



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

Notice to Interested Parties

Sealed Request for Qualifications will be received at the County Purchasing Department, 800 E. Overland, RM 300, El Paso, Texas 79901 before 2:00 p.m., **Tuesday, May 4, 2010**. Responses will be opened at the County Purchasing Office the same date for **(RFQ) Secure Border Trade Demonstration Project**. **A pre-bid conference will be held in a webinar format on Tuesday, March 30, 2010 at 10:00 a.m.**

Qualifications must be in a sealed envelope and marked:

**"Qualifications to be opened May 4, 2010
(RFQ) Secure Border Trade Demonstration Project
RFQ Number 10-021"**

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, April 6, 2010, at 12:00 p.m. Questions can be faxed to (915)-546-8180.

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

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

PITI VASQUEZ
County Purchasing Agent

SIGNATURE PAGE

Description – RFQ # 10-021
(RFQ) Secure Border Trade Demonstration Project
Vendor must meet or exceed specifications

Please submit one (1) original copy and ten (10) duplicate copies of your statements of qualifications.

Company

Address

Federal Tax Identification No.

City, State, Zip Code

CIQ Document Number

CIQ Sent Date

Representative Name & Title

Telephone

Fax Number

E-mail

Signature

Date

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

(RFQ) Secure Border Trade Demonstration Project

RFQ #10-021



**Opening Date
Tuesday, May 4, 2010**

County of El Paso, Texas
Request for Qualifications

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Section I. General Information about the RFQ

1. Purpose

The County of El Paso Texas (County), organized under the laws of the State of Texas, which for purposes hereof shall be deemed to include the entirety of the County of El Paso, is inviting the receipt of qualifications for the design, provision, installation, maintenance, and support of a Secure Border Trade (SBT) system demonstration.

This request for qualifications (RFQ) includes the following:

- Signature Page
- Section I. General Information about the RFQ
- Section II. Project Background, Objectives, Management, Statement of Qualifications Format, and Preparation Instructions
- Section III. Selection Criteria
- Attachment A. Guidelines for Respondents
- Attachment B. Respondent's Qualification Questionnaire
- Attachment C. Technical Specifications
- Attachment D. Acronyms and Abbreviations

2. Pertinent Dates

Pertinent dates include the following:

Release date of RFQ: **March 7, 2010**

Pre-bidders conference (webinar) will be held on: **Tuesday, March 30, 2010 at 10:00 a.m.**

All inquiries regarding RFQ should be received by the County before:

Noon on April 6, 2010

All responses to the RFQ are due before: **2:00 p.m. on May 4, 2010** (RFQ Closing Date)

County develops a "short list" of up to five firms that are qualified to perform the work:

May 25, 2010

Request for Technical Specifications (RTS) released to short list firms: **May 28, 2010**

Responses to Request for Technical Specifications are due: **June 29, 2010** (RTS Closing Date)

County may conduct oral interviews with up to three respondents: **Date will be scheduled if interviews are conducted**

Intended date for County to select a respondent with which to enter into negotiations: **July 26, 2010**

Anticipated contract award date: **August 16, 2010**

3. General Instructions

The County considers any information, which it may have released either orally or in writing prior to the issues of the RFQ, to be preliminary in nature and the County shall not be bound by such information.

Each respondent should furnish the information required by this RFQ. The person signing the response must initial erasures or other changes.

Where particular goods and/or services are set forth in this RFQ, the County will not consider responses for goods and services other than those specified unless specifically authorized by solicitation.

4. Response Format

Responses must be submitted in the format outlined in this document. Each response will be reviewed to determine if it is complete prior to actual evaluation. Responses not containing the information requested may not be considered.

Respondents shall use the prescribed format referenced in Section II, Items 5, 6 and 7 and included as Attachments A and B to indicate their experience and qualifications, describe their general technical approach to the project, and explain their proposed approach to the contract. Respondents should not submit a technical proposal at this time. In addition, the County reserves the right to waive any irregularities and formalities in the selection of the firm for this project.

5. Contract Responsibility

The selected contractor will be required to assume total responsibility for the design, implementation, and operation of the SBT system. The selected contractor will be considered the prime contractor and the sole point of contact with regard to all contractual matters for design, installation, service, operation, maintenance, and training.

6. Taxes, Fees, Code Compliance, Licensing

The selected contractor shall be responsible for payment of any required permits, licenses, taxes, or fees associated with the execution of the project contract. The selected contractor shall be responsible for compliance with all applicable codes and laws.

7. Technical Specifications

Technical specifications will be provided to the short list firms emerging from this RFQ process. These technical specifications will comprise the County's concept for the SBT demonstration. Attachment C contains preliminary technical concepts and requirements for the project.

8. Point of Contract for this RFQ

Prospective respondents are advised that the County's point of contact (Purchasing Agent) for all matters concerning this RFQ is:

County of El Paso Purchasing Agent
800 E. Overland, Rm. 300, El Paso, Texas 79901
(915) 546-2048 Phone
(915) 546-8180 Fax

9. Requests for Clarification and Addenda

Any inquiry regarding this solicitation must be made in writing except that the County will entertain oral inquiries at the anticipated Information Session. To be considered, inquiries must be addressed to the Purchasing Agent as specified in Item 8.

The County will respond to inquiries and any other corrections, amendments, and the like which it deems necessary in written addenda issued prior to the Closing Date. The County will e-mail addenda to each person recorded as having been furnished a copy of this RFQ, but respondents are responsible for assuring that they receive all addenda. To ascertain whether any addenda have been issued regarding this RFQ, prospective respondents may telephone (915) 546-2048.

Respondents should not rely on any representations, statements, or clarifications not made in this RFQ or in a formal addendum or at the Information Session. Notwithstanding the foregoing, if the County issues an addendum with a digest of the inquiries made and answers given at the Information Session, respondents shall rely on the information contained in such addendum rather than any given orally at the Session.

10. Pre-bidders Conference (Information Session)

It is anticipated that a pre-bidders conference will be held in a webinar format on **Tuesday, March 30, 2010, at 10:00 AM MDT**. An addendum will be posted at a later date by the Purchasing Agent to confirm the day, time and login information for the webinar. Addendums are posted in the County's website at www.epcounty.com (click on to bids & more, and scroll down to 10-021, click on to the Addendum.) Respondents will be asked to respond via e-mail as to whether or not they will participate in the webinar and who the participant(s) will be.

11. Restriction on Contact with County Employees

Prospective respondents are advised that, from the date this RFQ is issued until the award of any resultant contract, they are not permitted to contact any County employees or the staff of the County's cooperating agency on this project, the Texas Transportation Institute (TTI), about any matter related to this solicitation unless they have received the permission of the Purchasing Agent.

12. Withdrawal of Responses

Respondents may withdraw their responses from consideration at any time prior to award of the contract. Respondents who decide to withdraw their responses are asked to notify the County of such withdrawal in writing directed to the Purchasing Agent so that personnel do not waste time considering nonvalid responses. The County shall have the right to discard or retain for its records all copies of responses withdrawn from consideration.

13. Right to Reject Responses

The County reserves the right to reject any or all responses to this RFQ and to accept or reject any or all the items in the responses, and to award the contract if it is deemed in the best interest of the County.

14. Incurring Costs

The County shall not be held liable for any pre-contract activities or costs incurred by respondents in the preparation of their responses or during any negotiations on responses or proposed contracts or for any work performed in connection therewith.

15. Oral Presentations and Demonstrations

After the Closing Date(s), the County may require respondents to give oral presentations regarding their responses and/or to exhibit or demonstrate the items in their Qualifications Package or response to request for technical specifications.

16. Disclosure of Responses

Upon submission and after a contract has been awarded, responses and other materials submitted by respondents become records subject to the Freedom of Information Act and Texas Open Records Act. The County may deny public access to such records or applicable portions thereof which "are trade secrets or are maintained for the regulation of commercial enterprise which if discovered would cause substantial injury to the competitive position of the subject enterprise," as specifically exempted from disclosure by state or federal statute. The County, however, is obligated to disclose information consistent with the requirements of Texas State law notwithstanding any such markings made by respondents.

Section II. Project Background, Objectives, Management, Statement of Qualifications Format, and Preparation Instructions

1. Purpose of SBT Demonstration

The goal of the SBT is to assure that the complex systems involved in the movement of commerce across the international border are working together to optimize commerce. The overall purpose of the El Paso County Secure Border Trade Demonstration Project is to heighten security, increase participation in trusted shipper programs, promote economic development, and facilitate border trade efficiency by enhancing collaboration between maquiladoras (maquilas), customs brokers, transporters, and border security personnel. The project aims to achieve these goals by increasing the efficiency and security of goods crossing the U.S.-Mexico border by providing visibility of the goods movement throughout the supply chain. Specifically, the project will introduce new electronic tracking, reporting and monitoring technology that will expand the capabilities of the private and public sectors to monitor the loading of tractor/trailers and track the movement of goods and the operation of vehicles, from origin to destination, as well as to verify the identity of drivers and other participants in the cross border supply chain in real time.

2. Project Information

2.1 Background

The Paso del Norte Trade Corridor (PDNTC), which includes El Paso, Texas; Ciudad Juarez, Chihuahua, Mexico; and parts of Dona Ana County, New Mexico, has the highest concentration of North American Free Trade Agreement (NAFTA) offshore manufacturing or maquila industries on the U.S.-Mexico border. PDNTC private-sector businesses have come together in various significant forms of cooperation to address transportation issues. Recent research among PDNTC stakeholders (maquilas, customs brokers, trucking companies) identified trade facilitation, inspection, wait times, and the “introduction of contraband” as primary concerns surrounding commerce in this region.

On a typical day in the PDNTC, 2,800 northbound trucks cross the U.S.-Mexico border. Due to staff and infrastructure limitations, not all trucks are inspected in “secondary.” Despite a number of efforts to automate and pre-clear vehicles, wait times can be lengthy, unpredictable, and impacted by U.S. security alerts. As a result:

- supply chain management has become difficult to sustain;
- maquila and transportation industries are experiencing additional costs of wear and tear on trucks and overtime associated with delays at the border;
- supply chain security has been compromised by illicit activity, causing increased inspections and added delays;

- pollution emissions from waiting trucks is significantly adding to PDNTC air quality problems;
- the region bears increased infrastructure costs due to highway damage from slow-moving trucks;
- congestion at the ports interferes with commerce, transportation, and emergency response systems;
- the Department of Homeland Security - Bureau of Customs and Border Protection (DHS-CBP) is forced to devote time on inspecting all vehicles rather than concentrating on high-risk cargo movements;
- commercial transport unpredictability is adding an additional vulnerability for maquila industries already impacted by the manufacturing industry relocations to China and India;
- various federal and state inspection programs – identification, manifest, and cargo inspections – and Federal Motor Carrier Safety Administration (FMCSA) and state vehicle safety inspection requirements make for a complex and lengthy border processing experience. To varying degrees, these programs are not integrated or coordinated with one another.

Transportation management, security, and safety of commerce is a bi-national, multi-agency, public and private challenge that must be undertaken and resolved in order to restore the economy and reinforce homeland security on our southern border. This project will utilize the close working relationships within the state of Texas with maquila partners on the Mexican side of the border. It is the intent that through the development and testing of SBT the County can position the border region for a return to significant economic growth even as technology implementation and processes contribute to a safer and more secure border.

2.2 Purpose of Request for Qualifications

This RFQ is for a multi-partnered, comprehensive technology system demonstration that will develop and deploy a state-of-the-art integrated security and management system for the secure and efficient movement of commercial vehicles at land-based ports of entry (POE) in the PDNTC. This system is called Secure Border Trade, or SBT. This demonstration is anticipated to be the adaptation and integration of proven technologies to create a transportation security system that can be interoperable with existing and anticipated programs such as FAST (Free and Secure Trade), CTPAT (Customs-Trade Partnership Against Terrorism), ACE (Automated Commercial Environment), WHTI (Western Hemisphere Travel Initiative), and CVISN (Commercial Vehicle Information Systems and Networks). This project will implement the first system of its kind in the Paso del Norte Trade Corridor. SBT is an integrated security and tracking system that fuses plant security, vehicle security and tamper-resistant sealing, and a continuous global positioning system (GPS) tracking system to create a real-time security picture of a cargo shipment.

The demonstration will require streamlined business processes and technology integration to assure monitoring facilitation. Interoperability with existing U.S. Department of Transportation (USDOT) and Homeland Security systems is a prime objective. The pilot demonstration will demonstrate backward compatibility with existing ISO and ANSI standards. Any software developed for SBT needs to be scalable for growth and be able to accommodate future standards as they develop. If this is a successful demonstration, it will serve as a model for all land POEs on the U. S.-Mexico and U.S.-Canada borders.

2.3 Secure Border Trade Project Funding

Respondents are not required to provide a cost proposal at this time but this will be required as a part of the technical proposal.

Funding for the SBT demonstration is being provided by USDOT under the Coordinated Border Infrastructure program, Section 1303 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. The purpose of the program is to improve the safe movement of vehicles and cargo at or across the land border between the U.S. and Canada and the land border between the U.S. and Mexico. El Paso County, Texas, is the local sponsor of this demonstration. "The County has approximately \$2.64 million in USDOT CBI funds to use in this project. To receive these funds a match is required which will be approximately \$660,000."

Updated in 2006, the revised CBI program envisions special oversight by the FHWA Division Office. All projects approved for funding in this program have met the intent of the legislation and have a clear and direct connection to cross-border movement of vehicles. To be eligible for CBI funding, a project must improve and facilitate/expedite cross-border commercial vehicle and cargo movements.

2.4 Project Objectives

The following project objectives must be met by the demonstration:

- Implement an integrated system, set requirements and standards for security practices and business processes, and create enabling technology integration in the multi-partner and multi-program environment of the southern border.
- Demonstrate the feasibility of integrating various technologies to enable more efficient, cohesive, and comprehensive security compliance with state and federal security programs. Technologies implemented and tested will range from systems access at the point of origin (for loading integrity), GPS-type technologies to track movements from point of origin to the border (to ensure correct routing), electronic container and truck door seals to monitor trailers (especially trailer door events), and a role-

based application to capture key information of individual participants (e.g., truck drivers).

- Using the integrated technologies, create an event-based architecture and software to combine automated and non-automated data into a single, comprehensive view of each shipment that can be monitored in real-time to show vehicle adherence to assigned routing.
- Conduct a number of end-to-end secure supply chain shipments wherein security practices, business processes, and enabling technologies are combined and, in so doing, show understanding and demonstrate the limitations, advantages, key interfaces, and interoperability issues of SBT.
- Demonstrate the functioning of a control center to be located in El Paso to monitor the integrated technologies and communicate cargo shipment issues to the federal and/or state agencies and private companies involved in the specific cargo movement.

2.5 Project Management and Organization

As indicated in Item 3, a number of stakeholders are involved in this project. The organization chart shown in Figure 1 included at the end of Section II, Item 3 demonstrates the organization of project stakeholders. A Technology Monitoring Committee (TMC) will be responsible for reviewing the status of the project, and the successful contractor should anticipate making periodic reports to this body. The TMC will review major documents submitted by the contractor. It should be clear, however, that relative to contractual matters, the contractor will report to the County and its technical representatives at TTI.

The TMC consists of representatives from several stakeholders in the region. The TMC's role will be to systematically ensure that at every stage of project development and implementation:

- Predefined quality standards for each and every step of the process are met.
- Business and technical needs of ALL stakeholders are integrated.
- Quality of end product is met.

The TMC will coordinate with the County of El Paso and TTI in developing procedures to monitor the progress of the project, identify benchmarks, set significant milestones, and engage in testing and evaluation of the project. In addition, the TMC will:

- assist TTI in technology monitoring activities for the successful design, operation, maintenance, and retirement of the project;

- provide technical oversight and monitoring of the project by assisting TTI with specific systems engineering tasks throughout the life-cycle of the project;
- monitor major systems engineering tasks and assess risks and benefits;
- assist in assuring and increasing participation of stakeholders throughout the life cycle of the project; and
- participate in, review, and approve the concepts of operation, stakeholder needs and requirements, high- and low-level designs, testing, verification, and retirement of the project.

The following agencies have agreed to be part of the TMC:

- Customs and Border Protection,
- Federal Highway Administration,
- City of El Paso,
- Texas Department of Transportation,
- El Paso Metropolitan Planning Organization, and
- El Paso County.

3. Project Stakeholders

The primary stakeholders in this project include El Paso County, City of El Paso, Texas Department of Transportation (TxDOT), El Paso Metropolitan Planning Organization (El Paso MPO), U.S. Department of Transportation—Federal Highway Administration (USDOT-FHWA), and Department of Homeland Security—Customs and Border Protection (DHS-CBP). Each stakeholder has a vested interest in the outcome of this effort. The following list describe the primary stakeholders.

3.1 Primary Stakeholders

El Paso County – El Paso County is one of the larger counties in Texas and the most populous county in west Texas. The City of El Paso is the commercial and government center of the County and is the fifth largest city in Texas. El Paso County and adjacent urban areas in the State of Chihuahua, Mexico, represent the largest urban center along the U.S.-Mexico border. The area of El Paso/Ciudad Juarez represents the largest concentration of maquiladora operations on the U.S.-Mexico border. The County and the City of El Paso were named for their geographic location in a pass south of the Franklin Mountains and north of the Rio Grande River. El

Paso County is located at the juncture of several historic trade routes including rail, interstate highway, and international airport facilities.

El Paso City – The City of El Paso is the fifth largest city in Texas and, together with Ciudad Juárez, represents the largest urban center along the U.S.-Mexico border. Named for its geographic location in a pass south of the Franklin Mountains and north of the Rio Grande River, El Paso is located at the juncture of several historic trade routes including rail, interstate highway, and international airport facilities. Typically, more than 68,000 trucks cross the international bridges in and near El Paso into the U.S. each month, carrying a wide variety of manufactured goods and materials. Geographic constraints and urban development have created a transportation bottleneck in the center of the City.

The City of El Paso, located along major east-west and north-south trade corridors, serves a vital role in goods movement affecting the local, regional (PDNTC), and national economy. The City of El Paso owns and operates three international bridges, while the federal government owns and operates the Bridge of the Americas.

Texas Department of Transportation – As an agency of the State of Texas, TxDOT has a broad-reaching mission of providing safe, effective, and efficient movement of people and goods. The SBT project reflects this mission goal. As part of this mission, TxDOT has the vision that transportation systems should be safe, durable, cost-effective, environmentally sensitive, and aesthetically appealing systems that work together. The goal of the SBT is to assure that the complex systems involved in the movement of commerce across the international border are working together to optimize commerce. TxDOT has long encouraged innovation and creativity, and shares the goal that SBT will help reduce congestion, expand security, expand economic development, and help improve air quality in the PDNTC.

El Paso Metropolitan Planning Organization – The Transportation Planning Board (TPB) of the El Paso MPO was established in 1973 to meet the requirements of USDOT in that urbanized areas with a population of 50,000 or greater must have a transportation planning board to ensure that all regional transportation studies are performed in conformance with local, state, and federal laws, rules, and regulations. The TPB is comprised of 26 elected and/or appointed public officials from communities in Texas and New Mexico. It has responsibility for transportation issues on the U.S. side of the PDNTC. The El Paso MPO is professionally staffed and coordinates with transportation officials on the Mexico side of the international border.

U.S. Department of Transportation—Federal Highway Administration – USDOT is a cabinet-level agency of the executive branch of the U.S. government. FHWA is a major agency within USDOT. The mission of the FHWA is to keep America moving safely, comfortably, economically, and without harm to our environment. FHWA seeks to create the best

transportation system in the world through “proactive innovation.” Funding for the SBT demonstration is being provided by USDOT under the Coordinated Border Infrastructure (CBI) program, Section 1303 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The purpose of the program is to improve the safe movement of motor vehicles at or across the land border between the U.S. and Canada and the land border between the U.S. and Mexico.

Updated in 2006, the revised CBI program envisions special oversight by the FHWA division office involved. The state must provide appropriate documentation describing the eligibility of each project approved for funding under this border program. All projects approved for funding in this program have met the intent of the legislation and have a clear and direct connection to cross-border movement of vehicles. To be eligible for CBI funding, a project must improve and facilitate/expedite cross-border motor vehicle and cargo movements.

Department of Homeland Security—Customs and Border Protection –

The DHS-CBP is responsible for all customs service operations at international POEs. The cooperation of DHS-CBP staff in the SBT demonstration is critical. On November 20, 2007, the DHS-CBP El Paso Field Office and El Paso County signed a joint Statement of Understanding relative to the SBT project. The statement provided a general but limited agreement to work together on the project and states that “in addition, the CBP and El Paso County concur that the thirty (30) designated tractors and trailers equipped with Intelligent Transportation Systems (ITS) components as a result of this Project will be registered in the FAST Program.” CBP has a Customs Management Center located in El Paso. If successful, the SBT will ultimately need to be integrated with other CBP preclearance systems being deployed at international POEs.

3.2 Secondary Stakeholders

This project also will involve a number of secondary stakeholders or partners who will be involved either peripherally or are interested in the results. The following list describe the secondary stakeholders.

Texas Transportation Institute – TTI is a part of The Texas A & M University System and is a cooperating agency on this project with responsibility to prepare the RFQ document and technical specifications. The mission of TTI is to solve transportation problems through research, to transfer technology, and to develop diverse human resources to meet the transportation challenges of tomorrow. TTI is involved in not just highway or road issues but in virtually every aspect of transportation. TTI’s program approach is one of practical, applied research. The TTI office in El Paso has recently been associated with the movement of hazardous materials across the international border and with efforts to use radio frequency identification (RFID) technology to automate real-time wait time information at the

international ports of entry. TTI is providing ongoing technical support to the County in this project by performing technology monitoring of the SBT project based on systems engineering practices. TTI will assist the County throughout the life of the project and coordinate with the vendor on behalf of the County for successful completion of the project.

Business Anti-Smuggling Coalition (BASC)/Coalicion Empresarial Libre Comercio (CELC) – The BASC is a binational business-led, DHS-CBP-supported alliance created to combat narcotic smuggling via commercial trade. As a voluntary program for businesses with no government-imposed mandates, corporate participants are expected to set self-imposed business standards that will significantly deter narcotics traffickers. CELC is the regional branch of BASC.

The BASC program is involved in the entire process of manufacturing and shipping merchandise from foreign countries to the U.S., emphasizing the creation of a more security-conscious environment at foreign manufacturing plants to eliminate, or at least reduce, product vulnerability to narcotics smuggling. BASC combines the best practices and ideas that work from both the public and private sectors. In providing a forum in which the business community and DHS-CBP can exchange ideas and information, BASC makes available to its members the best security practices currently in use. Both the national organization and the local branch (CELC) will be heavily involved in the SBT project.

3.3 Other Related Organizations/Potential Stakeholders

A number of organizations exist in the PDNTC that can assist with this project in a variety of ways. These organizations reflect the significant number of organizations involved in trade on the U.S.-Mexico border. El Paso County and TTI staff can assist the successful respondent in establishing relationships with these organizations. Other organizations listed are involved in various types of technologies to secure commercial vehicles utilizing the border.

Foreign Trade Association — The Foreign Trade Association can be part of the local team of organizations that can work toward private industry acceptance of SBT and help to model business processes.

Transportistas Juárez (Juárez Trucking Company Association) — The Transportistas Juárez can be part of the local team of organizations that can work toward private industry acceptance of SBT and specifically can help in developing trucking industry participation. The Transportistas can assist in modeling business processes requirements.

AMAC – La Asociación de Maquiladoras y Exportadoras de Chihuahua (The Association of Assembly Plants of Ciudad Juárez) can be part of the local team of organizations that can work toward private industry acceptance of SBT and can help to model business processes.

Southwest Maquila Association — The Southwest Maquila Association can be part of the local team of organizations that can work toward private industry acceptance of SBT and can help to model business processes.

Customs Brokers and Freight Forwarders Association of America — The local Customs Brokers and Freight Forwarders Association of America plays an integral role in preparing documentation for cargo entering the U.S. Personnel interface electronically with DHS-CBP to permit documentation to be presented before the conveyance reaches the border. The organization accounts for the majority of import documentation presented to the federal government.

Bonded Carriers and Cartmen (Drayage) — Local cartmen (drayage) companies move most cargo across the border. Sometimes manufacturers use their own conveyances to move cargo, but cartmen play a very important role in El Paso cross-border traffic. They often provide electronic documentation to DHS-CBP prior to the shipment arriving at the border.

Mexican Association of Business and Industrial Parks (La Asociación Mexicana de Parques Industriales) — The AMPIP can be part of the local team of organizations that can work toward private industry acceptance of an SBT and specifically can help to model business processes.

Border Trade Alliance (BTA) – The BTA was founded in 1986 as a non-profit organization that serves as a forum for participants to address key issues affecting trade and economic development in North America. The BTA works with entities in Canada, Mexico, and the United States and advocates on behalf of policies and initiatives designed to improve border affairs and facilitate trade among the three nations. The BTA has supported a number of initiatives to secure and facilitate commerce.

USDOT-Federal Motor Carrier Safety Administration (FMCSA) – The FMCSA was established as a separate administration within USDOT, pursuant to the Motor Carrier Safety Improvement Act of 1999. The primary mission of FMCSA is to reduce crashes, injuries, and fatalities involving large trucks and buses. In accomplishing its mission, FMCSA develops and enforces data-driven regulations that strive to balance safety with industry efficiency. At border crossings, FMCSA partners with state vehicle inspection agencies to assure vehicle safety. FMCSA has a specific responsibility for the safe transport of hazardous materials.

As part of its efforts to improve vehicle safety and security, FMCSA has developed the Commercial Vehicle Information Systems and Networks (CVISN) program. The CVISN program focuses on safety enforcement of high-risk operators and facilitation of commercial vehicle screening through creating an on-line review of safety records and credentials. Separately, Texas has been working to deploy CVISN at its vehicle inspection facilities.

Texas Department of Public Safety (TxDPS) – TxDPS operates the Border Safety Inspection Facilities to provide an effective and efficient border commercial vehicle safety inspection program.

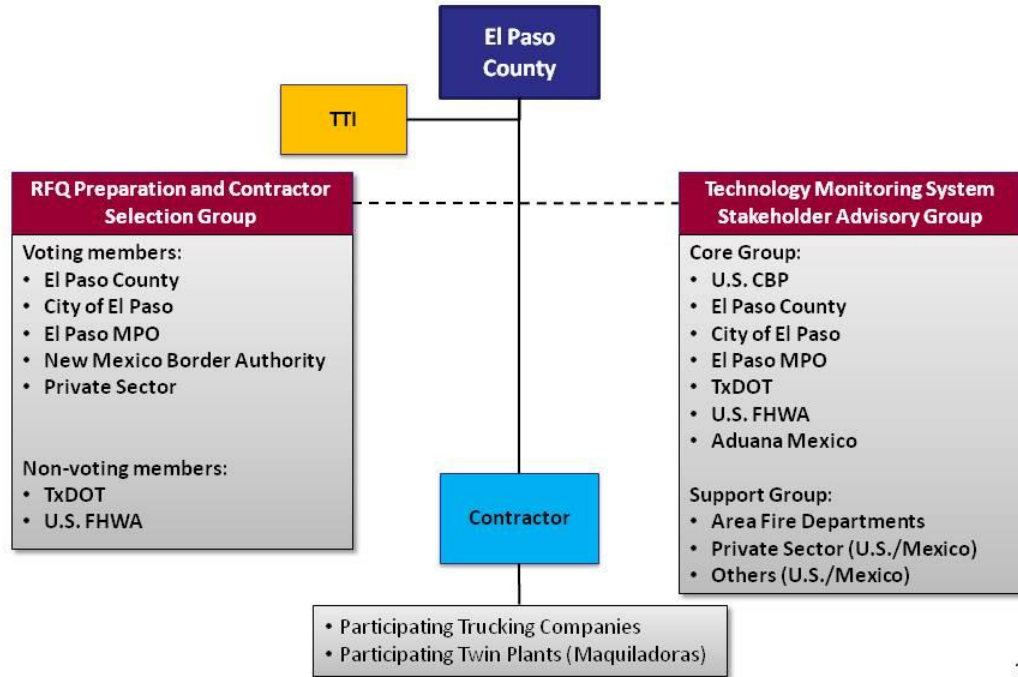
U.S. Environmental Protection Agency (EPA) – EPA is a cabinet-level agency of the executive branch of the U.S. government created in 1970. The mission of EPA is to protect human health and the environment. EPA has specific responsibility over hazardous materials policies in the United States.

Recently, EPA has undertaken a study in the PDNTC of the application of RFID technology for the real-time monitoring of hazmat transport across the international border.

U.S. Food and Drug Administration (FDA) –FDA is the oldest comprehensive consumer protection agency in the U. S. federal government. Its origins can be traced back to around 1848. Its modern functioning began in 1906 with the Pure Food and Drugs Act. FDA is responsible for protecting the public health by assuring the safety of drugs, biological products, medical devices, the nation’s food supply, and products that emit radiation. During the past decade, FDA has been looking at means to monitor the movement of high-risk products, particularly food and drugs, under their responsibility to assure the security of these shipments.

Mexican Aduanas – The Aduanas is the Mexican Customs organization and has responsibilities for commerce entering Mexico similar to those performed by DHS-CBP.

Management Plan



1

Figure 1: SBT Project Organization.

4. Scope of Work

The preliminary scope of work for the SBT demonstration is outlined and discussed in Attachment A (Guidelines for Respondents, Sections F and J) and Attachment C. Section II, Statement of Qualifications Format and Preparation Instructions (especially Subsections 2.2 and 2.3) contains the purpose and objectives of this project. Attachment A (Section I) contains an itemization of anticipated deliverables. Final technical specifications will be provided to the short list respondent(s) emerging from this RFQ process. These technical specifications will comprise the County's concept for the SBT demonstration. Respondents are advised that if there are any descriptive inconsistencies in the scope of work discussed herein, the final technical specifications shall govern.

4.1 Respondent Objectives and Vision for the Demonstration Program

Respondents should provide their perception of the objectives of the SBT demonstration project, as well as their vision for achieving the objectives.

4.2 Description of Services to be Provided

Respondents should provide a discussion of the tasks/services they anticipate undertaking under any resultant contract and the schedule they anticipate being able to follow. This will be considered preliminary and should be abbreviated. A comprehensive description of services to be provided will be requested from respondents in the technical specifications that will be issued to short list respondents.

5. Guidelines and Format for Response Preparation

Attachment A, Guidelines for Respondents, provides specific direction for the preparation of responses. Responses should follow the format provided.

6. Respondent Qualifications to Perform SBT Demonstration

Submission of a response conveys permission to make inquiries concerning the respondent to any persons or firms deemed appropriate by the County. Any proprietary information that the submitting respondent does not want disclosed to the public shall be so identified on each page on which it is found. Data or information so identified will be used by the County solely for the purpose of evaluation and contract negotiations for the project as stated herein. Disclosure of any proprietary information by County shall be in strict accordance with the laws and regulations regarding disclosure in the State of Texas.

Information on a prospective contractor's qualifications to perform this work should be provided as part of the technical proposal as defined in Attachment A, Guidelines for Respondents, and in Attachment B, Respondent's Qualification Questionnaire. Respondent's discussion of qualifications must be submitted in the format outlined in the attachments provided. Each will be reviewed to determine if it is complete prior to evaluation. The County reserves the right to eliminate from further consideration any response that does not follow the formats outlined or is deemed non-responsive; however, the County reserves the right to waive any irregularities or informalities, or to cancel this Request for Qualifications, or reject in whole or in part this solicitation, if the County determines that such cancellation or rejection is in the best interests of the public.

7. References

As outlined in Attachment A and in Attachment B, Section 14, the respondent is provided the opportunity to describe the general reputation and performance capabilities of the firm and explain how these characteristics translate to optimizing results for the County. In addition to this discussion, please provide a minimum of three (3) and no more than (7) references for similar projects. Each reference shall describe the services and equipment (software and hardware) provided, project cost, and benefits to the owner. Provide the owner's name, address, telephone number, and contact person for each reference. References for projects where the responding firm was not the prime contractor are not acceptable.

8. Deadline for Submission

Qualification Packages are to be received no later than 2:00 p.m. Mountain Standard Time on Tuesday, May 4, 2010, at the County Administration Building, Purchasing Department, 800 E. Overland, Rm. 300, El Paso, Texas 79901.

Questions regarding the submittal must be directed to:

County Purchasing Agent
El Paso County
800 E. Overland, Rm. 300
El Paso, Texas 79901
(915) 546-2048 Phone
(915) 546-8180 Fax

Any additional information or questions required by interested respondents must be submitted in writing to the attention of the County Purchasing Agent on or before April 6, 2010 at 12 noon.

9. Solicitation Checklist

An administrative checklist has been provided for the convenience of respondents and is included at the end of Appendix A.

Section III. Selection Criteria

1.0 Completeness

Each response will be evaluated for completeness and adherence to format. A response will be considered complete if all requested sections are included in the proper order.

2. Evaluation Process

2.1 Business and Financial Capability

The County of El Paso will appoint a committee to formally evaluate each response on business/financial capability to perform the anticipated work. The evaluation process will include confirmation of financial information. Those responses that do not meet the criteria will be eliminated from the evaluation process.

Business Capacity Criteria	Score
Business/Financial Capability	Pass/Fail

2.2 Management and Experience

The County of El Paso will appoint a selection committee to formally evaluate each response that passes the initial evaluation of business/financial capability portions of the process. The evaluation process, as described herein, will be used to grade the qualification responses and may include verification of references and other information as directed by the County of El Paso. Responses will be evaluated on understanding of the project, experience, and proposed management of the project. Responses will be scored to obtain a qualification score that will account for 100% of the evaluation's total weight.

Management and Experience	Weight
Understanding of the project concept and the County's requirements	20
Quality of the response	10
Experience in freight monitoring technology integration and past performance record	35
Management of the project and experience of key team members	35
100% of total	100

3. Grading Format

Each section or subsection of the response will be considered a separate selection and criterion will be graded individually. All scores will be summed to give the total score.

4. Technical Proposals

Final technical specifications will be provided to the short list respondent(s) emerging from this RFQ process. These technical specifications will comprise the County's concept for the SBT demonstration. Respondents are advised that if there are any descriptive inconsistencies in the scope of work discussed herein, the final technical specifications shall govern.

5. Negotiations

The County may negotiate with one or more respondents in any manner it deems fit. Such negotiations may be concurrent or sequential as the County determines. Proposals emerging from the negotiation process will be evaluated a second time for qualifications and technical merit. No respondents shall have any rights against the County arising from such invitation or negotiations pursuant thereto.

6. Contract Award

The contract resulting from this solicitation will be awarded to the qualified respondent whose response the County believes promises the most advantageous result to the County, cost and technical merit considered. Any award will be contingent upon approval of the County's Commissioners Court. No contract shall be effective until the County issues a Notice of Award. The County will endeavor to notify all other respondents of the selected respondent(s).

7. Non-Responsive Responses

Responses which do not include all requested information may be considered non-responsive.

ATTACHMENT A: Guidelines for Respondents

Responses are to contain the following:

- A. The following sections and content are required for each response:

Signature Page

Transmittal Letter

Cover/Title Page

Table of Contents

Introduction

Company Information

Respondent's Qualification Questionnaire (Attachment B)

Organizational Structure, Management Plan, and Key Personnel

Technical Approach and Work Plan

Experience and Qualifications

- B. Signature Page

A signature page has been provided and must be the first page of any submission from respondents.

- C. Transmittal Letter

A Transmittal Letter signed by an individual who is an appropriate officer of the firm or corporation offering the response must contain certification that the information presented by the respondent is true and correct and that the respondent acknowledges receipt of any written addenda issued by the County to this RFQ.

- D. Company Information

1. Background and History – Describe the company, its age, organizational structure, officers or partners, number of employees, products, and operating policies that could affect this contract. State the number of years the organization has been continuously engaged in the business that has provided it the experience to perform the work required in this RFQ.

2. Support Office – Identify the office of the company that would be responsible for the support services and management to be provided to the contract. Include the number of personnel based at this location and their experience with similar technology systems.
 3. Respondent’s Qualification Questionnaire (Attachment B) – The Respondent’s Qualification Question shall be signed by an official who has full authority to enter into a contract. The form of the questionnaire is included in Attachment B. If a specific subcontractor is anticipated to perform more than 25% of the work of the contract, the subcontractor should also complete a Respondent Qualification Questionnaire.
 4. Financial Stability – Describe the financial status of the company. Attach a Dunn and Bradstreet Report, audited financial statements for the last three (3) years, and an audit of the systems proposed if available.
- E. Project Organizational Structure, Management Plan, and Key Personnel
1. List the experience of the principal individuals of the organization, including the person(s) it expects to assign to this contract as Technical Project Manager and the individual(s) it expects to be on site in El Paso to manage the field demonstration.
 2. Respondents have the option of subcontracting parts of the services they propose. The respondent must include a description of any anticipated subcontracting arrangements, including the name, address, and qualifications of consultants and subcontractors.
 3. List the key professional/technical personnel who will be assigned to work on this project and their qualifications to participate. Key personnel to be identified should include the software engineer, systems engineer, and integration manager. Personnel resumes are to be supplied as appropriate. If the respondent is asked to provide a technical proposal, key staff should be identified as to role in the project and the number of person-hours each is expected to devote to each task and the project as a whole.
 4. Provide an organization chart for the management of this project. If the respondent anticipates using several subcontractors, information of the technical capabilities of the subcontractors to perform the assigned work should be included and key personnel identified. The organization chart should indicate the subcontractor(s) and their assigned roles.

F. Technical Approach, Work Plan, and Implementation Schedule

Respondents should not, at this time, provide a technical proposal, work plan, or proposed schedule as part of a response to this RFQ. Respondents should provide a brief explanation of the technical approach being used to perform the work required if such an explanation provides background as to management approach and professional/technical personnel being proposed. If respondents are successful in the qualification phase of this procurement, they will be asked to submit a technical and cost proposal. Appendix C contains information on how the County, at this time, anticipates requesting a technical proposal.

Alternatives

If it appears to any respondent that the project's functional goals can better be achieved through the use of an alternative design to the preliminary requirements designated by the County, such respondent is encouraged and invited to suggest such an alternative or alternatives, and to provide the appropriate information upon which such an alternative may be judged. Before an alternative will be considered by the County, however, it must result in an identical functional status of this response; i.e., be as productive, efficient, effective, and desirable and reach the same level of productivity as that demanded by the County. Notwithstanding the availability of an alternative, each respondent must in fact respond to each specification of this RFQ.

As set forth in this RFQ, alternatives will be considered in addition to, and not in substitution for, the requirements of this RFQ.

G. Experience and Qualifications

1. Respondent's Previous Supply Chain Security and/or System Integration Experience – Describe firm's qualifications to perform the work proposed. Explain when, where, by whom, and for what purpose the experienced was originally gained to perform the work required in this RFQ.
2. List the name(s) of any/all companies who are currently using the proposed system(s) and references from these companies including the names and telephone numbers of former clients who could be contacted by the County. This experience requirement is also addressed in the Respondent Qualification Questionnaire (Attachment B).

The client list should include a minimum of three clients and include:

- the name, address, and telephone number of the relevant company;
- a brief description of the company;
- the name of the individual in the company most knowledgeable about the system that was developed and/or is being utilized;

- the date of the installation and the name/version of the system provided; and
 - if permissible, the costs associated with the system(s) developed for this/these client(s).
3. Indicate if the respondent has ever failed to complete any work awarded to the company. Include a description of any work awarded to the company that was not completed. Explain reasons for not completing the work, and when, where, and what product was involved.
 4. If the respondent does not have experience in the development and implementation of supply chain security systems and/or with systems integration, but is proposing a system based on the respondent's experience in the development of point-to-point monitoring and security systems for other industries, please provide the same information requested in Part D above and in Attachment B, in the context of the industry for which the system was originally developed.

H. Deliverables

The following are deliverables anticipated during the course of this contract:

1. Project Plan
2. Systems Engineering Plan
3. Concept of Operations Document
4. High-Level and Component-Level System Design
5. Organizational Plan
6. Business Plan
7. Maintenance Support Plan
8. Acceptance Test Plan
9. Fully Operational SBT System
10. Viewing Station for TTI
11. Training Plan and Materials
12. Briefings and Briefing Materials
13. System Retirement Plan
14. Modified Business Model
15. Other Documentation

**ATTACHMENT B:
Respondent's Qualification Questionnaire**

- A. Instructions: Respondents are to provide all information requested. Attach additional sheets as needed.
1. Respondent's Official/Legal Name:
 2. Legal Address:

Local (El Paso) Address (if available):
 3. Give the name, title telephone number, and address of the individual who is the respondent's point of contact for this RFQ:
 4. The respondent represents that it operates as the following type of business organization: (Check whichever applies and fill in any appropriate blanks.)

___ an individual proprietorship

___ a general partnership

___ a limited partnership

___ a joint venture consisting of _____, _____, and _____.) List all joint venture partners on a separate sheet if this space is inadequate.)

___ a non-profit organization

___ a corporation incorporated under the laws of _____.
 5. The respondent shall delete the inapplicable word or words: The respondent is (is not) owned or controlled by a parent company.

If the respondent is owned or controlled by a parent company, enter the name and address of the parent company:

Parent's Official/Legal Name: _____

Parent's Legal Address: _____

 6. How long has the respondent been in business? _____
 7. List below the names, business addresses, titles, and the telephone numbers of the following people: if a corporation, of the president, executive officers, and

any other officers directly responsible for this response; if a partnership, of the partners directly responsible for this response; or, if another form of business entity, of the principals directly responsible for this response.

<u>Name</u>	<u>Address</u>	<u>Title</u>	<u>Telephone No.</u>
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8. Number of employees: _____ including _____ employees in the West Texas/New Mexico region.

9. List below the subcontractors the respondent anticipates using to perform the work of this contract. Indicate whether or not the subcontractor is incorporated in the U.S. or Mexico.

- Company Name
- Address
- What Work Will Perform
- Percentage of Overall Contract
- Contact Person
- Telephone No.

10. Does the respondent have any outstanding bids or proposals for contracts (i.e., bids for proposal pending where no contract has yet been awarded) with the State of Texas or County of El Paso? If no, state "No." If yes, please list them.

<u>Contract Subject</u>	<u>Requesting Agency</u>
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11. Has the respondent been awarded any contracts within the last three years by the State of Texas or County of El Paso? If no, state "No." If yes, describe those contracts beginning with the most recent. State the name of the contracting entity; give a brief description of the contract; state the contract period, the status of the contract, and the name, address, and telephone number of a contact person at the agency. Respondents need not provide more than five such descriptions.

12. Provide the respondent's financial references; for example, financial statements and/or bank references.

13. If respondent is required to submit a form 10K to the Security Exchange Commission, attach one copy of respondent's most recent form to this questionnaire.

14. List client references for which the County may view similar systems:

Business Name & Address	Contact & Tele. No.	Project	Dates of Work	Dollar Value of Work
-------------------------	---------------------	---------	---------------	----------------------

- A.
- B.
- C.
- D.
- E.
- F.
- G.

15. Describe any other contractual obligations which might have an influence on the capabilities of the respondent to immediately begin performance on any work/services called for by this RFQ. If none, state "None."

16. How soon would the respondent be able to begin work on this contract after Notice of Award (NOA)? _____ months.

17. Describe any litigation in which the respondent is involved that has or may have an impact on the respondent's ability to perform any work called for by this RFQ or any litigation in which the demand is for more than \$250,000 (exclusive of personal injury litigation where the liability is covered by insurance). If none, state "None."

18. By submission of this response, the respondent certifies and, in the case of a joint proposal, each party thereto certifies, as to its own organization, under penalty of perjury, that to the best of its knowledge and belief:

(a) The prices that ultimately will be included in a contract have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other respondent or with any competitor.

(b) Unless otherwise required by law, the prices that will be quoted in a resultant contract have not been knowingly disclosed by the respondent and will not knowingly be disclosed by the respondent prior to the Closing Date for responses; directly or indirectly, to any respondent or to any competitor prior to the Closing Date for responses.

(c) No attempt has been or will be made by the respondent to induce any other person, partnership, or corporation to submit or not to submit a response for the purpose of restricting competition.

(d) No commissioner or other officer or employee of the County or member, officer, or employee of its affiliated entities is interested, directly or indirectly, in any manner whatsoever in or in the performance of the contract or in the supplies, work or business to which it relates or in any portion of the profits thereof.

(e) The respondent is not in arrears to the County or State of Texas or its affiliated entities upon debt or contract and is not a defaulter, as surety or otherwise, upon any obligation to the County or its affiliated entities and has not been declared not responsible or disqualified, by any agency of the County or State of Texas, nor is there any proceeding pending relating to the responsibility or qualification of the respondent to receive public contracts.

(f) No gratuities have been offered or given or will be offered or given (in the form of entertainment, gifts, or otherwise) to any official or employees of the County or its contractor for this solicitation with a view toward securing favorable treatment in the selection of any response, proposal, or negotiating or awarding of any contract.

(g) No other person or entity is interested in this response or in any contract which may result from this RFQ except as has been previously disclosed in this questionnaire.

If the respondent cannot certify as to any of the above statements, the respondent shall set forth in detail the reasons.

In the event of a "Yes" answer to any of the three questions below, the County reserves the right to inquire further at a qualification hearing and/or responsibility hearing. The respondent shall bring to such hearing(s) documents as requested by the County. Failure to answer "Yes" or "No" to any of these questions will be deemed by the County to be a representation by the respondent of a "No" answer. While a "Yes" answer to any such question will not automatically result in a negative finding on the question of the respondent's responsibility, it would merit further inquiry by the County.

19. Has your firm or any principal, director, officer, shareholder of 10 percent or more of the stock, or managerial employee thereof been indicted in the State of Texas, County of El Paso, or any other jurisdiction for the commission of a crime? (Check “Yes” or “No”, as appropriate.)

YES _____ No _____

20. Is your firm or any principal, director, officer, shareholder of 10 percent or more of the stock, or managerial employee thereof the subject of any pending investigation by any grand jury, commission, committee, or other entity or agency of the State of Texas or any other jurisdiction? (Check “Yes” or “No”, as appropriate.)

YES _____ No _____

B. Respondent’s Certification

Respondent will not be eligible for award of a contract under this RFQ unless and until the respondent has submitted the following certification, which will be deemed a part of the resulting contract.

RESPONDENT’S CERTIFICATION

_____ certifies that:
Respondent

1. It is not on the U.S. Comptroller General’s list of ineligible contractors for federally financed or assessed construction; and
2. It will obtain from each of its subcontractors prior to the award of any subcontract under this contract the subcontractor certification requested by these conditions.

Signature of Authorized Representative or Respondent

C. MATERIALITY AND RESPONSIVENESS

The certification required to be made by the respondent in Section B pursuant to these conditions is material, will govern the respondent’s performance on the project, and will be made a part of this response. Failure to submit the certification prior to award will constitute grounds for disqualification.

Pursuant to 49 CFR 66.1.1(3b), as amended, the respondent must therefore submit with the response a completed Federal Buy America certification in accordance with 49 CFR 661.6 or 661.12, as applicable, as set for below.

ATTACHMENT C: Technical Specifications

Respondents selected as short list firms in the RFQ qualification phase of this procurement may be invited to make oral presentations. During negotiations, respondent(s) will be asked to discuss their technical approach to the project. A technical specification will be provided by the County to each finalist in this process. Finalists will be asked to submit a final proposal which could include changes to the management plan and key personnel proposed. Finalists will be asked to provide a detailed technical approach, work plan, schedule, and cost proposal. In order to appropriately propose qualifications to perform the work anticipated in this project, respondents need to anticipate a technical approach to the project, a work plan, and schedule to perform the work.

The following information is provided to show what the County currently would request relative to the technical requirements of the project. The following information is for informational purposes only at this stage of the RFQ process and does not need to be included in the Qualification Package.

1. Schedule: Final responses shall include a detailed implementation schedule indicating the key tasks and milestones through final acceptance and operations until the conclusion of the demonstration. The County will provide a work plan including tasks and general implementation schedule for this contract. In a final proposal the respondent may take exception to this work plan and provide a separately developed task-oriented work plan and implementation schedule. This implementation schedule shall be used in negotiating a payment schedule with the vendor for inclusion in the contract that will result from this solicitation. It is important that the proposed implementation schedule included in the final proposal identify key milestones and the anticipated percentage of the total work that the milestone represents. The schedule shall describe the work activities to be followed in order to accomplish the system specifications to be included in the final technical specifications, including a description of how the system works, the implementation plan including all tasks, and the hardware and software to be installed.
2. Respondent's Equipment Descriptions: The respondent shall provide in the final response a complete list of equipment proposed to be used in the SBT demonstration; including hardware/software systems, cameras, trailer seal tags, and communications equipment that will be proposed for the demonstration. All equipment provided shall be new. The requirements that will be included in the final technical specifications must be thoroughly addressed in the final response. Sales material, brochures, and other information may be included here.
3. The response should describe how the system will technically function from the standpoint of a control center, maquila, and truck operators. The contractor is not to purchase a truck (tractor and trailer).
4. Technical Descriptions: The system technical descriptions in the final proposal shall include the following information:

- a. Summary of salable application software features.
 - b. System description: narrative description of each of the functions, administrative support functions, equipment configurations.
 - c. Description of menus and their relationships with each other as the system functions to monitor the movement of shipments.
 - d. Examples of screens that will appear in a control center or other locations (e.g. maquila offices) and a description of each.
 - e. A description of all system maintenance and log files and other file outputs.
 - f. List of all files/databases needed to be from the County or non-County sources in order to assure system functionality.
 - g. List of all commercially-off-the-shelf (COTS) software to be utilized and identification of specific software to be developed or modified to be employed in the SBT demonstration. Respondent must warrant that it has license to use all software proposed.
5. Equipment Environment: The description of the equipment environment in the final proposal shall include the following information:
- a. List of all equipment to be used in the SBT and any issues relative to the operating environment of the equipment.
 - b. Identification of functions to be performed by the equipment proposed.
 - c. Identification of the operating system proposed for SBT.
 - d. Identification of peripheral equipment that will be required in a control center.
 - e. List of model numbers and other technical specifications of hardware proposed.
 - f. Identification of how equipment, as necessary, will communicate with other equipment.
 - g. Identification of how equipment can be expanded to meet future requirements to be described in final technical specifications.
 - h. Identification of how the system will react when any one component fails.
 - i. List of all programming languages, operating systems, and database design packages to be used.
 - j. Description of computer room, identifying the schedule and specifications for a control center. Also identify requirements for power, air conditioning, halon, cabling, etc. Include an estimate for the costs of configuring a room to the necessary specifications.
6. Documentation: Describe the system documentation proposed including operating instructions, user documentation and data dictionary as would be required in a comprehensive systems engineering process. Samples should be included.
7. Security Features: The purpose of this demonstration is to find means to better secure the bi-national supply chain and to assure federal and state regulatory agencies that cargo shipments are secure. This has taken on heightened significance given the problems in Mexico with drug cartel activities and violence. The proposer should explain in the final response features that will be provided to secure the wired and wireless systems to be

provided and demonstrate how access to data/base files and programs will be restricted and safeguarded.

8. Maintenance: The contractor will be responsible for all equipment/hardware during the demonstration. Be prepared to explain fully any maintenance agreements associated with the proposed SBT system. The explanation should include:
 - a. Who will perform the maintenance?
 - b. Response time for maintenance on an eighteen (18) hour basis.
 - c. Maintenance coverage.
 - d. Annual maintenance cost projections.
 - e. How, why and when maintenance will be performed.
 - f. Location from which maintenance will be provided.
 - g. Any alternative levels of response and their costs.

9. Data Management: Describe how you will handle the variability of functions and service from day-to-day or even hour-to-hour and, in your description, please address the following:
 - a. Having the real-time monitoring service and the maintenance/historical data file management functioning at the same time.
 - b. Allowing for multiple monitoring of trucks and maquilas and parallel data transfer taking place at the same time.

10. Training: A training program shall be described completely as will be stipulated in the final technical specifications. Those to be involved in training should be stipulated.

11. Participating Maquilas and Trucking Companies: During negotiations respondents and in the final technical proposal, respondents should be prepared to identify participating maquilas and/or trucking companies.

**ATTACHMENT D:
Acronyms and Abbreviations**

ACE	ACE is the commercial trade processing system being developed by CBP to facilitate legitimate trade and strengthen border security.
AMPIP	Mexican Association of Business and Industrial Parks
Aduana	Mexican Customs
AMAC	The Association of Assembly Plants of Ciudad Juarez
ANSI	American National Standards Institute
BASC	Business Anti-Smuggling Coalition
BOTA	Bridge of the Americas
BTA	Border Trade Alliance
CBI	Coordinated Border Infrastructure Program
CBP	Bureau of Customs and Border Protection
CELC	Coalicion Empresarial Libre Comercio
CMC	Customs Management Center
CTPAT	Customs-Trade Partnership Against Terrorism
CVISN	Commercial Vehicle Information Systems and Networks
DHS	Department of Homeland Security
DOT	Department of Transportation
EPA	Environmental Protection Agency
FAST	Free and Secure Trade Program
FHWA	Federal Highway Administration
FMCSA	Federal Motor Carrier Safety Administration
FDA	Food & Drug Administration
GPS	Global Positioning System
HAZMAT	hazardous materials/waste
ISO	International Organization for Standardization
ITS	Intelligent Transportation Systems
Maquila (maquiladoras)	A twin plant industry operating on the border under NAFTA guidance
MPO	Metropolitan Planning Organization
NAFTA	North American Free Trade Agreement
NOA	Notice of Award
PDNTC	Paso del Norte Trade Corridor
POE	Port of Entry
RFID	Radio Frequency Identification
RFQ	Request for Qualifications
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SBT	Secure Border Trade
SEC	Securities and Exchange Commission
TMC	Technology Monitoring Committee
TxDOT	Texas Department of Transportation
TxDPS	Texas Department of Public Safety
TTI	Texas Transportation Institute
TPB	Transportation Planning Board
U.S.	United States
VOIP	Voice Internet Protocol

COUNTY OF EL PASO, TEXAS

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

Instructions for the certifications:

General Requirements

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

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

1. LOBBYING

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

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

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

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

1. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

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

A. The applicant certifies that it and its principals:

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

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

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

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

2. DRUG-FREE WORKPLACE

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

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

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

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

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

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

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

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

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

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

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

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

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

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal State, or local health, law enforcement, or other appropriate agency

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

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

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

4. CERTIFICATION REGARDING THE NONDISCRIMINATION STATUTES AND IMPLEMENTING REGULATIONS

The applicant certifies that it will comply with the following nondiscrimination statutes and their implementing regulations: (a) title VI of the Civil right Act of 1964 (42 U.S.C. 2000D et seq.) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity for which the applicant received federal financial assistance; (b) Section 504 of the rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance; (c) title IX of the Education Amendments of 1972m as amended (20 U.S.C. 1981 et seq.) which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance; and (d) the Age Discrimination Act of 1975, and amended (42 U.S.C. 6101 ec seq.) which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance, except that actions which reasonably take age into account as a factor necessary for the normal operation or achievement of any statutory objective of the project or activity shall not violate this statute.

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

Business Name

Date

Name of Authorized Representative

Signature of Authorized Representative

1

*All three (3) pages of this document must be included in all responses.

COUNTY OF EL PASO PURCHASING DEPARTMENT

COUNTY COURTHOUSE, 800 E. Overland,
ROOM PU300, 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 REQUEST FOR QUALIFICATIONS, EACH BIDDER AGREES TO WAIVE ANY AND ALL CLAIMS IT HAS OR MAY HAVE AGAINST THE COUNTY OF EL PASO, AND ITS OFFICERS, AGENTS AND EMPLOYEES, ARISING OUT OF OR IN CONNECTION WITH: THE DOCUMENTS, PROCEDURES, ADMINISTRATION, EVALUATION, OR RECOMMENDATION OF ANY RFQ; THE WAIVER BY EL PASO COUNTY OF ANY REQUIREMENTS UNDER THE RFQ DOCUMENTS OR THE CONTRACT DOCUMENTS; THE ACCEPTANCE OR REJECTION OF ANY BIDS; AND THE AWARD OF THE CONTRACT.
2. Request for Qualifications must be in the Purchasing Department **BEFORE** the hour and date specified. Faxed bids will not be accepted.
3. Late RFQ's properly identified will be returned to the submitter unopened. Late RFQ's will not be considered under any circumstances.
4. RFQ's must give full firm name and address of bidder. Failure to manually sign bid will disqualify it. Person signing should show title or authority to bind his firm in a contract.
5. No substitutions or cancellations permitted without written approval of County Purchasing Agent.
6. This Request for Qualifications inquiry only and implies no obligation of the part of the County of El Paso.
7. The County of El Paso is an Equal Opportunity Employer.
8. RFQ sent via express mail or overnight delivery service must have the proposal number and title clearly marked on the outside of the express mail or overnight delivery service envelope or package. Failure to clearly identify your RFQ may be cause for disqualification.
9. PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2253.021, A PRIME CONTRACTOR WHO IS AWARDED A PUBLIC WORKS CONSTRUCTION CONTRACT SHALL, PRIOR TO BEGINNING THE WORK, EXECUTE TO THE COUNTY:
 - 1) A PERFORMANCE BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$100,000; AND
 - 2) A PAYMENT BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$25,000.
10. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 262.032(b), ANY SUCCESSFUL BIDDER WHO IS AWARDED ANY CONTRACT IN EXCESS OF \$50,000 MAY BE REQUIRED TO EXECUTE A PERFORMANCE BOND TO THE COUNTY. SAID BOND SHALL BE IN THE FULL AMOUNT OF THE CONTRACT AND MUST BE FURNISHED WITHIN 30 DAYS AFTER THE DATE A PURCHASE ORDER IS ISSUED OR THE CONTRACT IS SIGNED AND PRIOR TO COMMENCEMENT

OF THE ACTUAL WORK. ANY PERFORMANCE BOND REQUIRED PURSUANT TO THIS SECTION SHALL BE NOTED IN THE ATTACHED DETAILED BID SPECIFICATIONS OR SCOPE OF WORK. THIS SECTION DOES NOT APPLY TO A PERFORMANCE BOND REQUIRED BY CHAPTER 2253, TEXAS GOVERNMENT CODE.

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

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

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

NOTICE:

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

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

Health Insurance Benefits Provided By Bidder

Consideration of Health Insurance Benefits*

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

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

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

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

Business Name

Date

Name of Authorized Representative

Signature of Authorized Representative

*

* This page must be included in all responses.



COUNTY OF EL PASO
County Purchasing Department
800 E. Overland, Suite PU300
El Paso, Texas 79901
(915) 546-2048
(915) 546-8180 Fax

RE: RFQ #10-021, (RFQ) Secure Border Trade Demonstration Project

Dear Vendor:

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

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

County Officers: County Judge Anthony Cobos
Commissioner Anna Perez
Commissioner Veronica Escobar
Commissioner Willie Gandara, Jr.
Commissioner Dan Haggerty

County Employees: Piti Vasquez, Purchasing Agent
Jose Lopez, Jr., Assistant Purchasing Agent
Peter Gutierrez, Buyer II
Linda Mena, Inventory Bid Technician
Lucy Balderama, Inventory Bid Technician
Rosemary V. Neill, Director, Family & Community Services
Peter Cooper, Chief Information Officer
Hector Owner, STIL Trucking

Said Larbi-Cherif, Director, International Bridge Dept. City of El Paso
George Pinal, Transportation Manager, El Paso Metropolitan Planning Organization
Jim Creek, Project Manager, NM State Border Authority, Santa Teresa International Border Crossing

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

COUNTY OF EL PASO PURCHASING DEPARTMENT

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)546-8180

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 of your fax confirmation (date/time) 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 Linda Mena or Lucy Balderama at 915-546-2048

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

RFQ # 10-021

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

Adopted 06/29/2007

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) serves as an officer or director; or

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

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

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

(A) is a local government officer; and

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

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

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

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

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

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

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

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

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

§ 176.001. Definitions

In this chapter:

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

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

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

(4) "Local government officer" means:

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

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

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

COUNTY OF EL PASO, TEXAS

Solicitation Check List

(RFQ) Secure Border Trade Demonstration Project RFQ #10-021

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

_____ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Tuesday, May 4, 2010. Did you visit our website (www.epcounty.com) for any addendums?

_____ Did you sign the Signature Page?

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

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

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

_____ Did you provide one original and ten (10) copies of your response?