



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., Friday, November 30, 2012 to be opened at the County Purchasing Office the same date for Enterprise Resource Planning System for the El Paso County IT Department.

**Proposals must be in a sealed envelope and marked:
"Proposals to be opened November 30, 2012
Enterprise Resource Planning System
for the El Paso County IT Department
RFP Number 12-066"**

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Thursday, November 1, 2012, 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

IMPORTANT NOTICE FOR VENDORS

EL PASO COUNTY CODE OF ETHICS TRAINING REQUIREMENT FOR VENDORS

Vendors. Any vendor involved in a single procurement exceeding \$50,000 must complete training on the El Paso County Code of Ethics. **This training must be completed prior to submitting a bid or proposal, responding to a request for qualifications or proposals, or otherwise contracting with the county.** The training must be completed by an officer, principal, or other person with the authority to bind the vendor. The certification of completed training on the Ethics Code issued by the County Human Resources Department is valid for one (1) calendar year from the date of completion. A list of those Vendors with a current certification of completion and the corresponding date of expiration shall be maintained on the El Paso County website under the Purchasing Department's Current List of Training Certified Bidders. This training requirement does not apply to emergency purchases.

Training

In compliance with Section 161 of the Texas Local Government Code, training on the El Paso County Code of Ethics will be accessible in an online format to Vendors and Lobbyists on an ongoing basis, subject only to limitations due to technical resources. No person or entity required to complete training will have to do so more than once per year.

The required training for Vendors may be accessed and completed at: <http://www.epcounty.com/ethicscom/training.htm>

Once you have taken the ethics training course print out the confirmation and attach a copy to your proposal. Keep a copy for future references/proposals.

To view the list of the Vendors, the representatives and the date it expires.

❖ **Go to <http://www.epcounty.com/ethicscom/training.htm>**

❖ **Select:**

Vendors Who Have Completed Ethics Training

If you have taken the training and your name has not been added to the list, Please contact Gabby at our Human Resource Department at (915)546-2218 ext. 4069.



**EL PASO COUNTY PURCHASING DEPARTMENT
800 E. OVERLAND AVE., ROOM 300
EL PASO, TEXAS 79901
(915) 546-2048
FAX: (915) 546-8180**

Memorandum

To: All Vendors
From: Jose Lopez, Jr., Assistant Purchasing Agent
Date: February 6, 2012
Subject: County Purchasing New Vendor/Bid System & Online Vendor Registration

The Purchasing Department will be implementing its new bid processing vendor notification/registration system on April 1, 2012. The new system will allow vendors to register and maintain their vendor file real time without the intervention of the Purchasing Department. Vendors will maintain their address information and contact information; as well as the commodity information that the vendor wants to be considered for on County bid solicitations. Vendors will be given a choice of receiving hard copy bid notifications, or electronic notifications to the vendors designated email and/or cellular telephone text number. We hope that the changes will help our vendors receive their solicitations in a more effective and efficient manner that will benefit both the County and the vendor with more timely, accurate, competitive bids.

All vendors wishing to receive or continue to receive bid notifications must register by April 1, 2012. The Purchasing Department will be migrating to the new vendor system on April 1, 2012 and all vendors that have not registered in the new system will not receive bid notifications. Thank you for your cooperation. If you have any questions please contact me at (915)546-2068, or Sally Borrego at (915)546-2048.

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

<p>Description – RFP # 12-066 Enterprise Resource Planning System for the El Paso County IT Department Vendor must meet or exceed specifications</p>
<p>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 hard copy and five (5) CD copies in word format.</p>

Company

Mailing Address

Federal Tax Identification No.

City, State, Zip Code

Ethics Representative (refer to page 2)

Ethics Training Date or Expiration Date

CIQ Confirmation Number

Conflict of Interest Questionnaire (CIQ)
Filed Date

Representative Name & Title

Telephone Number include area code

Signature

Fax Number include area code

Date

Email Address

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

Enterprise Resource Planning System for the El Paso County IT Department

RFP #12-066



**Opening Date
Friday, November 30, 2012**

1.0 Introduction

El Paso County is the westernmost county of Texas. Bounded on the southwest by the Rio Grande and Mexico, on the north and west by the state of New Mexico, and on the east by Hudspeth County, Texas. El Paso County is approximately 650 miles west of Dallas and 575 miles northwest of San Antonio. El Paso County and neighboring Hudspeth County are the only Texas counties on Mountain Time. The county comprises of 1,057 square miles of desert and irrigated land that rises from an elevation of 3,500 feet and the Rio Grande to 7,000 feet at the summits of the Franklin Mountains. County population is 800,647 (2010 estimate). Some 240 square miles of the county is occupied by the city of El Paso, the largest United States City on the Mexican border.

El Paso County leadership is aware that their core administrative systems are aging and will no longer be supported in the near future. As a means of performing due diligence efforts in assessing the County's options, the County is considering the implementation of a new enterprise resource planning (ERP) system in order to ensure effective and efficient operation of county government in meeting its needs and to enable adequate planning and budgeting of future costs. Major drivers that support the implementation of a new ERP system include:

- Migration from mainframe architecture to the latest network technology.
- Complete seamless software and systems integration and one-time entry solutions to include Payroll and Human Resources, Accounting (GL, AR, AP, etc.) Fixed Assets, Budget and Forecasting, Cashiering and Cash Management, Grant Management, Requisition, and Purchasing Management Software while maintaining and enhancing technical, functional, and procedural innovations that may be available.
- Uniformity with uniform chart of accounts and financial reporting.

The county currently runs the following modules:

Module	Release/Vendor
Financial Accounting Management Information System (FAMIS)	Release 4.2/Cogsdale
Budgeting Software (BPREP)	Release 4.5/Cogsdale
Fixed Asset Software (FAACS)	Release 4.2/Cogsdale
Integral (Payroll/Human Resources)	Release 9.55/Integral
Time and Attendance	Release 6.0/Kronos

The County of El Paso is looking for an enterprise resource planning (ERP) system. The ERP applications will provide visibility into the county's finances through automation and process support for any activity that has a financial impact and provide financial reporting data. The core financial management applications consist of the following modules:

- General Ledger (GL) — The GL records and aggregates the financial impact of transactions in accordance with user-defined classifications. It produces financial accounting reports in accordance with generally accepted accounting principles (GAAP).
- Accounts Payable (AP) — Records and tracks invoices or payments due to suppliers, contractors, etc., and manages the payment of these items.
- Inventory/Asset Management — Tracks the financial value of fixed assets, enabling an auditable "asset register" to be produced. Maintains a history of accounting events that occur during the life of an asset (such as depreciation and revaluation) in accordance with GAAP. It also maintains a physical location of the asset for audit purposes.

In addition to the core financial applications, the following modules are an extension to ensure financial functionality:

- Projects and Grants — The ability to monitor expenditure against projects and grants using expenditure classifications and time periods that differ from those used in the GL but that are immediately reconciled with them. Project and grant systems support project managers (for example, expenditures analyzed by work breakdown structure and life-to-date) while posting financial information from the same transaction to the appropriate GL period and cost codes.
- Treasury and Cash Management (Accounts Receivable) — Functionality to manage currency exposure, hedging and increasingly in-house banking and cash pooling. This functionality provides the cash management capabilities.
- Reporting and analysis capabilities — In addition to the reporting capabilities provided with the modules, users of financial applications expect advanced reporting and analysis capabilities. These include integration with Excel and other desktop reporting capabilities, the ability to perform multidimensional analysis from many perspectives on financial data, and capabilities to create data warehouses based on the financial data model that enable financial data to be analyzed with budget and forecast data.
- Budgeting, payroll, and human resources — A budgeting, payroll, and human resources system that is part of the ERP management suite. This should support common metadata; therefore, allowing data to be imported and exported to other ERP modules.

1.0.1 – RFP Schedule

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

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

1.0.2 – Questions and Clarifications

All requests for information concerning this RFP should be directed to the Purchasing Agent, by November 1, 2012, at 12:00 p.m.

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

1.0.3. – Non Responsive Proposals

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

1.0.4. – Contract / Agreement

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

1.0.5 – Submittal Information

Vendors must submit one (1) original hard copy and five (5) copies in CD word format. All materials submitted in response to this RFP would become the property of El Paso County. Vendors will be aware that El Paso County is a public entity and as such, must abide by the public record laws. Proposals will be kept confidential until the selection process has been completed. At that time, the contents of the proposals become public record and open to inspection by all parties.

The vendor is responsible for all costs incurred in preparing and submitting the vendor's response to the RFP. All costs incurred for the presentation and demonstration of the vendor's recommendation is the responsibility of the vendor.

1.0.6 – Evaluation, Acceptance, Award and Use of Proposal

El Paso County reserves the right to accept or reject any or all proposals. The County reserves the right to use any or all nonproprietary ideas, concepts, or configurations presented in vendors' responses.

The County shall evaluate proposals after they have been determined to be responsive. Proposals must contain all required information to be considered "responsive". Required information includes pricing and required references, compliance with the detailed systems requirements, and any other requirements in this proposal.

Recommendation for award will be to the responder meeting all terms, conditions and specifications and who has submitted the proposal determined to be the most advantageous to the County.

1.0.7 - RFP Response Format

Vendors must address all the information specified under the RFP. All questions must be answered completely in the hard copy of the document and in the five CD copies word format of the proposal. The detailed systems requirements should be answered in an electronic copy of the spreadsheet document. The County of El Paso reserves the right to verify any information contained in the vendor's RFP response or to request additional information after the RFP response has been received.

Marketing brochures included as part of the main body of the proposal response shall not be considered. Such material must be submitted only as attachments and must not be used as a substitute for written responses. The Table of Contents for the RFP responses is as follows:

- Section A – Cover Letter
- Section B – Vendor Business History
- Section C – Vendor References
- Section D – Detailed Systems Requirements
- Section E – Cost Proposal
- Section F – Other Information

Section A

Cover Letter

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

Section B

Vendor Business History

Provide a statement giving a history of your company, how it is organized, and how its available products and resources will be used to meet the county's requirements.

- The company's official name and address. Indicate what type of entity it is (for example, corporation or partnership).
- The name, address and telephone number of the person to receive correspondence, and who is authorized to make decisions or represent the vendor. Please state his or her capacity within the company.
- The number of years the vendor has been in business.
- The number of years' experience the vendor has been providing enterprise resource planning systems to city, county, and public sector entities.
- A description of the vendor's operation; facilities, business and objectives, and the number of employees.
- Audited financial statements for the past three fiscal years. If the vendor is privately held, then this information should be provided under the terms of a nondisclosure agreement.

Section C

Vendor References

The vendor will provide a list of city, county, and public entities references that are of comparable scope and complexity to the County of El Paso and that have a enterprise resource planning systems configured and have been in operation for at least one year. The enterprise resource planning system implemented at the references will be the same one being proposed for El Paso County. The county reserves the right to contact any entities and discuss the client's level of satisfaction with the vendor. The vendor shall include the following information for each reference:

- Name of organization
- Implementation date
- Contact name, title, address, and telephone number

Section D

Detailed Systems Requirements

This detailed systems requirements spreadsheet will be used to determine the vendor's general and technical feasibility of the ERP. It is imperative that vendors answer the detailed systems requirements in accordance with the guidelines provided below. Vendors' responses will be validated during the proof-of-concept demonstration. It is also assumed that the vendor will provide full proof of the capabilities declared in the detailed systems requirements. Failure to provide honest responses could be grounds for disqualification from the RFP process.

In the vendor response section, vendors can choose from six options to indicate their compliance with each detailed systems requirement.

Rating	Definition
4	Standard. Available in the current release. Software supports this requirement. No customization or modification is required.
3	Available with third-party application. The vendor has established a relationship with a business partner to provide this functionality without customizing or work around. Indicate the name of the application recommended and the number of installs completed.
2	Functionality is provided by the vendor, but it requires customization. The functionality can be accomplished with the vendor's product, but needs customizing or a work around. Identify any areas where modification will affect the application upgrade path.
1	Functionality provided but requires customized integration with a third party vendor. The vendor has established a relationship with a business partner to provide this functionality, but it needs customizing or a work around. Identify any areas where modification will affect the application upgrade path.
0	Functionality is not provided. The software will not meet the requirements.
F	Future release: Requirements will be available in a future release (indicate anticipated time of update: month and year).

Section E

Cost Proposal

The vendor must provide a baseline costs for the ERP system. The software costs and hardware costs should be summarized and presented.

Section F

Other Information

- Enter a proposed timeline for the installation and production of the solution. In addition, identify any periods of unavailability or unusual business activity.
- Product Upgrades and New Version Releases
 - Vendors should describe:
 - The process of new version releases and the application of service packs to the production system
 - The support policy for existing releases (that is, how long are released versions supported and any dependency on previous releases; for example, vendor supports current release and prior versions)
 - The quality assurance/testing processes to follow, to determine whether an upgrade or custom modification is suitable for release
 - The process by which opportunities for system enhancements are identified, screened, programmed, field tested and released to users
 - Whether the upgrade methodology includes a tracking system to report on the status of the upgrade and record problems/bugs
 - How user requests for new functionality are incorporated in the development and release process

- Describe if the enterprise resource planning system and/or modules are available as a mobile app for smart phone devices.
- Describe if the enterprise resource planning system will be interfaced with third party software. For example, the enterprise resource planning software provides financial, payroll, human resources data but will have to interface with a time and attendance module (i.e., Kronos)
- Describe what training of the county's staff is required or recommended to support the implementation and maintenance of the products and services.
- Proof-of-Concept Demonstration. After the initial evaluation phase, a subset of vendors will be required to demonstrate their solutions for El Paso County management, project team members, technical staff and selected end users. Vendors should plan to bring their own computer hardware, software and projection hardware to the demonstration. Network connectivity and telephony will be provided by the county, if required.

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 offeror 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 best value are included below.

EVALUATION CRITERIA

1	Cost Proposal	50%
2	Detailed Systems Requirement	30%
3	Vendors Stability and Reputation: <ul style="list-style-type: none">• Financial Records• References	20%

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
ELVIA CONTRERAS, FORMAL BID BUYER

PITI VASQUEZ, PURCHASING AGENT
JOSE LOPEZ, JR. ASST. PURCHASING AGENT
LUCY BALDERAMA, INVENTORY BID TECHNICIAN
ARACELI HERNANDEZ, 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 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 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 #12-066, Enterprise Resource Planning System for the El Paso County IT Department

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 Veronica Escobar
Commissioner Anna Perez
Commissioner Sergio Lewis
Commissioner Tania M. Chozet
Commissioner Dan Haggerty

County Employees: Piti Vasquez, Purchasing Agent
Jose Lopez, Jr., Assistant Purchasing Agent
Peter Gutierrez, Buyer II
Elvia Contreras, Formal Bid Buyer
Araceli Hernandez, Inventory Bid Technician
Lucy Balderama, Inventory Bid Technician
David Garcia, IT Director
Rene Camarillo, IT Project Manager, Senior
Edward Dion, County Auditor
Wallace Hardgrove, Budget & Finance Manager
Teresa Molinar, Operations Manager
Betsy Keller, Director HR
Yvette Olivas, Budget Supervisor
Victor Perez, Account Payable Supervisor
James Utterback, Cash management & Debt Services
Imelda Gaytan, Payroll Supervisor
Luis Martinez Treasury Supervisor
Donna Teague, Grant Supervisor
Luke Gilpin, Internet/Intranet Applications Manager
Jason Hopkins, Computer Operations Technician Lead

Bill Holguin, Mainframe Programmer
Robert Regalado, Mainframe Program
Sal Rios, Mainframe Programmer
Raymond Gomez, Accountant II
Nicolas McCarthy, Accountant II
Elsie West, Personnel Manager
Edward Hyatt, Procurement Review Panel
Josie Brostrom, Assistant County Attorney
Lee Shapleigh, Assistant 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
LUCY BALDERAMA, INVENTORY BID TECHNICIAN
ARACELI HERNANDEZ, INVENTORY BID TECHNICIAN

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

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 and will disqualify your bid offer.
- 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 915-543-3816 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 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 Araceli Hernandez 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 # 12-066

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**

**Enterprise Resource Planning System for the El Paso County IT
Department
RFP #12-066**

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

_____ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Friday, November 30, 2012. 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 915-543-3816 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 form is not completed and filed with the County Clerk’s office, proposal will be considered non-responsive.**

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

_____ Did you complete the mandatory ethics training course and include a confirmation print as indicated in page 2?

_____ Did you provide one (1) original hard copy and five (5) copies in CD word format of your response?

