



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

Notice to Interested Parties

Sealed Request for Proposals (RFP) will be received at the County Purchasing Department, 800 E. Overland, RM 300, El Paso, Texas 79901 before 2:00 p.m., Wednesday, November 3, 2010 to be opened at the County Purchasing Office the same date for E-Filing for the County Clerk's Office. **A pre-bid conference will be held on Wednesday, October 20, 2010 at 10:00 a.m.** in the Purchasing Conference Room located at 800 East Overland, room 300 El Paso, Texas 79901. A walk through will follow immediately after the pre-bidders conference.

**Proposals must be in a sealed envelope and marked:
"Proposals to be opened November 3, 2010
E-Filing for the County Clerk's Office
RFP Number 10-079"**

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Wednesday, October 27, 2010, at 12:00 p.m. Questions can be faxed to (915)-546-8180.

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

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

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

PITI VASQUEZ
County Purchasing Agent

PROPOSAL SCHEDULE

To: El Paso County, Texas

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

Please quote prices and discounts on the following items:

F. O. B. El Paso County

Description – RFP # 10-079 E-Filing for the County Clerk's Office Vendor must meet or exceed specifications
Total Cost
\$
Please do not include tax, as the County is tax-exempt. We will sign tax exemption certificates covering these items. Please submit one (1) original copy and three (3) copies of your bid.

Company

Mailing Address

Federal Tax Identification No.

City, State, Zip Code

CIQ Confirmation Number

CIQ Sent Date

Representative Name & Title

Telephone

Signature

Fax Number

Date

Email Address

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

E-Filing for the County Clerk's Office

RFP #10-079



**Opening Date
Wednesday, November 3, 2010**

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SECTION 1 – RFP REQUIREMENTS AND GUIDELINES

1. RFP SUBMISSIONS

All perspective bidders will submit their proposal to:

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

2. RFP SCHEDULE

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

Events	Dates
Release/Advertise RFP	Oct. 10, 2010 and Oct. 17, 2010
RFP Pre-bidder Conference & Walk through	October 20, 2010
RFP Responses Due	October 27, 2010
RFP Opening	November 3, 2010
Evaluation Committee Recommendations	To be determine
VENDOR Selection	To be determine
Commissioner's Court Action to Award	To be determine

3. VENDOR QUALIFICATION

A representative of the County of El Paso (hereafter "COUNTY") will evaluate proposals only from experienced, highly qualified VENDORS (hereafter "VENDOR(s)") that have proven successful experience in their respective industry as requested in this RFP. The VENDOR's response to the RFP must document and qualify this experience.

4. RFP SUBMITTAL INFORMATION

VENDORS that have submitted proposals are considered earnest participants and must conform to the following processes after submission.

4.1 SUBMITTALS

All prospective bidders must submit one (1) original and two (3) copies of their proposal. All materials submitted in response to this RFP will become the property of The County of El Paso. The VENDOR is solely responsible for ensuring that the full proposal is received by The County of El Paso, Purchasing Department (hereafter PURCHASING) in accordance with the solicitation requirements, prior to the date and time specified in the solicitation, and at the place specified.

The COUNTY shall not be responsible for any delays in mail or by express mail carriers or by transmission errors or delays or missed delivery.

The VENDOR shall carefully review all documents referenced and made a part of the solicitation document to ensure that all information required to properly respond has been submitted or made available and all requirements are priced in the proposal. Failure to examine any document, drawing, specification, or instruction will be at the Vendor's sole risk.

VENDORS submitting proposals do so entirely at their expense. There is no express or implied obligation by THE COUNTY to reimburse a vendor for any costs incurred in preparing or submitting proposals, providing additional information when requested by THE COUNTY, participating in any selection interviews or product demonstrations, or participating in this procurement.

Proposals must include the VENDOR name, address, telephone and facsimile numbers, and federal tax identification number. The proposal must be signed by a duly authorized officer or employee of the VENDOR and include the name, title, address, and telephone number of the Individual who is the proposer's designated representative.

All proposals must be submitted in the proper format, as stated in section 5.

4.2 AMMENDMENTS

A vendor may amend its proposal prior to the Proposal Closing Time. All amendments must be in writing and received by PURCHASING prior to the Proposal Closing Time. A vendor may withdraw its proposal at any time prior to the Proposal Closing Time by notifying PURCHASING in writing of its withdrawal. Amendments or withdrawals offered in any other manner, oral or written, will not be considered. Proposals cannot be amended or withdrawn after the Proposal Closing Time.

4.3 PRICING AND COSTS

The total price of unit-price items or individual line items will be the product of the unit or line item price and the quantity. If the unit or line item price is ambiguous, unintelligible or uncertain for any cause, or is omitted, the unit or line item price shall be the amount obtained by dividing the "extension" price by the item quantity.

4.4 JOINT SUBMISSIONS AND MULTIPLE VENDORS

Unless a proposer is submitting a joint proposal, the proposer represents and warrants that by submitting its proposal it did not conspire with any other vendor to set prices in violation of anti-trust laws.

A proposal submitted by two or more VENDORS participating jointly in one proposal may be submitted, but one vendor must be identified as the prime contractor and the other as the subcontractor. The COUNTY assumes no responsibility or obligation for the division of orders or purchases among joint subcontractors. Furthermore, all sub-contractors must meet the same expectations and requirements of the RFP.

4.5 QUESTIONS

VENDORS interested in responding to this solicitation may submit questions by fax (915) 546-8180 or by email to limena@epcounty.com only on procedural matters related to the RFP or requests for clarification or modification of this solicitation document, including questions regarding the Scope of Services. If the VENDOR is requesting a change, the request must set forth the recommended change and the VENDOR's reasons for proposing the change.

All questions and requests must be submitted by email to PURCHASING no later than the date specified for the close of the bid process. Questions or requests submitted after the due date will not be answered. All email submissions sent to PURCHASING must contain the RFP number and other appropriate identifying information in the email subject line. In the body of the email, always include paragraph numbers whenever references are made to content of this RFP. Failure to include the RFP number as well as other sufficient identifying information in the email subject line may result in The COUNTY taking no action on a vendor's email submission.

4.6 COMMUNICATIONS

VENDORS are specifically directed NOT to contact any County personnel or consultants currently retained by The COUNTY for meetings, conferences, or discussions that are specifically related to this RFP at any time prior to any award of a contract. The COUNTY intent for this solicitation is to ensure that all VENDORS have the same information when creating their proposals. Unauthorized contact with any County personnel or County consultants may be cause for rejection of the VENDOR's response.

VENDORS are responsible for all costs incurred in preparing and submitting the VENDOR's response to the RFP.

5. RFP RESPONSE FORMAT

VENDOR responses to the RFP must follow the forms and format provided in the RFP. Additional information can certainly be provided but not in lieu of the prescribed format. It is intended that the technical and application data be presented separate from the cost data and that the cost data contain no technical data. Below is a brief example of the required format and structure for proposals. Please refer to Appendix A for further explanations of each section.

The Table of Contents for the RFP responses is as follows:

Section A	Cover Letter
Section B	Vendor Demographics
Section C	Vendor Experience
Section D	Vendor References
Section E	Financial Statements
Section F	Overview of Vendor Proposal
Section G	Delivery
Section H	Support and Maintenance
Section I	Warranty
Section J	Technical Proposal

6. VENDOR REFERENCES

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

7. VENDOR DEMONSTRATIONS

The COUNTY reserves the right to seek clarification or additional information from any vendor throughout the solicitation process, including a demonstration of the equipment proposed. The COUNTY may require a VENDOR's representative to answer questions during the evaluation process with regard to the VENDOR's proposal. Failure of a proposer to demonstrate that the claims made in its proposal are in fact true may be sufficient cause for deeming a proposal non-responsive. If the Evaluation Committee requests a demonstration of the proposed equipment, the demonstration will be arranged by the VENDOR at a site that is agreeable to the COUNTY.

9. RFP EVALUATION PROCESS

All responses received in compliance with the terms and conditions of COUNTY PURCHASING will be reviewed and evaluated by an Evaluation Committee. The Evaluation committee will be comprised of members from the Information Technology Department and the department stakeholders.

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

1	Profit Sharing of Fees	(20%)
2	Reputation & Quality of the VENDORS Services	(20%)
3	Qualifications, Experience and Capacity	(20%)
4	Experience with Projects of Similar Size and Scope	(20%)
5	Extent to which the Goods or Services Meet the COUNTY's Needs	(20%)

Please See Appendix B for the Evaluation Criteria.

Although some factors are weighted more than others, all are considered necessary, and a proposal must be technically acceptable in each area to be eligible for award. With regards to pricing, The COUNTY reserves the right, in its sole discretion, to reject any proposal whose price is outside of the competitive range.

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

10. PRE-BIDDERS CONFERENCE

A Pre-Bid Conference will be held where deemed appropriate by the COUNTY and the PURCHASING department. The purchasing agent will include the time, date, place and requirements in the advertisement for proposals. The purchasing agent shall be responsible for conducting the Pre-Bid Conference, with assistance from the COUNTY and the Information Technology Department.

Pre-bidders Conference has been set for: **Wednesday, October 20, 2010 at 10:00 a.m. in the Purchasing Conference room 800 E. Overland Room 300, El Paso TX. 79901**

11. NON-RESPONSIVE RFP PROPOSALS

Any proposal that does not directly address the needs of The COUNTY as described in the RFP will be considered non-responsive and will not be considered. A proposal that does not prove the VENDOR's ability to furnish a suitable solution, based on experience and references, as well as response to the equipment requirements in the RFP, will not be considered.

12. CONTRACT/AGREEMENT

VENDORS are required to submit one (1) original and two (3) copies of the VENDOR's contract, terms and conditions for this project to accompany their proposal. These agreements must be included in the RFP response package. It is anticipated, and The COUNTY reserves the right to do so, that the final contract will be negotiated with the selected vendor(s).

If The COUNTY desires to enter into negotiations, they will do so with one or more VENDORS, at their discretion. If The COUNTY enters into negotiations and no contract is reached, The COUNTY can negotiate with the other VENDORS or make no award under this RFP. The COUNTY reserves the right to award a contract, if any, without any negotiations.

13. RFP AWARD

The Evaluation Committee will make a final recommendation for award of the contract. Upon award, the selected VENDOR will be required to execute an agreement in accordance with the specifications and conditions of this RFP. The period for execution of the agreement may be changed by mutual contract of the parties. Contracts are not effective until signed by both parties.

14. RFP ACCEPTANCE AND USE OF PROPOSALS

All materials submitted in response to this solicitation document will become the property of the COUNTY. Results will be kept confidential until the selection process has been completed. One copy of a submitted proposal will be retained for official files and become a public record. At that time, the contents of the proposals and test results will become public record and open to inspection by all parties. Any material that a vendor considers as confidential but does not meet the disclosure exemption requirements of the Open Records Act / Texas Public Information Act should not be included in the VENDOR's proposal as it may be made available to the public.

SECTION 2 – SPECIFICATIONS

1. INTENT

The COUNTY CLERK of the County of El Paso is requesting proposals from highly qualified VENDORS with expertise in providing an online Electronic Filing (hereafter “eFiling”) System(s).

THE COUNTY intends to award one contract(s), for an initial one (1) year term for the eFiling services, as further described in the section 3 "Scope of Services" of this RFP, and an option to renew, additionally for two (2) years with the VENDOR(s) for the continuance of these services.

The COUNTY CLERK reserves the right to negotiate the terms and conditions of the final contract with the selected VENDOR.

THE COUNTY CLERK reserves the right to make only one award, multiple awards or to reject any or all proposals submitted in response to this RFP in whole or in part. The COUNTY CLERK may elect to make an award to multiple VENDORS based on product and/or service specific awards if it is in THE COUNTY CLERK's best interest to do so. THE COUNTY CLERK further reserves the right to make no award and to modify or cancel, in whole or in part, this RFP. THE COUNTY CLERK may elect, but are not required, to purchase eFiling systems and services from any agreements that result from this RFP.

2. CURRENT ENVIRONMENT

The COUNTY CLERK has no online eFiling system. The current business process involves a manual routine that is not offered online.

In order for prospective VENDORS to see the current business processes, VENDORS may perform a walkthrough to analyze the requirements identified by this bid in order to scope the project appropriately.

A walk through will be scheduled following the Pre-Bid Conference on Wednesday, October 20, 2010 at 10:00 a.m. in the Purchasing Conference room.

Access will not be granted to the department outside the scheduled time.

Under no circumstances may a potential VENDOR ask questions. All questions must be submitted to The County Purchasing Department.

3. SCOPE OF SERVICES

COUNTY CLERK eFiling Requirement:

1. VENDOR will provide a website where customers (Title Companies that have been previously approved by the COUNTY CLERK) can login and upload electronic documents.
2. The COUNTY CLERK will provide a list of document types allowed for eFiling.
3. The customer will have the option to bundle or batch documents to ensure that documents uploaded are given a block of instrument numbers.
4. When documents are posted by the customer, the VENDOR will call a web service function exposed by the COUNTY CLERK indicating that there are documents to be reviewed.
5. The COUNTY CLERK will logon to the VENDOR site and review the documents. The COUNTY CLERK will either reject the document due to format error or approve the documents.
6. Once the COUNTY CLERK approves the document(s) then the VENDOR will call a web service function exposed by the COUNTY CLERK that submits the document count and the number of pages per corresponding document. The function parameter requirements will be given at a later date. The function will return to the VENDOR the instrument numbers and cost of each document submitted.
7. The VENDOR will add a digital stamp of the instrument number to the first page of the corresponding document.
8. The VENDOR will then call a web service function exposed by the COUNTY CLERK that will allow the VENDOR to submit the digital documents in byte arrays of the documents (must be Group 4 Tiffs).
9. The COUNTY CLERK will submit a bill to the VENDOR on a monthly basis requiring payment of fees accrued to documents filed electronically.
10. The VENDOR may charge a convenience of its choosing.
 - a. The County reserves the right to negotiate the option of profit sharing.
11. Access to the web services will be provided only to approved IP addresses.

Appendix A
Response Format for County of El Paso, Texas
Request for Proposal

SECTIONS

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SECTION A

COVER LETTER

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

SECTION B

VENDOR DEMOGRAPHICS

The VENDOR shall submit the following information:

Official name and address. Indicate what type of entity, e.g. corporation, company, etc.

Complete name, address, telephone number and fax number of person to receive correspondence and who is authorized to make decisions or represent the VENDOR. Please state his or her capacity within the company.

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

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

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

SECTION C

VENDOR EXPERIENCE

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

As mentioned in Section 2, page 4 of this RFP, The COUNTY will evaluate proposals only from VENDORS that have proven successful experience in the assembly, configuration and installation of the products and services requested in this RFP. The VENDOR's response to the RFP must document and qualify this experience. Preferred parameters for this documentation should include:

1. Authorized reseller, certified service center, etc. (indicate manufacturers and status as well as requirements to reach and maintain that status);
2. Years of experience (indicate manufacturer);
3. Volume of equipment installed per manufacturer/product;
4. Credentials of individuals scheduled to perform the outlined services (If applicable, i.e. industry related certification)

SECTION D

VENDOR REFERENCES

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

1. Name of organization
2. Networking hardware/software
3. Size and scope of project
4. Installation date
5. Contact name, title, address, and telephone number

SECTION E

FINANCIAL STATEMENTS

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

SECTION F

OVERVIEW OF VENDOR PROPOSAL

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

1. Provide a Scope of the Work being performed.
2. Describe documentation and training.
3. Provide any pricing associated with the scope of work.

SECTION G

DELIVERY

In this section, the VENDOR shall propose a preliminary delivery schedule of the proposed equipment or services.

SECTION H

SUPPORT

In this section the VENDOR shall provide information on vendor support.

SECTION I

WARRANTY AND MAINTENANCE

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

1. Provide a complete description of the warranties, on-going maintenance services provided. (if requested by or applicable to this RFP)

SECTION J

Technical Proposal

The VENDOR shall provide any documentation on paper and if submitting CD/DVD 3 copies are required that may pertain to this RFP.

Appendix B

Evaluation Factors for Award

1. All offers are subject to the terms and conditions of this solicitation. Material exceptions to the terms and conditions, or failure to meet the COUNTY's minimum specifications, shall render the offer non-responsive to the solicitation.
2. Any award made under this solicitation shall be made to the highest ranked proposer who provides goods or services, other than professional services as defined by Section 2254.002 of the Government Code, at the best value for the COUNTY. Factors to be considered in determining highest ranked proposer are indicated below.
3. Award may be made by line item, by group of items, or one award for all items, whichever is most convenient to the COUNTY.

Evaluation Criteria

1. **Cost (20%)** – As part of the requirement to establish the responsibility of the proposal, the COUNTY may determine the reasonableness of the Vendor to share in any profits derived from the services of this project.
2. **Reputation & Quality of the Bidder's Service (20%)** – The Vendor shall provide at least three (3) references for which they have provided continuous similar services for at least the past two (2) years. The VENDOR shall provide the names and telephone numbers of the contract administrators for whom the work was performed. If the VENDOR does not have three local Government contracts, then list Federal, State, or commercial contracts to complete this section.
3. **Qualifications, Experience and Capacity (20%)** – The Vendor shall identify specific qualifications of their company and submit any applicable certifications required to perform this service to include qualifications of personnel, training, licenses, and/or certifications, etc. The VENDOR shall also provide information detailing the companies capacity (i.e. personnel, equipment, resources, etc.) to perform these services.
4. **Experience with Projects of Similar Size and Scope (20%)** – The Vendor shall identify projects or contracts of similar size and scope.
5. **Extent to which the Goods or Services meet the COUNTY's Needs (20%)** – The VENDOR's capability of meeting and responding to the COUNTY's needs, to provide but not limited to, on time delivery, emergency response, product quality, reliability, and frequency of warranty replacements and completeness of the bidders proposal with respect to the proposals specifications and requirements.

COUNTY OF EL PASO, TEXAS

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

Instructions for the certifications:

General Requirements

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

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

1. LOBBYING

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

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

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

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

1. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

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

A. The applicant certifies that it and its principals:

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

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

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

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

2. DRUG-FREE WORKPLACE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. CERTIFICATION REGARDING THE NONDISCRIMINATION STATUTES AND IMPLEMENTING REGULATIONS

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

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

Business Name

Date

Name of Authorized Representative

Signature of Authorized Representative

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

COUNTY OF EL PASO PURCHASING DEPARTMENT

MDR Building, 800 E. Overland
ROOM 300, EL PASO, TEXAS 79901
(915) 546-2048, FAX: (915) 546-8180

PITI VASQUEZ, PURCHASING AGENT
JOSE LOPEZ, JR. ASST. PURCHASING AGENT
LINDA MENA, INVENTORY BID TECHNICIAN

PROPOSAL CONDITIONS

This is the only approved instruction for use on your invitation to bid. Items below apply to and become a part of the terms and conditions of the bid.

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

13. Brand names are for descriptive purposes only, not restrictive (merchandise only).
14. The County of El Paso is an Equal Opportunity Employer.
15. Any proposal sent via express mail or overnight delivery service must have the RFP number and title clearly marked on the outside of the express mail or overnight delivery service envelope or package. Failure to clearly identify your proposal may be cause for disqualification.
16. PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2253.021, A PRIME CONTRACTOR WHO IS AWARDED A PUBLIC WORKS CONSTRUCTION CONTRACT SHALL, PRIOR TO BEGINNING THE WORK, EXECUTE TO THE COUNTY:
 - 1) A PERFORMANCE BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$100,000; AND
 - 2) A PAYMENT BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$25,000.
17. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 262.032(b), ANY SUCCESSFUL BIDDER WHO IS AWARDED ANY CONTRACT IN EXCESS OF \$50,000 MAY BE REQUIRED TO EXECUTE A PERFORMANCE BOND TO THE COUNTY. SAID BOND SHALL BE IN THE FULL AMOUNT OF THE CONTRACT AND MUST BE FURNISHED WITHIN 30 DAYS AFTER THE DATE A PURCHASE ORDER IS ISSUED OR THE CONTRACT IS SIGNED AND PRIOR TO COMMENCEMENT OF THE ACTUAL WORK. ANY PERFORMANCE BOND REQUIRED PURSUANT TO THIS SECTION SHALL BE NOTED IN THE ATTACHED DETAILED BID SPECIFICATIONS OR SCOPE OF WORK. THIS SECTION DOES NOT APPLY TO A PERFORMANCE BOND REQUIRED BY CHAPTER 2253, TEXAS GOVERNMENT CODE.
18. "Beginning January 1, 2006, in order to implement HB 914 (adding new Local Government Code Chapter 176), ALL VENDORS MUST SUBMIT A CONFLICT OF INTEREST QUESTIONNAIRE (Form CIQ) disclosing its affiliations and business relationships with the County's Officers (County Judge and Commissioners Court) as well as the County employees and contractors who make recommendations for the expenditure of County funds. The names of the County Officers and of the County employees and contractors making recommendations to the County Officers on this contract are listed in the Specifications.

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

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

NOTICE:

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

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

Health Insurance Benefits Provided By Bidder

Consideration of Health Insurance Benefits*

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

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

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

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

Business Name

Date

Name of Authorized Representative

Signature of Authorized Representative

* This page must be included in all responses.



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

RE: RFP #10-079, E-Filing for the County Clerk's Office

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
Delia Briones, County Clerk
Carol Sagaribay, Chief Deputy
Luke Gilpin, ITD
Art Nevarez, ITD
David Garcia, ITD
Lee Shapleigh, County Attorney

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
LINDA MENA, 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 Clerk's 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 7 to 15 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

RFP # 10-079

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

Check List

**E-Filing for the County Clerk's Office
RFP #10-079**

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

- _____ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Wednesday, November 3, 2010. Did you visit our website (www.epcounty.com) for any addendums?

 - _____ Did you sign the Bidding Schedule?

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

 - _____ Did you sign the “Consideration of Insurance Benefits” form?

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

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

 - _____ Did you provide one original and three (3) copies of your response?
-