



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

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### **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., **Thursday, July 16, 2009** to be opened at the County Purchasing Office the same date for **Bid - One (52,000) GVW Truck/Tractor for Road & Bridge.**

**Bids must be in a sealed envelope and marked:**  
**"Bid to be opened July 16, 2009**  
**Bid - One (52,000) GVW Truck/Tractor**  
**for Road & Bridge**  
**Bid #09-060"**

**Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, July 7, 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

<b>Description – Bid #09-060</b> <b>Bid - One (52,000) GVW Truck/Tractor for Road &amp; Bridge</b> Vendor must meet or exceed specifications
<b>All vendors must submit a detailed, itemized invoice/quote</b>
Total Cost \$ _____
Please do not include tax, as the County is tax-exempt. We will sign tax exemption certificates covering these items. <b>Please submit one (1) original copy and two (2) copies of your bid.</b>

\_\_\_\_\_  
Company

\_\_\_\_\_  
Address

\_\_\_\_\_  
Federal Tax Identification No.

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
CIQ Document Number

\_\_\_\_\_  
CIQ Sent Date

\_\_\_\_\_  
Representative Name & Title

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Fax Number

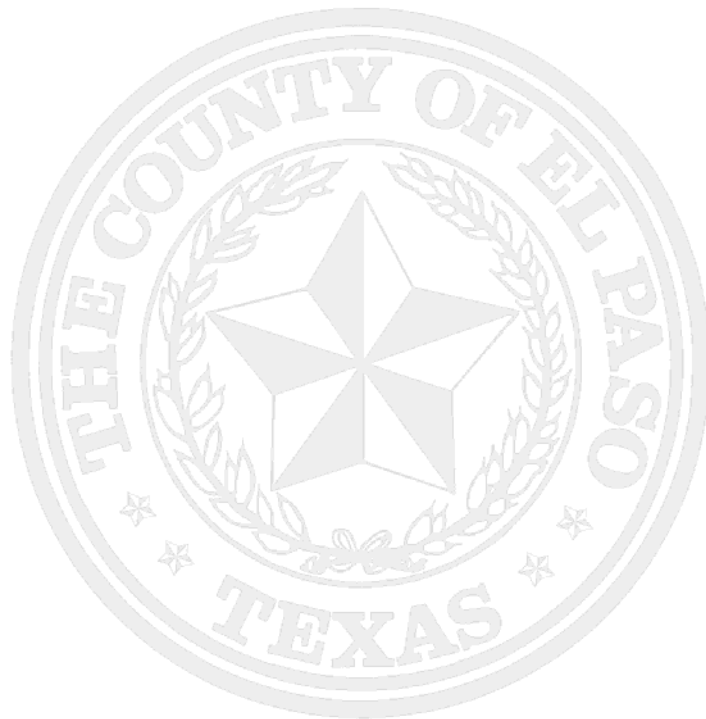
\_\_\_\_\_  
E-mail

\_\_\_\_\_  
Signature

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

**Bid - One (52,000) GVW  
Truck/Tractor for Road & Bridge**

**Bid #09-060**



**Opening Date  
Thursday, July 16, 2009**



REAR DUAL DISC WHEELS: 22.5" painted steel, 10-Stud hub  
piloted, flanged nut, metric mount 8.25 DC rims, with  
steel hubs; rear wheel seals oil lubricated, including  
wheel bearings, white \_\_\_\_\_

SPARE: **One spare wheel and tire for front & rear** \_\_\_\_\_

SUSPENSION, REAR TANEM: Hendrickson RT-403,  
Walking beam type; 52" axle spacing, 40,000-lb cap.  
with rubber center bushings to include:  
Power Divider Lock electric over Air operated,  
Cab control with indicator light,  
Rear Axle drain plug (2) magnetic \_\_\_\_\_

Rear axle identity for Dan Spicer Eaton DD405/RD405  
style tandem rear axles with bar-pin beam attachment  
suspensions \_\_\_\_\_

SUSPENSION, FRONT: Spring Parabolic, taper leaf; 12,000-lb  
capacity; with shock absorbers, includes spring,  
rubber bushings, taper leaf; 12,000-lb cap.  
maintenance-free \_\_\_\_\_

BASE CHASSIS: wheelbase 193, 125.90 C.A., \_\_\_\_\_

TOW HOOKS: Front (2) frame mounted \_\_\_\_\_

FRAME: Frame rails with tapered rear,  
Heat-treated alloy steel (120,000 PSI Yield):  
10.125" X 3.610" X 0.375", 456.0" Max. OAL \_\_\_\_\_

BUMPER: Front steel, swept back \_\_\_\_\_

BRAKE SYSTEM: Air Dual System for tractor  
applications; brake chambers, SPRING (2) rear parking;  
brake lines color-coded nylon; Drain Valve Twist-type  
Air pressure gauge (2) Air 1 and Air 2 Gauges, Located  
In Instrument Cluster, Glad Hands (2) one for service an  
one for Emergency: Trailer hoses from Cab,  
Hand Control Valve, Air mounted on steering column,  
Hose tender back of Cab mounted, Parking brake valve  
and combination by Yellow and red knobs, located on  
Instrument panel, Slack adjusters, Front automatic,  
Slack adjusters, Rear automatic, Auxiliary switch, Interrupter for  
cab ant trailer clearance/marker lights (blinks lights with headlight  
Switch in "OFF" or "ON" Position) Instrument Panel Mounted,  
Tractor Protection Valve \_\_\_\_\_

DRAIN VALVE: Manually; with pull chain, for  
Air Tank \_\_\_\_\_

AIR BRAKE ABS: Bendix ABS system, full vehicle wheel control system (4-channel) \_\_\_\_\_

AIR DRYER: Bendix AD-9, with heater \_\_\_\_\_

BRAKES FRONT: Air cam S-cam; 16.5" x 5.0"; Includes 20 sq. in. MGM long stroke brake chambers, dust shields \_\_\_\_\_

BRAKES REAR: Air cam 16.5" x 7.0"; includes MGM TR3030 long stroke brake chamber and heavy-duty spring actuated parking brake, \_\_\_\_\_

AIR COMPRESSOR: Knorr Bremese LP-360 DLU 15.9 CFM cap., single cylinder \_\_\_\_\_

STEERING COLUMN: Tilting and Telescoping \_\_\_\_\_

STEERING GEAR: Sheppard M-100, power \_\_\_\_\_

EXHAUST SYSTEM: Single, vertical, after treatment device frame mounted right side; includes vertical tail pipe and guard \_\_\_\_\_

ELECTRICAL SYSTEMS:

12-Volt standard equipment \_\_\_\_\_

Battery box; steel w/fiberglass cover, mounted Right side, back of cab \_\_\_\_\_

Horn, electric (2) \_\_\_\_\_

Parking light, integral with front turn signal and rear tail light \_\_\_\_\_

Stop, turn, tail & B/U lights dual, rear, combination with reflector \_\_\_\_\_

Turn signals, front flush mounted includes reflectors and auxiliary side turn signals, solid state flashers \_\_\_\_\_

Data link connector in cab for vehicle programming and diagnostics in cab \_\_\_\_\_

Chassis wiring, color coded and continuously numbered \_\_\_\_\_

Turn signal switch; self-canceling for trucks, manual cancelling for tractors with \_\_\_\_\_

Lane change feature \_\_\_\_\_

Headlights: Halogen Composite Aero design for Two light system , includes daytime running lights \_\_\_\_\_

Starter switch; electric key operated \_\_\_\_\_

Fuses, Electrical SAE Blade-type \_\_\_\_\_

Hazard Switch push on/push off, located on top of steering column cover \_\_\_\_\_

Headlight dimmer switch integral with \_\_\_\_\_

turn signal lever. \_\_\_\_\_  
 Jump start stud located on Positive terminal  
 of outermost battery \_\_\_\_\_  
 Running light (2) daytime, included with  
 headlights \_\_\_\_\_  
 Cigar lighter \_\_\_\_\_

**WINDSHIELD WIPERS:** 2-Speed with Wash and intermitted feature  
 (5 pre-set delays). Integral with turn signal lever,  
 Single motor, electric, Cowl Mounted. \_\_\_\_\_

**ALTERNATOR:** Bosch LH160, Brush Type, 12-Volt, 160-Amp. Cap.,  
 pad mount \_\_\_\_\_

Trailer Hoses and cables coiled;  
 with 15' working length \_\_\_\_\_

**BATTERY SYSTEM:** (3) 12-volt 1950 CCA total \_\_\_\_\_

**RADIO:** AM/FM stereo with weather band, clock, includes  
 multiple dual cone speaker's \_\_\_\_\_

**BACK-UP ALARM:** Electric, 102 dBA \_\_\_\_\_

**STOP, TURN, TAIL & B/U LIGHTS:** (Truck Lite) Super 44  
 with LED bulbs for Stop, Turn & Tail lights  
 and Truck Lite Super 40 backup lights, with  
 power module \_\_\_\_\_

**HORN:** Air, black, single trumpet, air solenoid operated,  
 mounted behind bumper on right rail \_\_\_\_\_

**STARTING MOTOR:** 12-Volt; (Mitsubishi Electric 105P)  
 Less thermal over crank protection \_\_\_\_\_

**CIRCUIT BREAKERS:** Manual-reset (main panel) SAE Type III  
 with trip indicators replaces all fuses except for  
 5-amp fuses \_\_\_\_\_

**FENDER EXTENSIONS:** Rubber \_\_\_\_\_

**GRILLE:** Chrome \_\_\_\_\_

**HOOD:** Front end tilting, with three pc. Construction  
 to include bug screen front end; mounted  
 behind grille \_\_\_\_\_

**CLUTCH:** (Eaton Fuller EP1552) Easy-Pedal  
 Two-Plate, cast angle spring; ceramic, 15.5"  
 diameter, soft clutch 7-spring damper, mechanical  
 pull-type control, with Adjustment-Free

feature, 1700 lb-ft Torque Capacity	_____
Clutch release bearing greasable	_____
Cold starting equipment, automatic; with engine ECM Control	_____
FUEL TANK: Non-Polished Aluminum, 23.0" Diam., 100 U.S. Gal., 378.5 L Cap. Mounted left Side under cab	_____
CAB CONVENTIONAL: To include; ARM REST (2) Molded Plastic; One Each Door	_____
CLEARANCE/MARKER LIGHTS (5) Flush Mounted	_____
COAT HOOK Located on Rear Wall, centered Above Rear Window	_____
CUP HOLDERS Two Cup Holders, located in Lower Center of Instrument Panel	_____
DOME LIGHT, CAB Rectangular, door Activated, Timed Theater Dimming, center Mounted, Integral to Console	_____
GLASS, ALL WINDOWS Tinted	_____
GRAB HANDLE, CAB INTERIOR (1) "A" Pillar Mounted, Passenger Side	_____
GRAB HANDLE, CAB INTERIOR (2) "B" Pillar Mounted, One Each Side	_____
INTERIOR SHEET METAL Upper Door (Above Window Ledge) Painted Exterior Color	_____
STEP (4) Two Steps Per Door	_____
HEATER SHUT-OFF Valves (2) gate valve type	_____
GAUGE CLUSTER English With English Electronic Speedometer to include; GAUGE CLUSTER (6) Engine Oil Pressure (Electronic), Water Temperature (Electronic), Fuel (Electronic), Tachometer (Electronic), Voltmeter, Washer Fluid Level	_____
ODOMETER DISPLAY, Miles, Trip Miles,	



Engine Hours, Trip Hours, Fault Code Readout \_\_\_\_\_

WARNING SYSTEM Low Fuel,  
Low Oil Pressure, High Engine Coolant Temp,  
and Low Battery Voltage (Visual and Audible) \_\_\_\_\_

GAUGE, OIL TEMP, ENGINE \_\_\_\_\_

GAUGE, OIL TEMP, MANUAL TRAN \_\_\_\_\_

IP CLUSTER DISPLAY On Board Diagnostics  
Display of Fault Codes in Gauge Cluster \_\_\_\_\_

SEAT, DRIVER {National 2000} Air Suspension,  
High Back With Integral Headrest, Vinyl, Isolated,  
With 2 Position Front Cushion Adjustment,  
-3 to +14 Degree Seat Back Adjustment,  
Single Chamber Air Lumbar Support \_\_\_\_\_

SEAT, PASSENGER: {Gra-Mag} Non Suspension,  
High Back With Integral Headrest, Vinyl, With  
Fixed Back: SEAT BELT 3-Point,  
Lap and Shoulder Belt Type \_\_\_\_\_

MIRRORS: (2) {Lang Mekra} Rectangular,  
7.44" x 14.84" x 7.44", Brackets Breakaway Type,  
With 102" Wide Spacing, With 7.44" sq.  
Convex Both Sides, black heads,  
brackets & arms \_\_\_\_\_

CAB SOUND INSULATION: Includes Dash  
Insulator and Engine Cover Insulator,  
Premium Floor mats and Sound Dampening  
Patches \_\_\_\_\_

INSTRUMENT PANEL: Center Section,  
Flat Panel \_\_\_\_\_

AIR CONDITIONER: Blend-Air With Integral Heater & Defroster  
to include:  
FRESH AIR FILTER, HEATER HOSES Premium  
REFRIGERANT Hydro fluorocarbon HFC-134A  
FRESH AIR FILTER for HVAC \_\_\_\_\_

STORAGE POCKET, DOOR Molded Plastic, Full Width;  
Mounted on Passenger Door \_\_\_\_\_

CAB INTERIOR TRIM Deluxe Includes  
"A" PILLAR COVER Molded Plastic  
CAB INTERIOR TRIM PANELS Cloth Covered  
Molded Plastic, Full Height; All Exposed Interior



# COUNTY OF EL PASO, TEXAS

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## **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

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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 MENA, 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?

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

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

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**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 East Overland, Suite 300  
El Paso, Texas 79901  
(915) 546-2048  
(915) 546-8180 Fax

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RE: Bid #09-060, Bid - One (52,000) GVW Truck/Tractor for Road & Bridge

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 Mena, Inventory Bid Technician  
Lucy Balderama, Inventory Bid Technician  
Ernesto Carrizal III, P. E. Road & Bridge

Please note that the state law requires that the Questionnaire be filed with the **COUNTY CLERK** no later than **the 7<sup>th</sup> 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

Bid # 09-060

**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

## COUNTY OF EL PASO PURCHASING DEPARTMENT

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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

### **PLEASE FOLLOW THESE 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. Write N/A in 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. If you do not have a conflict with anyone mentioned please check NO.
- **Item D** List the type of relationship and what department in the local government the person you have listed in **Box #3**. **If no conflict, write NONE.**
- **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](http://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 Mena 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.

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**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

### Bid - One (52,000) GVW Truck/Tractor for Road & Bridge Bid #09-060

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#### THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

\_\_\_\_\_ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Thursday, July 16, 2009. Did you visit our website ([www.epcounty.com](http://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 two (2) copies of your response?

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