to furnish the following described equipment, supplies, or services for the prices shown in accordance with specifications listed below or attached. By execution of this proposal, I hereby represent and warrant to El Paso County that I have read and understood the Proposal Documents and the Contract Documents and this proposal is made in accordance with the Proposal Documents.

Please quote prices and discounts on the following items:

F. O. B. El Paso County

Description – RFP # 09-024 Rebid (RFP) Collections Software for the County Clerk's Collections Division Vendor must meet or exceed specifications
Please do not include tax, as the County is tax-exempt. We will sign tax exemption certificates covering these items. Please submit one (1) original copy and four (4) copies of your bid.

Company

Address

Federal Tax Identification No.

City, State, Zip Code

CIQ Confirmation Number

CIQ Sent Date

Representative Name & Title

Telephone & Fax Number

Signature

Date

*****THIS MUST BE THE FIRST PAGE ON ALL BIDS*****

Rebid (RFP) Collections Software for the County Clerk's Collections Division

RFP #09-024



**Opening Date
Wednesday, April 1, 2009**



EL PASO COUNTY CLERKS OFFICE
For The County of El Paso

Request for Proposal (RFP) – Automated Collection Software



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Section 1 - Introduction and General Information

1.1 – Introduction

The EL PASO COUNTY CLERK’S OFFICE Collections Division is soliciting proposals to provide an automated collections system to include software, installation, customization, licensing, and integration of data, training and support to the El Paso County District, County and JP Courts.

1.2 – RFP Schedule

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

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

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

1.3 – Questions and Clarifications

All requests for information concerning this RFP should be directed to the Purchasing Agent:

Mr. Piti Vasquez
Purchasing Agent
El Paso County Purchasing Department,
800 E. Overland, Room 300
El Paso, Texas, 79901

1.4 – Vendor Qualifications

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

- Must have experience installing and maintaining the automated collection software
- Must have hands on experience with implementations in other Texas Counties.
- Must be familiar with the Tyler Technologies software application Justice Information Management System (JIMS) and its interfaces.

1.5 – Non Responsive Proposals

Any proposal that does not directly address the needs of El Paso County as described in the RFP 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 RFP, will not be considered.

1.6 – Contract / Agreement

The vendor is required to submit the proposed solution, design, terms and conditions for this project. Any agreements must be included in the RFP response package. It is anticipated, and the County reserves the right to do so, that the final contract will be negotiated with the Vendor, once the Vendor is selected. Only until the final negotiation and award, will any contracts or agreements be signed by the County.

1.7 – Submittal Information

Vendors must submit one (1) original and four (4) copies of their proposals; all materials submitted in response to this RFP 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 RFP. All costs incurred for the presentation and demonstration of the vendor's recommendation is the responsibility of the vendor.

1.8 – Cost / Price Certification

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

1.9 – Evaluation, Acceptance, Award and Use of Proposal

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.

The County shall evaluate proposals after they have been determined to be responsive. Proposals must contain all required information to be considered "responsive". Required information includes pricing and required references, compliance with

requirements and specifications, and any other requirements in this proposal. Evaluation and award will be primarily based on the lowest cost to the County; however, consideration will also be given to responder(s) who submit the more service oriented proposals. Only proposals determined to be responsive will be evaluated per the following criteria:

Pricing	50 points
Service and Value to County	25 points
References and Business History	25 points
TOTAL: 100 points	

Recommendation for award will be to the responder meeting all terms, conditions and specifications and who has submitted the proposal determined to be the most advantageous to the County, taking into consideration the evaluation criteria set forth in this RFP.

1.10 – Response Format

Vendor responses to the RFP must follow the forms and format provided in the RFP. 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 RFP responses is as follows:

- Section A - COVER LETTER
- Section B - VENDOR BUSINESS HISTORY
- Section C - VENDOR REFERENCES
- Section D - OVERVIEW OF VENDOR PROPOSAL
- Section E – PROPOSAL PRICE SUMMARY

1.11 – 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 RFP. The County is not responsible for any oral instructions given by any County employees, agents, board members or elected officials concerning this RFP. All questions, responses and changes will be handled through the El Paso County Purchasing Department.

1.12 – 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.

Section 2 - Specifications for Automated Collection Software

2.1 – Scope

EL PASO COUNTY CLERK’S OFFICE Collections Division is soliciting proposals to provide and implement an automated collections system for the District, County and JP Courts capable of addressing collection fines, fees and restitution in criminal and civil cases, collection of jury fees and deferred payments.

2.2 – Minimum Requirements for Collection System

In order to be considered for contract award, the information provided by respondents to this RFP shall establish that the respondent meets the following minimum requirements:

- a. Software must include initial and renewable licensing, warranties, support levels, support availability, upgrades, and any other cost associated with operation and maintenance.
- b. Software must be PC based for client
- c. Software must be 100% Windows driven and Graphics User Interface (GUI) driven
- d. System must be SQL Server Database Driven.
- e. Collections database system shall be ODBC compliant.
- f. System must be expandable to include other departments.
- g. Vendor shall be able to install and complete any additional modifications on or 120 days at the time of the awarding of the RFP.
- h. System must be compatible to import and export data from El Paso County (EPC) Justice information Management System (JIMS). The vendor for that system is Tyler Technologies from Plano, Texas.

2.4 – Specifications

The specifications described in this RFP are intended to show the kind and quality of the goods and/or services required without being unnecessarily restrictive. Minor deviations to these specifications may be accepted for evaluation so long as they are cross-referenced to the requirement set forth, and fully explained with regard to their impact on the work. Exceptions to, or deviations from, the specifications will be analyzed and considered. Acceptance or rejection of such exceptions and or deviations shall be at the sole discretion of the County.

Server Accommodations:

1. Vendors must provide a detailed description of the requirements for any server hardware system. I.e. minimum and maximum requirements to run the Automated Collection System Database and any additional servers that may be required.
2. Vendor must also clarify if the servers may be virtualized under VMWARE 3.1 or Windows Virtual Server 2007
3. Server-database/application must be compatible with and function on Windows 2003 Server Standard or Enterprise OS.
4. Server database must be compatible with and able to function on Microsoft SQL 2000 or SQL 2005 Database

PC System Accommodations:

1. PC client must be capable of running on Windows XP or better
2. Collection System must be able to run on a PC machine with the minimum of:
 - Intel Pentium Class Processor running 2.00 GHz or better
 - 1 GB RAM
 - No more than 5GB of disk space solely for the collection application

Collection Software Capabilities: (Substantially be able to perform the following functions)

Vendor must answer the following questions pertaining to their proposed solution and included the responses in their RFP response.

Collection System minimally must:

1. Be able to perform inquiries to obtain all debts owed within various court entities or within own jurisdiction by name, social security number, case number and/or address information
2. Be able to interface and integrate with multiple systems. (JIMS, other SQLs, etc...)
3. Provide fields for basic debtor information including address, DOB, case #, SS#, relationship type, home, work and/or cell/pager number, employment information and alias information.
4. Provide user defined adjustment types/codes tied to user security.
5. Provide account inquiry via name or case number
6. Link multiple cases under same name
7. Track and report Joint & Severable account information/Able to bill multiple parties for the same debt. Create fixed amount recurring monthly payment plans and automatically print billing statements
8. Generation of an initial payment plan notification which defines the payment plan, date due and other information necessary to make payments plus calculate interest on unpaid balances. This shall include the ability to increase balances by additional collection percentage and receipt in payments meeting Minimum Accounting Standards.
9. Apply payments on accounts
10. Run multiple sub-collection ledgers
11. Assessments tracked by line item

12. Auto distribution option for payments
13. Able to customize invoice and statements
14. Tax intercepts functionality
15. Aged collection receivables
16. An automated system of daily monitoring; daily listing of delinquent accounts (i.e. work in progress list) Automated workflow tools, including daily workflow listing of contacts and remarks:
 - a. Delinquency reporting and computer generated delinquency letters with merge sort capabilities
 - b. Flagging of delinquent accounts at specific day intervals (30-60- 90-120 days)
 - c. Able to excuse or postpone delinquencies and document the action for future reference
 - d. Management reports including # of accounts per Collector, # of delinquent accounts and amounts collected by each collector
17. Customer ability to create customized reports
 - a. Provide a victim information field
 - b. Flag prison and bench warrant cases
 - c. User friendly and menu/table driven with cursor key selection
 - d. Backup and restore functions
 - e. Archival procedure for obsolete records
 - f. Security control capabilities, which include multiple level security that is easily understood and administered
 - g. General Ledger integration capabilities
18. Customer able to define or add to business rules
19. On-line capabilities to obtain Credit Bureau Reports and to perform Skip Tracing inquiries
20. Provide reports to the supervisor that provides productivity assessment data on collector's work.
21. Provide reports compliant to requirements mandated by the Texas Office of Court Administration.
22. Allow point assignment to each debtor record based on the balance amount, the age of the account, the last payment date, etc., and then rank the for priority on the work progress list each day
23. Provide a matching technique that provides a linkup with other debts assigned to the same debtor
24. New assignments can be keyed in manually or loaded via electronic media
25. Correspondence producing capabilities must be flexible enough to enable the printing of virtually any information from the database in a user-defined format
26. The unit supervisor must be able to easily oversee and distribute the assignment of new accounts
27. Specific actions and time spent by collectors working on each account, along with other collector methods used, must be easily generated in report form for the supervisor
28. Software must provide for electronic data transfer for printing of bills, letters, etc...
29. Allow data from other entities/systems to be loaded into the Collection System or provide a conduit to load legacy data into the Collections System

Additionally:

1. Vendor must provide all customization and installation services necessary to implement the software package; and provide all services pertaining to and related to the acquisition, installation and maintenance of the program at El Paso County.
2. Submit a detailed training plan; provide ten (10) user manuals and two (2) operations manuals in Hard Copy. Documentation is to be provided as digital format on CD or DVD as well.

Open database connectivity:

1. SQL Server database engine-version 2000 or greater (Note: SQL 2000 is nearing End of Life, therefore the solution must be able to support SQL 2005 as well)
2. Data sharing between JIMS to Collections System
3. Data conversion from JIMS to Collection System
4. Data dictionary, related to diagrams, and conceptual/physical database models

Collectors shall have ability to:

1. Keep track of critical events
2. Add, update and maintain demographic, financial and employment data on each debtor
3. Enter notes on the system with up to 66 lines for detailed dialogue and/or set up automatic messages (short cuts) for collectors to pick from.
4. Be alerted when promised payments are missed or short
5. Request follow-up letters and payment reminders

Training:

1. Vendor shall submit a detailed training plan.
2. Vendor shall provide user training manuals.
3. Vendor shall provide a schedule for training.
4. Provide on-site training for collectors and the unit supervisor in the operation and capabilities of the software package.

Additional Information of Automated Collection Software Package:

1. Is the transmission of electronic data files across WANs supported by your software? If so, briefly describe what is required to send these files.
2. What methods of support are available and how are they accessed? (Example: Toll-free phone support, Web-Ex, VPN, etc...)
3. How is data imported and exported to and from other systems?
4. How often are updated releases issued?
5. How many releases of software are supported?
6. Are updates included in the cost of software maintenance?
7. Is the license a "site license" or a "per-unit" license?
8. What are the licensing terms?
9. State all warranties on quoted hardware (if any hardware is required in solution).
10. Is warranty service on-site for Software or Hardware?
11. Provide samples of the most frequently requested 20 standardized reports produced by your collections system.

Section 3 – Costs

3.1 – 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.

Section 4 – Response Format for Proposals

4.1 - Format

Sections:

Section A - COVER LETTER

Section B - VENDOR BUSINESS HISTORY

Section C - VENDOR REFERENCES

Section D – PROPOSAL PRICE SUMMARY

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. The Vendor must include complete information on all company principals and their experience in these technologies.

SECTION C
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. Implementation date
3. Contact name, title, address, and telephone number

SECTION D

Proposal Price Summary

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

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

(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

COUNTY OF EL PASO PURCHASING DEPARTMENT

MDR Building, 800 E. Overland
ROOM 300, 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

PROPOSAL 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 PROPOSAL, 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 PROPOSAL; THE WAIVER BY EL PASO COUNTY OF ANY REQUIREMENTS UNDER THE PROPOSAL DOCUMENTS OR THE CONTRACT DOCUMENTS; THE ACCEPTANCE OR REJECTION OF ANY PROPOSAL; AND THE AWARD OF THE CONTRACT.
2. Proposal must be in the Purchasing Department **BEFORE** the hour and date specified. Faxed proposals will not be accepted.
3. Late proposals properly identified will be returned to bidder unopened. Late proposals will not be considered under any circumstances.
4. All proposals are for new equipment or merchandise unless otherwise specified (merchandise only).
5. Quotes F.O.B. destination. If otherwise, show exact cost to deliver (merchandise only).
6. Proposal unit price on quantity specified-extend and show total. In case of error in extension, unit prices shall govern. RFP subject to unlimited price increases will not be considered.
7. Proposals must give full firm name and address of offeror. Failure to manually sign the proposal will disqualify it. Person signing should show title or authority to bind his firm in a contract.
8. No substitutions or cancellations permitted without written approval of County Purchasing Agent for merchandise.
9. The County reserves the right to accept or reject all or any part of the proposal, waive minor technicalities and award the proposal to the lowest responsible proposer. The County of El Paso reserves the right to award by item or by total proposal. Prices should be itemized.
10. RFP \$100,000.00 and over, the proposer shall furnish a certified cashiers check made payable to the County of El Paso or a good and sufficient bid bond in the amount of 5% of the total contract prices and execute with a surety company authorized to do business in the State of Texas. The bid bond must be included with the bid at the time of the opening.
11. This is a quotation inquiry only and implies no obligation of the part of the County of El Paso.
12. The County of El Paso reserves the right to reject any proposal due to failure of performance on

deliveries. The County Purchasing Agent will justify this.

13. Brand names are for descriptive purposes only, not restrictive (merchandise only).
14. The County of El Paso is an Equal Opportunity Employer.
15. Any proposal sent via express mail or overnight delivery service must have the RFP number and title clearly marked on the outside of the express mail or overnight delivery service envelope or package. Failure to clearly identify your proposal may be cause for disqualification.
16. 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.
17. 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.
18. "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
800 E. Overland, RM 300
El Paso, Texas 79901
(915) 546-2048
(915) 546-8180 Fax

RE: RFP #09-024, Rebid (RFP) Collections Software for the County Clerk's Collections Division

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 Anna Perez
Commissioner Veronica Escobar
Commissioner Willie Gandara, Jr.
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
Delia Briones, County Clerk
Valerie Sanchez, Chief Deputy
Cynthia Montes, Collections Supervisor
Eduardo Garcia, collections Senior Clerk
Art Armas, ITD
Dan Hatch, ITD
Sylvia Pacheco, Auditors

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

COUNTY OF EL PASO PURCHASING DEPARTMENT

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

MDR BUILDING, 800 E. OVERLAND
ROOM 300, EL PASO TEXAS 79901
(915)546-2048, FAX (915)546-8180

Instructions: Conflict of Interest Form (CIQ)

Please follow and complete all instructions to fill out your CIQ form and obtain a document number.

- ***Please complete CIQ Form whether or not a conflict exists.***
- **Box #1 All Vendors** Must Print Clearly their names and company name.
- **Box #2** If the vendor has already filed a CIQ for the current year and is updating (filing a new one) due to changes on bid, please check box. If this is the first time within the current year that the vendor is submitting a CIQ, then do not check this box.
- **Box #3** If you are filing a disclosure of conflict of interest, meaning that you do have a relationship with someone listed on the page prior to the CIQ form on your BID, RFP, RFQ, or RFI, then you must print the name of the person whom you have a business relationship with.
- If you answer **yes** to any of the following: **Item A, B, C** you have a conflict and must disclose on this form.
- **Item D** List the type of relationship and what department in the local government the person you have listed in **Box #3**.
- **Box #4** Please have the person that is named on **Box# 1**, sign and date in this box. We request a contact number in case there are any questions or form is missing information. This is a courtesy to you. If you do not provide a phone number and have not provided all the information that is needed. The department cannot file your document and you will not receive a number to provide the Purchasing department with your bids, thus, meaning disqualification. Once you have completed the form, **fax it to the County Clerks at 915-546-2012.** The County Clerk will file and fax you the CIQ document number.
- It is the vendor's responsibility to submit the CIQ document number provided by the County Clerk's to the Purchasing Department. Do not forget to place the RFP, RFQ, RFI, or BID number somewhere on your CIQ form so we may know what bid you are referencing. If you do not receive your CIQ document number in a timely manner, please contact the County Clerk's office at 546-2000, ext. 3143.
- **It would be in your best interest, to submit your CIQ document number with your bid/proposal. (See Bidding Schedule)**
- 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, RFI 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.

If you have any questions, please call Lucy Balderama at 915-543-3887
or Linda Gonzalez at 915-545-2195

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

Check List

**Rebid (RFP) Collections Software for the County Clerk's Collections
Division
RFP #09-024**

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

_____ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Wednesday, April 1, 2009. Did you visit our website (www.epcounty.com) for any addendums?

_____ Did you sign the Bidding Schedule?

_____ 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.

_____ If your bid totals more than \$100,000, did you include a bid bond?

_____ Did you provide one original and four (4) copies of your response?
