



County of El Paso Purchasing Department  
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### **ADDENDA 1**

To: All Interested Vendors  
From: Oscar Avila, Procurement Data Analyst  
Date: February 12, 2020  
Subject: RFP 20-013 Gym Services for the County of El Paso (re-submittal)

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#### **The Purchasing Department has received the following questions:**

- 1) In the package, there is the Form 1295 that is required to be filled out online. It is asking for a Contract ID #. How do I obtain this information? As well, it is asking to select "Controlling" or "Intermediary". Can you please provide guidance as to which one the vendor to select?

#### **RESPONSE: Disclosure of Interested Parties (only required of vendors who are awarded the Bid/RFP/RFQ)**

**In 2015, the Texas Legislature added Section 2252.908 to Chapter 2252 of the Texas Government Code. Pursuant to Section 2252.908, for contracts entered into January 1, 2016 and after, the awarded vendor must submit to the County a completed "Certificate of Interested Parties" form, which will be included in the Commissioners Court agenda at the time the contract is approved and sent to the Texas Ethics Commission within 30 days thereafter.**

**Compliance with this new requirement requires logging into the Texas Ethics Commission website, at:**

**[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)**

**Several instructional videos are available there.**

- 2) According to the "qualifications for responding companies" listed in the RFQ, "The respondent must hold a health spa operator's certificate of registration with the Texas Secretary of State in accordance with Section 702.101 of the Occupations Code."

According to Section 702.003 of the Texas Occ. Code, of the same rule (Chapter 702. Subchapter A. General Provisions for Health Spas), The term "health spa" does not include "an organization that is tax exempt under Section 501 et seq., Internal Revenue Code (26 U.S.C. Section 501 et seq.)."

Does the RFQ preclude non-profit operators of health and wellness facilities that meet all other requirements of the scope of work from responding to the bid, or may a non-profit organization respond and receive due consideration?

**RESPONSE: An organization that is tax exempt under Section 501 et seq., Internal Revenue Code (26 U.S.C. Section 501 et seq.) such as non-profits are not precluded from responding to the bid as they are exempt from holding a health spa operator's certificate by statute.**