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

Notice to Interested Parties

Sealed bids will be received at the County Purchasing Department, 800 E. Overland, Suite 300, El Paso, Texas 79901 before 2:00 p.m., Wednesday, June 24, 2009 to be opened at the County Purchasing Office the same date for Network Acceleration Device for the County of El Paso.

Bids must be in a sealed envelope and marked:
"Bid to be opened June 24, 2009
Network Acceleration Device for the County of El Paso
Bid #09-050"

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, June 16, 2009, at 12:00 p.m. Questions can be faxed to (915)-546-8180.

Said contract shall be let to the lowest responsible bidder, and the **COMMISSIONER'S COURT RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS AND WAIVE TECHNICALITIES.** Only bids that conform to specifications will be considered. Faxed bids will not be accepted. Successful bidder shall not order items or services until a Purchase Order is received from the County Purchasing Office. Payment will not be made on items delivered without a Purchase Order. Contract will be awarded by lump sum or line item, whichever is in the best interest of the County.

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

If the bid totals more than $100,000.00, the bidder shall furnish a certified cashier's check made payable to the order of El Paso County 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 bid bond must be included with the bid at the time of the opening.

PITI VASQUEZ
County Purchasing Agent

BIDDING 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 bid, I hereby represent and warrant to El Paso County that I have read and understood the Bid Documents and the Contract Documents and this bid is made in accordance with the Bid Documents.

Please quote prices and discounts on the following items:

F. O. B. El Paso County

Description – Bid #09-050 **Network Acceleration Device for the County of El Paso** Vendor must meet or exceed specifications
TOTAL COST
$
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** and **one (1) copy and two (2) diskette/CD of your bid.**

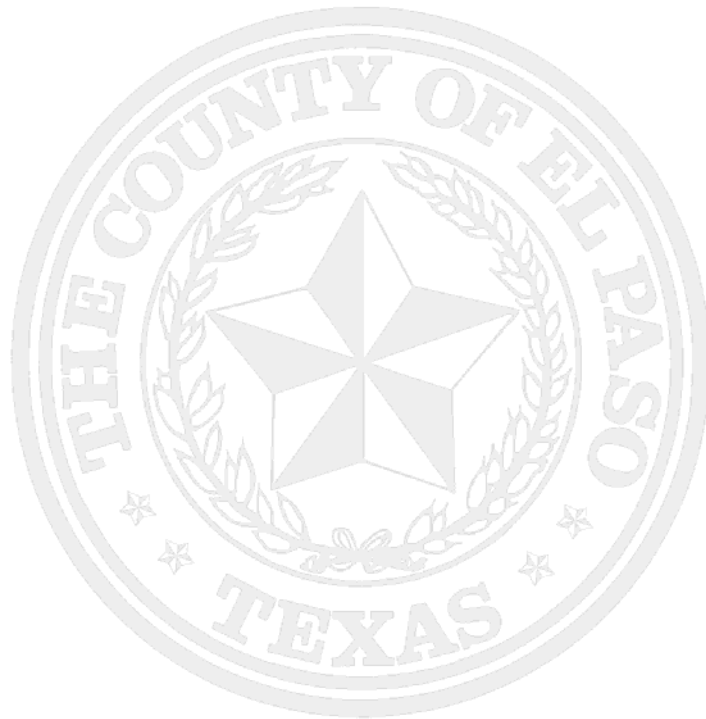|	
Company	Address
Federal Tax Identification No.	City, State, Zip Code
CIQ Document Number	CIQ Sent Date
Representative Name & Title	Telephone
Fax Number	E-mail
Signature	

<mark>***THIS MUST BE THE FIRST PAGE ON ALL BIDS***</mark>

[1]

Network Acceleration Device for the County of El Paso

Bid #09-050

Opening Date
Wednesday, June 24, 2009

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SECTION 1 – Introduction

1.1 – Intent

The purpose of this request is to invite qualified vendors to prepare and submit a bid to provide IT related hardware for the County of El Paso.

1.2 – Bid Schedule

The following schedule of activities is planned. Any changes will be communicated to the vendors from the Director of Purchasing, El Paso County.

1. Release/Advertise Bid
2. Bid Responses Due
3. Bid Opening
4. Evaluation Committee Recommendations
5. Vendor Selection
6. Commissioner's Court Action to Award

1.3 – Current Networking Environment

The County's hardware and software infrastructure is composed of the following:
- Cisco routers and switches.

Any Equipment that is bid must be able to interface with minimal effort into this environment.

SECTION 2 – Bid Requirements and Guidelines

2.1 – Questions and Clarifications

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

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

All questions must be submitted in written form. Answers will be provided to all vendors and forwarded to vendors indicating a desire to respond either by Fax and will be posted on the wed-site at www.epcounty.com, click on bids and more, scroll down to the bid # 09-050, under Addendum.

2.2 - Vendor Qualification

The County will evaluate the Bids only from vendors who can provide Tier 1 hardware manufactured equipment, and that have proven successful experience in the maintenance and service sector as requested in this Bid. The Vendor's response to the Bid must document and qualify this experience. Documentation should include:

1. Certified service center, etc. (indicate manufacturers and status as well as requirements to reach and maintain that status)
2. Years of experience (indicate manufacturer)
3. Volume of equipment installed per manufacturer/product, include detailed financial statements in the area of your bid and show at least five years of information that show profitability
4. Credentials of individuals scheduled to perform the outlined services, including years of experience on the given product line
5. Training and customer certification programs established by the vendor for employees and customers, including costs.

2.3 - Response Format

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

Section A	Cover Letter
Section B	Vendor Demographics
Section C	Vendor Experience
Section D	Vendor References
Section E	Financial Statements
Section F	Overview of Vendor Bid
Section G	Delivery
Section H	Support and Maintenance
Section I	Warranty
Section J	Documentation
Section K	Required Equipment List

2.4 - Vendor References

Bids must include references of other entities that are currently utilizing the proposed equipment. The references are mandatory. The references must clearly establish that the proposed equipment is in production usage. El Paso County is interested in receiving quality service on the listed equipment. The references must include projects that are similar to the El Paso County's project in terms of scope and complexity.

2.5 - Evaluation Process

All responses received in compliance with the terms and conditions of the El Paso County Purchasing Department will be reviewed and evaluated by an Evaluation Committee. Technical support and evaluation will come from the Information Technology Department (IT).

The initial factors in the selection process are listed below along with the weighting factor for each:

1	Ease of integration with existing County installed hardware and software	(40%)
2	Cost, which will include all hardware and software specifications, warranties, maintenance, support and shipping	(30%)
3	Vendor demonstrated experience and financial stability, availability and quality of references, etc.	(15%)
4	Delivery time on replaced hardware	(15%)

Recommendations from the Evaluation Committee will be presented to the Commissioners' Court for award.

2.6 - Non-Responsive Bids

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

2.7 - Installation Schedule

No installation is required

2.8 - Contract/Agreement

Vendors are required to submit two originals of the vendor's contract, terms and conditions for this project. These agreements must be included in the Bid 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(s).

2.9 - Submittal Information

Vendors must submit one (1) original and two (2) copies of their Bids. All materials submitted in response to this Bid will become the property of El Paso County. Results will be kept confidential until the selection process has been completed. At that time, the contents of the Bids and test results will become public record and open to inspection by all parties. Vendors are responsible for all costs incurred in preparing and submitting the vendor's response to the Bid.

2.10 – Cost/Price Certification

All costs and prices proposed in the response to this Bid must be valid for a minimum of 120 days. Pricing is to include all shipping, handling and other related costs. El Paso County is not responsible for any vendor errors, omissions or miscalculations.

2.11 – Bid Performance Bonds

5% Performance surety bond will be required. The County may require that the award be insured by surety(s) authorized to do business in the State of Texas.
At the County's option, in addition to or in lieu of, the County may withhold a portion of the payment for the equipment until the County accepts the equipment/hardware as fully operational.

2.12 – Acceptance and Use of Bids

1. El Paso County reserves the right to accept or reject any or all Bids. This Bid (Manufacturer selection) is for a period of one year with the option to renew for an additional two years, and can be renewed at the option of both the County and the manufacturer/Vendor.

2. The specifications in this Bid are based on configurations that may not have current descriptions for some of the items. The county or the vendor reserves the right to either add to the specification or remove items as recommended by the vendor in their responses.

The County reserves the right to use any or all nonproprietary ideas, concepts, or configurations presented in responses.

SECTION 3 – Computer and Information Systems Hardware

3.1 – Overview of Current Standards

Requested hardware is outlined in the attachment and consists of a WAN Optimization Device.

EPC is currently standardized on Cisco Products and Services. Currently EPC is running 250 Cisco Routers and Switch products. The current network infrastructure, built and enhanced through time, based on Cisco products that integrate, are modular and can be expanded.

This device must be able to integrate into an existing Cisco network with minimal effort.

3.2 – Hardware Warranty

Standard hardware warranty is required and in addition there may be other requirements for multiple years of warranty. Please review the attached specifications for warranty requirements if any.

3.3 – Hardware Maintenance

Maintenance will be provided as specified and is required

3.4 – Hardware Return Policy

This is covered by the warranty and maintenance agreements as stated above.

3.5 – Hardware Support

This is covered by the warranty and maintenance agreements as stated above.

3.6 – Documentation

No documentation is required.

3.7 – Delivery and Installation

Vendors must be able to provide service within 30 days of initial contact. The PCs must be delivered in increments of 50 at approximately 45 day intervals.

3.8 – Additional Options

El Paso County has the option to purchase additional Hardware peripherals with this bid for an additional one to two years.

El Paso County reserves the right to only accept bids from Tier 1 manufacturers or their authorized channel partners. No refurbished products will be accepted for this bid. El Paso County will only accept bids for **n**ew, Tier 1 Manufactured and Authorized produced, procured from a Certified Reseller.

SECTION 4 – Cost Schedules

4.1 – Total Costs

The vendor must provide detailed Unit Costs and Total costs of the proposed equipment. These costs will be summarized and presented on one page.

4.2 – Third Party Costs

The costs for third party items should be included in the Bid.

Response Format for
County of El Paso, Texas
Request for Bid

Please Submit all bids in the following format. Bids may be rejected if they do not conform to this format.

SECTIONS

SECTION A

COVER LETTER

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

SECTION B

VENDOR DEMOGRAPHICS

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.

Total number of years vendor has been in business and, if applicable, number of years under the present business name.

Number of years experience the vendor has had in providing equivalent products and services.

A description of the vendor's operation, facilities, business, objectives, number of employees (both nationally and locally), and previous experience and qualifications relating to the products and services requested.

SECTION C

VENDOR EXPERIENCE

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

As mentioned in Section 2.2, page 4 of this Bid, The County will evaluate Bids only from vendors that have proven successful experience in the assembly, configuration and installation of the products and services requested in this Bid. The Vendor's response to the Bid must document and qualify this experience. Preferred parameters for this documentation should include:

1. Authorized reseller, certified service center, etc. (indicate manufacturers and status as well as requirements to reach and maintain that status);
2. Years of experience (indicate manufacturer);
3. Volume of networking equipment installed per manufacturer/product;
4. Credentials of individuals scheduled to perform the outlined services;
5. Training programs established by the vendor for employees and customers.

SECTION D

VENDOR REFERENCES

The vendor will provide a list of all company references that are of comparable scope and complexity to that proposed by El Paso County and that have equipment similarly configured, and in operation, for at least one year. The vendor shall include the following information for each reference:

1. Name of organization

2. Networking hardware/software

3. Size and scope of project

4. Installation date

5. Contact name, title, address, and telephone number

SECTION E

FINANCIAL STATEMENTS

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

SECTION F

OVERVIEW OF VENDOR BID

In this section the vendor must provide a narrative of what is being proposed. The narrative will include the following items:

1. Provide a complete description of the warranties, support, on-going maintenance and training services provided.

2. Provide complete information on the physical and environmental requirements of installation and operation.

3. Provide complete information on certification for El Paso County technicians as necessary.

4. Describe documentation and training, if applicable.

SECTION G

DELIVERY

In this section, the vendor shall propose a preliminary delivery schedule of the proposed equipment including major milestones showing the time required to complete all phases of the agreed plan. The delivery plan shall detail any vendor preferences for phasing.

SECTION H

SUPPORT AND MAINTENANCE

In this section the vendor shall provide information on vendor support for ongoing maintenance.

SECTION I

WARRANTY

In this section the vendor will provide a copy and description of the warranties associated with the proposed networking equipment/hardware and software.

SECTION J

DOCUMENTATION

The vendor shall provide one original, one paper copy and two copies on diskette/CD of the written documentation and user guides for the proposed equipment.

SECTION K

EQUIPMENT LIST

Specifications of Equipment to be covered below:

Technical Requirements for WAN Optimization Device

Introduction
This specification is designed to define and prioritize the selection criteria for a WAN optimization product for wide scale deployment in the distributed El Paso County enterprise network. The technical specifications defined in this document will ensure that the selected product can deliver the greatest impact to the broadest range of applications used on the WAN.

1. Application Acceleration
This section defines requirements for addressing WAN latency and protocol chattiness issues.

1.1   CIFS Acceleration – The WAN optimization solution must address protocol chattiness issues for the CIFS protocol, including the following:

1.1.1   CIFS read and write operations must be accelerated by performing read-ahead and write-behind mechanisms on bulk CIFS data retrieval operations in order to improve transfer throughput.

1.1.2   The full range of CIFS operations that exhibit chatty behavior must be optimized. This includes desktop drag & drop operations, as well as those operations initiated from within Windows applications such as "save as" and "file open."

1.1.3   CIFS directory browsing must be accelerated.

1.1.4   The solution must work seamlessly and transparently with DFS and other virtualized namespace solutions.

1.1.5   Final write/save commit messages must not be synthetically created and delivered.

1.1.6   Any data delivered to the client must have been recently retrieved from the server. In order to avoid possible delivery of stale data, solution must never deliver locally cached data to the client without retrieving and validating that data from the server.

1.1.7   The CIFS acceleration mechanism must be transparent to native CIFS file locking interactions between the client and server. The WAN optimization solution must not interfere with native CIFS file locking mechanisms.

1.1.8 The CIFS acceleration mechanism should never block connections under any circumstances, even when the client and/or server require SMB signing authentication. The solution must allow the original client and server to transparently complete the authentication process (either successfully or unsuccessfully).

1.1.9 All of the above CIFS acceleration capabilities must be supported for Netapp filers

1.1.10 All of the above CIFS acceleration capabilities must be supported for SAMBA file servers.

1.1.11 All of the above CIFS acceleration capabilities must be supported for Windows 2000, Windows XP, and Windows Vista, for both clients and servers.

1.1.12 To ensure CIFS compatibility, the vendor must be a registered member of Microsoft's Protocol Optimization Licensing Program (POLP).

1.2 MAPI Acceleration (Exchange 5.5/2000) – The WAN optimization solution must natively address protocol chattiness issues for the MAPI protocol used by Exchange 5.5/2000 servers.

1.2.1 MAPI attachment formatting must be decoded prior to applying data reduction algorithms, so that the byte-level data in file attachments is represented in its native format. This allows for cross-protocol optimization when the same or similar file attachments are again sent through CIFS, FTP, or any other protocol.

1.2.2 To ensure MAPI compatibility, the vendor must be a registered member of Microsoft's Protocol Optimization Licensing Program (POLP).

1.3 MAPI 2003 Acceleration (Exchange 2003) -- The WAN optimization solution must natively address protocol chattiness issues for the MAPI protocol used by Exchange 2003 servers.

1.3.1 MAPI2003 attachment formatting must be decoded prior to applying data reduction algorithms, so that the byte-level data in file attachments is represented in its native format. This allows for cross-protocol optimization when the same or similar file attachments are again sent through CIFS, FTP, or any other protocol.

1.3.2 To ensure compatibility for MAPI2003, the vendor must be a registered member of Microsoft's Protocol Optimization Licensing Program (POLP).

1.4 MAPI 2007 Acceleration (Exchange 2007) -- The WAN optimization solution must natively address protocol chattiness issues for the MAPI protocol used by Exchange 2007 servers.

1.4.1   MAPI2007 attachment formatting must be decoded prior to applying data reduction algorithms, so that the byte-level data in file attachments is represented in its native format. This allows for cross-protocol optimization when the same or similar file attachments are again sent through CIFS, FTP, or any other protocol.

1.4.2   To ensure compatibility for MAPI2007, the vendor must be a registered member of Microsoft's Protocol Optimization Licensing Program (POLP).

1.5   HTTP Acceleration – The WAN optimization device must address latency and protocol chattiness issues that affect HTTP/web application performance.

1.5.1   The solution must support TCP connection pooling in order to set up TCP connections in advance. TCP connection pooling avoids one round-trip latency period for the setup of each TCP connection, and benefits web applications that dynamically set up and utilize large numbers of TCP connections.

1.5.2   The solution must support URL learning, which is a mechanism that tracks association of web objects to each base page, and leverages each of those learned associations among all web clients accessing common web pages through the same pair of WAN optimization devices.

1.5.3   The solution must support parse and prefetch of web objects, in order to address Internet Explorer's limitation of only being able to access five web objects at one time. Parse and prefetch allows the web client to simultaneously download all of the web objects for a given base page, and this capability benefits the end-user that accesses "busy" web pages that have large numbers of web objects.

1.5.4   The solution must track the results of "If-Modified" messages (i.e., 304 Fast Response). If the server response indicates a web page as being unchanged, then the WAN optimization device must deliver 304 Fast Response messages to each new request from web clients over a defined limited time interval, so that each web client does not have to individually ask for the same information from the web server.

1.6   SSL/HTTPS Acceleration – The WAN optimization device must be able to terminate the security layer of SSL sessions so that the underlying clear-text HTTP data can be accessed, allowing byte-level data reduction algorithms and HTTP acceleration mechanisms described in section 1.5 above to be applied.

1.6.1   SSL/HTTPS acceleration must extend beyond optimization of the TCP transport, and specifically must eliminate redundant byte-level data and address HTTP protocol chattiness in the underlying HTTP data stream.

1.6.2   The private keys of certificate authorities or any other sensitive entities must not be stored in the branch office appliance.

1.6.3   The private keys of certificate authorities must never be transmitted to any appliance over any network connection.

1.6.4   Any HTTP data that is decrypted and stored on disk as a result of the HTTPS optimization process must be encrypted through strong encryption algorithms that are at least of 128-bit strength.

1.7   The solution must support both pre-emptive establishment and reuse of TCP connections from a pool of unused TCP connections. This avoids one round-trip for each new TCP connection that must be established to support the application, and is particularly beneficial to the performance of web applications.

1.7.1   The number of unused TCP connections in the pool should be governed by a configurable limit, in order to prevent the number of unused TCP connections from becoming excessive.

1.7.2   Connections from the pool should use correct addressing with the IP addresses of the WAN optimization devices, so that they can be allocated as needed to support any new TCP connection between any client and server.

1.8   NFSv3 Acceleration – The WAN optimization solution must address protocol chattiness issues the for NFS version 3 protocol.

1.9   Oracle Forms Acceleration – The WAN optimization solution must be able to decode data sent by a JInitiator-based client in order to apply data reduction algorithms on the underlying Oracle data.

2   Compression and Byte-level Data Reduction

The following requirements are important for ensuring optimal compression and data reduction results:

2.1   Both Memory and Disk-based data reduction algorithms must be supported across the entire product line of WAN optimization appliances. Memory-based data reduction delivers optimal performance for the more frequently-occurring data patterns, while disk-based data reduction provides large histories necessary for eliminating vast amounts of repetitive data.

2.2   The solution must recognize repetitive byte patterns at a very granular level (~100 bytes), as well as very large repeating data patterns (~10 MB), and be able to replace the repetitive data with labels and other metadata. As a result, stored data patterns will not need to be retransmitted across the WAN, even when some file-level changes have been made to the application data.

2.3   Compression and byte-level data reduction must be applied at the TCP level, and not the packet level. Packet-level compression can only be applied only to each individual packet (~1500 bytes) while TCP flow-based optimization can eliminate long streams of redundant data streams (e.g., 10MB or more) regardless of packet boundaries.

2.4   The solution must use a universal dictionary to map raw byte-level data to symbols and other metadata. The same data store must be used to communicate with all peer devices. The solution must not use a per-peer dictionary and data store, because storage in the central WAN optimization device will not scale if must the same data patterns must be stored multiple times (once each peer WAN optimization device in each branch office).

2.5   The solution must be able to do a one-way synchronization of a WAN optimization device's disk-based data store with a backup device as part of the clustering/high availability capabilities. Loss of the active device in an active/passive cluster must not result in loss of disk-based data, so that warm performance is immediately available in the event of a failover.

2.6   The solution must also be able to perform two-way synchronization of the disk-based data store in an active/active cluster.

2.7   The solution must store all disk-based data in byte-level de-duplicated format in order to preserve storage capacity. The solution must not store any application-level data a format that is not de-duplicated at the byte level.

2.8   The solution must store each instance of data only once. Solutions that store the same data at both the object (file) level and the byte-level will not scale in performance throughput, as this approach generates twice as much disk I/O as that used in original application server.

2.9   The solution must support encryption for its disk-based data store, in order to minimize security issues. This is particularly important because in many cases one of the devices in a communicating pair will be at a branch office, which is vulnerable to physical intrusion over the weekend and evening hours.

2.10   The solution must support disk redundancy. At least one appliance model with disk redundancy must be available.

2.11   The solution must include redundant power supplies for large data-center appliances, and must support redundant power supplies for mid-range appliances.

2.11.1 For the larger WAN optimization appliance models to be deployed in the data center, loss or failure of any single disk drive must not result in loss of any data. The solution must support disk redundancy through RAID technology or its equivalent.

2.11.2 RAID 5 must not be used in the core data center appliance because it negatively affects write performance, which is very important for optimizing heavy traffic loads typically seen in the core data center.

2.12 For the higher-end appliance models, the solution must support a data store with at least 1 TB of storage capacity for de-duplicated byte-level data patterns.

3   Network Integration

The following requirements ensure that the WAN optimization solution can be deployed easily and transparently in to the enterprise network

3.1 The solution must be deployable in-path using bypass interfaces in a large core data center, where a large and diverse mix of application traffic make it difficult and very tedious to configure and manage ACL's and traffic redirection lists for PBR or WCCP.

3.2 The solution must support as many as 8 in-path Ethernet ports, allowing it to connect and support up to four Ethernet connections through a single WAN optimization device.

3.3 The solution must support out-of-path deployment through WCCP or PBR.

3.4 The solution must support auto-discovery of remote peer devices and dynamically detect the presence of any other WAN optimization devices. Optimization should automatically be triggered upon discovery, without administrator intervention.

3.5 The solution must not use tunnels. The solution must not require that host subnets be identified and configured. A solution that requires subnet and tunnel configuration will be too difficult to deploy in a large enterprise network with hundreds or thousands of subnets and a large number of sites with WAN optimization devices.

3.6 The solution must not require configuration of the WAN bandwidth as part of the basic configuration process. The available WAN bandwidth can change due to network routing changes and other network events, and the solution must dynamically adjust its consumption of WAN bandwidth in response to packet loss.

3.7 By default, traffic sent by the solution into the WAN must comply with RFC2581 TCP congestion control principles. The default configuration must support TCP slow start and congestion avoidance, in order to interact in a friendly manner to pre-existing network traffic sharing the WAN. The default configuration may be changed to support

more aggressive flow control schemes in order to achieve greater throughput for optimized traffic flows.

3.8 The solution must not require additional software plug-ins or agents on client or server hosts.

3.9 The solution must integrate transparently into the existing routing infrastructure. The solution must be completely transparent to existing routing protocols (e.g., OSPF, RIP, BGP, etc.). All routing functions, including "dynamic path selection" or any other network routing decisions, must remain the responsibility of the router.

3.10 When deployed in an in-path configuration, the solution must dynamically detect asymmetric routing in the network. If one network path in an asymmetrically-routed TCP connection is not routed through a WAN optimization device, then that connection should be automatically passed-through without optimization and without disruption.

3.11 When deployed in an in-path configuration, the solution must be able to optimize asymmetrically-routed TCP connections, provided that a WAN optimization device is deployed along each path of the routing asymmetry.

3.12 For scaling to support larger networks, an external load balancer/load sharing device must be available that distributes traffic to clusters of WAN optimization devices.

3.12.1 The external load balancer must not use a random load balancing algorithm. Rather the load balancer solution must track communications between each client-server pair and attempt to consistently forward their connections to individual WAN optimization devices in the cluster farm, in order to maximize the frequency of "warm" transfers.

3.12.2 The load balancer must be able to detect and optimize asymmetric routing in the network using the capability described in 3.11 and 3.12 above.

4 Quality of Service
The following requirements are important for prioritization and allocation of bandwidth in the existing WAN infrastructure.

4.1 The solution must preserve and reflect any pre-existing TOS/Diffserv QoS settings on traffic that is sent across the WAN.

4.2 The solution must be able to define classes of application traffic and apply Quality-of-Service policies to each class.

4.3 The solution must be able to allocate a minimum bandwidth guarantee to each class of applications.
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4.4   The solution must be able to allocate a maximum bandwidth usage cap to each class of traffic. The solution must allow usage to burst above the maximum bandwidth usage cap if no other traffic classes attempt to utilize the available bandwidth.

4.5   The solution must be able to perform priority queuing in order to prioritize packet flows for each traffic class independently. Note that this is a distinctly separate requirement from 4.3 and 4.4 above. The ability to perform bandwidth allocation as described in 4.3 and 4.4 above does not necessarily include the ability to perform priority queuing.

4.6   The solution must be able to apply QoS policies to all traffic seen in the network, including both optimized and unoptimized traffic flows, including TCP, UDP, and other non-TCP traffic types.

4.7   The solution must support hierarchical QoS. The above QoS policies for allocating bandwidth must be applied not only based on the available local WAN bandwidth, but also must account for the WAN bandwidth at each remote site.

4.8   The solution must not tunnel traffic. Tunneling hides the distinguishing characteristics of each flow. A non-tunneling WAN optimization solution allows WAN routers, MPLS WAN service, and other downstream entities to also apply QoS policies to each individual flow.

5   Scalability

The following requirements ensure that the WAN optimization solution can scale for deployment in large enterprise networks.

5.1   Each device in the solution must be able to simultaneously communicate with and send optimized traffic to more than 4000 peer WAN optimization devices.

5.2   The solution must support auto-discovery of peer WAN optimization devices. The solution must not require identification of host subnets or the IP addresses of peer WAN optimization devices. The solution must not require configuration of WAN bandwidths for each individual WAN link or tunnel.

5.3   The solution must support license key upgrades to convert appliance models to larger models that support increased numbers of TCP connections.

5.4   When deployed in an in-path configuration, the solution must support significant amounts of pass-through traffic that is well beyond the licensed optimized bandwidth limit.

5.5   The solution must be able to support at least 1 million TCP connections and 4Gbps of optimized throughput.

5.6 Appliances must support VMDK directly on appliances for remote virtual package support on appliances.

6 Security

The following requirements ensure that the WAN optimization solution is secure and does not introduce any new security vulnerabilities.

6.1 The solution must support an authentication capability to authenticate a remote peer WAN optimization device before performing traffic optimization.

6.2 The solution must support IPSec encryption of optimized traffic flows between WAN optimization devices.

6.3 The solution must support an encrypted disk-based data store using strong encryption methods (i.e., at least 128-bit encryption).

6.4 The solution must support RADIUS and TACACS+ for authenticated administrator access.

6.5 The solution must support SSL for access to the management webGUI.

6.6 The solution must support SSH for access to the management Command Line Interface.

7 Software Client

The following requirements ensure that the mobile software client solution interoperates seamlessly with the appliance-based WAN optimization solution.

7.1 For optimizing WAN transfers for individual mobile users, the software client solution must be able to connect to the same central data center appliance that the branch office appliances connect to in the data center. Requiring separate appliances in the data center for mobile users and branch office users increases infrastructure costs.

7.2 The data center appliance must not use separate dedicated data stores for optimizing traffic to each individual remote software client. A peer-peer data store architecture in the core data center appliance will not scale to support hundreds, thousands, or tens-of-thousands of software clients.

7.3 The software client solution must interoperate with all commercially-available VPN products offered by major network equipment vendors, including Cisco, Juniper, and Nortel.

7.4   The software client solution must address protocol chattiness issues for CIFS. All requirements listed in section 1.1 apply to the software client solution.

7.5   The software client solution must address protocol chattiness issues for MAPI/Exchange. All requirements listed in section 1.2 and 1.3 apply to the software client solution.

7.6   The software client solution must use a concurrent licensing model. There shall be no restrictions on the distribution of the software image for the software client. All licensing costs shall be based on the number of actively-connected end-users.

7.7   The software client solution must support a configuration process that is entirely centralized and completed by the administrator. There shall be no configuration requirements on the part of the mobile end-user.

7.8   The software client solution must support an "invisible" mode, where the solution can function without the end-user being exposed to any configuration or reporting interfaces.

7.9   The software client must function without of any explicit configuration of network bandwidth by the end-user.

8   Management and Reporting
The following requirements ensure that the WAN optimization solution is easy to configure and manage in an operational setting.

8.1   Device Management

8.1.1   The solution must present reporting information on an hourly, daily, weekly, or monthly basis.

8.1.2   The solution must support a web-based GUI

8.1.3   The solution must support time configuration through NTP.

8.1.4   The solution must support a Cisco IOS-like command line interface

8.1.5   The solution must include a comprehensive logging capability.

8.1.5.1 Multiple levels of logging granularity must be supported, from verbose mode to

8.1.5.2 Logs must be retained in each individual device for a period of at least 30 days.

8.1.6   The solution must be capable of exporting traffic statistics to Netflow collectors using Netflow version 5.

8.1.7   All configuration, management, and reporting functions should be accessible through the individual device management interface. The central manager should be an optional tool, not a mandatory configuration tool.

8.2   Centralized Management

8.2.1   The central management must be optional, not mandatory. Small WAN optimization deployments must be manageable without use of the Central Manager.

8.2.2   The solution must support a centralized automatic initial configuration process, including automatic registration of newly-deployed WAN optimization appliances into the Central Manager.

8.2.3   The solution must support flexible hierarchical group management, including for group-based configuration changes and software updates. Appliances may be grouped according to a hierarchical structure that affords easy management of hundreds of WAN optimization devices.

8.2.4   The solution must support scheduled operations, including scheduled configuration changes and software updates.

8.2.5   The solution must support centralized monitoring of deployed appliances, including health reporting and archival of log messages.

8.2.6   The solution must support role-based administration that can be linked to groups of WAN optimization appliances. Depending on their assigned role, administrators may have read-only or read-write access to specific operations, on specific appliances or groups of appliances.

8.3   Reporting

8.3.1   The solution must present reporting information according to an administrator-defined time interval, for both optimized and unoptimized traffic flows.

8.3.2   The solution must clearly distinguish between reporting for optimized traffic and unoptimized traffic flows.

8.3.3   The webGUI must provide an overall traffic profile and summary, giving the overall byte-count and traffic percentage of each application type seen for a defined time period.

8.3.4   The webGUI must report on data reduction achieved, by percentage as well as by byte-count, for each application, end-user and TCP connection.

8.3.5   The solution must support alerting notifications through SNMP traps, SMTP email, and remote syslog.

8.3.6   All reports must be exportable in CSV format.

Core WAN Optimizing Device Cost

QTY	DESCRIPTION	UNIT COST	EXT COST
1	Core Wan Optimization device with 4 onboard GbE bypass ports (capable of 18000 simultaneous connections and 155Mbps), 4 Fiber (LC) connections (for fiber paths). Capable of High IO, 4 add on 10/100/1000 base T ports for copper paths and with redundant Power supply and internal drive redundancy (RAID5) for de-duplication of data store. All path links must fail to wire (by-pass) in the event of device failure/maintenance/shutdown. Core must have a minimum of 4gb of ram.		
1	Annual Support for updates warranties on core appliance		
	Total Price		

Remote WAN Optimizing Device Cost (Optional)

QTY	DESCRIPTION	UNIT COST	EXT COST
1	Remote Wan Optimization device with 2 onboard GbE ports (capable of 300 simultaneous connections and 2Mbps) Min of 160gb drive space for data de-duplication store, min 2gb ram. All path links must fail to wire (by-pass) in the event of device failure/maintenance/shutdown.		
1	Annual Support for updates warranties on core appliance		
	Total Price		

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 (0MB 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 CPR 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 (0MB 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 statues 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 EAST 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

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 BID, 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 BID; THE WAIVER BY EL PASO COUNTY OF ANY REQUIREMENTS UNDER THE BID DOCUMENTS OR THE CONTRACT DOCUMENTS; THE ACCEPTANCE OR REJECTION OF ANY BIDS; AND THE AWARD OF THE CONTRACT.

2. Bids must be in the Purchasing Department BEFORE the hour and date specified. Faxed bids will not be accepted.

3. Late bids properly identified will be returned to bidder unopened. Late bids will not be considered under any circumstances.

4. All bids are for new equipment or merchandise unless otherwise specified.

5. Quotes F.O.B. destination. If otherwise, show exact cost to deliver.

6. Bid unit price on quantity specified-extend and show total. In case of error in extension, unit prices shall govern. Bids subject to unlimited price increases will not be considered.

7. Bids 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.

8. No substitutions or cancellations permitted without written approval of County Purchasing Agent.

9. The County reserves the right to accept or reject all or any part of any bid, waive minor technicalities and award the bid to the lowest responsible bidder. The County of El Paso reserves the right to award by item or by total bid. Prices should be itemized.

10. Bids $100,000.00 and over, 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 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.

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 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 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:

    a. A PERFORMANCE BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF $100,000; AND
    b. 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
*

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* This page must be included in all responses.

RE: Bid #09-050, Network Acceleration Device for the County of El Paso

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
	Pete Gutierrez, Buyer II
	Linda Gonzalez, Inventory Bid Technician
	Lucy Balderama, Inventory Bid Technician
	Peter Cooper, Chief Technology Officer
	Art Armas, Director Information Technology
	JC Ocasio, Network Planning Manager
	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.

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.

_____   _____
Signature of person doing business with the governmental entity   Date

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

MDR BUILDING, 800 E. OVERLAND
ROOM 300, EL PASO TEXAS 79901
(915)546-2048, FAX (915)546-81

Instructions: Conflict of Interest Form (CIQ)

- ***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.

- It is the vendor's responsibility to submit the CIQ document number provided by the County Clerk's to the Purchasing Department.

- 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.

- File a 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 the attention of the County Clerks office.

- If filing by fax use your fax confirmation (date/time) for your records.   To obtain a copy/CIQ document number go to our website at www.epcounty.com, click on public records, click on to Official Public Records - Deeds of Trust, Liens and other public documents (County Clerk), type in the name of your company, on Style: scroll to CIQ-Conflict INT. QUESTIONNAIRE, and click on Search. It will be available on the web-site approximately 5 to 10 business days. Please fax a copy to The Purchasing Department at (915) 546-8180. If you have not yet placed it in your Bid, RFP, RFQ, RFI.

- 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

Solicitation Check List

Network Acceleration Device for the County of El Paso
Bid #09-050

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

Responses should be delivered to the County Purchasing Department by 2:00 p.m., Wednesday, June 24, 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

CIQ forms - you must write the name of your company underneath the signature with your phone number and bid number. 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 one copy and 2 diskette/CD of your response?