



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

Notice to Interested Parties

Sealed Request for Qualifications will be received at the County Purchasing Department, 800 E. Overland, RM 300, El Paso, Texas 79901 before 2:00 p.m., **Wednesday, August 10, 2011**. Responses will be opened at the County Purchasing Office the same date for Engineering and Environmental Services for the Colonia Revolucion Water Line Extension Project.

**Qualifications must be in a sealed envelope and marked:
"Qualifications to be opened August 10, 2011
Engineering and Environmental Services for the Colonia
Revolucion Water Line Extension Project
RFQ Number 11-030"**

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, August 2, 2011, at 12:00 p.m. Questions can be faxed to (915)-546-8180.

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

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

PITI VASQUEZ
County Purchasing Agent

SIGNATURE PAGE

Description – RFQ # 11-030
Engineering and Environmental Services for the Colonia Revolucion Water Line Extension Project.

Vendor must meet or exceed specifications

Please submit one (1) original copy and six (6) duplicate copies of your statements of qualifications.

Company

Address

Federal Tax Identification No.

City, State, Zip Code

CIQ Document Number

CIQ Sent Date

Representative Name & Title

Telephone

Fax Number

E-mail

Signature

Date

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

**Engineering and Environmental
Services for the Colonia
Revolucion Water Line Extension
Project.**

RFQ #11-030



**Opening Date
Wednesday, August 10, 2011**

Request for Qualifications Engineering and Environmental Services for the Colonia Revolucion Water Line Extension Project

The County of El Paso is seeking Qualifications for engineering services from a firm license to practice Engineering work in the State of Texas to provide services as defined in the scope of work. The following outlines this request for qualifications.

I. Scope of Work:

The project involves the preparation of a funding application to USDA-RD, final design (Construction drawings and construction phase) engineering services of an interconnecting potable water distribution system that will serve residents in the community of Colonia Revolución in the County of El Paso. Project funding will be from USDA-RD. This contract will be in accordance with all USDA-RD requirements. The USDA-RD requires the use of engineering Joint Contract Documents Committee (EJCDC) procedures as amended specifically for USDA-RD funded projects. The County of El Paso contract for this project will include the USDA-RD requirements outlined in U.S Department of Agriculture, Rural Development, Rural Utilities Service-Community Programs, Texas RUS Instruction 1780, **Subpart C-Planning, Designing, Bidding, Contracting, Constructing and Inspection** and United States Department of Agriculture, Rural Utilities Services; BULITIN 1780-26, **Guidance for the use of EJCDC Funding Agency Edition Documents on Water and Waste Water projects with RUS Financial Assistance** Requirements and guidance for the USDA-RD application.

The engineer contract will encompass for preliminary and final design of plans and specifications for the construction Colonia Revolución Water Distribution System, including but not limited to the following:

- The project will consist of preparation of plans and specifications for the construction of water distribution system for Colonia Revolución. The engineering work will consist of meeting with Road & Bridge personnel to and obtain what requirement will be needed. The engineer will prepare the plans and specifications for the design and construction of traffic signals. The plans and specifications must comply with all applicable Tx DOT requirements and safety codes and regulations.
- Preparation of construction bid packages for contractors.
- Analyze bids and recommend acceptance/rejection of bids.
- Conduct period field-inspections required by the project to check for compliance with plans and specifications.
- Periodically review performance and work progress of contractor.
- Verify Contractor billing using Application and Certification for Payment Form (AIA Document G702) and as-built information.
- Recommend acceptance/rejection of the completed project.
- Preparation of final as built construction plans.

NOTICE:

Invoices from the selected consultant will be submitted to the County of El Paso for review and approval, County of El Paso will forward the approved invoices for payment. **Payment by the County will be done after funds from USDA-RD are received.** The planning portion of the project design to be accomplished by the selected consultant is part of the information contained in the application submitted to USDA-RD for project approval. The availability of USDA funds is dependent on overall project approval by USDA-RD (**close the loan**). **The selected consultant will therefore receive payment several months after submitting an invoice.**

II. BACKGROUND INFORMATION

The Colonia Revolución Water Distribution System project consists of constructing a water main from east property line of West Texas Estates to Colonia Revolución. Approximately 8,000 linear feet of 8-inch diameter water main is needed along Pellicano Drive Extension to a proposed pumping station that will include a 50,000 gallon storage tank, a 0.46 MGD rated pumping station and a 140,000 gallon elevated storage tank. Also required is the construction of 23,500 linear feet of 8-inch diameter distribution main within the development's streets and associated valves, fire hydrant and connections to serve approximately 80 residences.

III. Work Breakdown by Tasks and Phasing for Colonia Revolución:

TASK 1 – PROJECT MANAGEMENT SERVICES

- a) Provide a monthly status report no later than the 10th day of each month accompanied by a progress schedule.
- b) Monthly status report shall address percent complete by task as per negotiated scope of work and an overall project percent complete. Schedule shall track progress against the baseline schedule. Monthly status report shall address anticipated or actual variances from baseline and reason, along with recommendations for achieving established milestones or goals.
- c) Utilize USDA-RB procedures and EPWU Project Administration Manual throughout the conduct of this project. In the case of conflict, USDA-RD procedures will have priority.

TASK 2 – PREPARE USDA-RD APPLICATION FOR DESIGN AND CONSTRUCTION FUNDING

- a) Prepare preliminary design and construction cost estimate in conformance with USDA-RD requirements.
- b) Prepare Preliminary Engineering Report (PER) and Environmental Assessment (EA) in compliance with USDA-RD requirements.

- c) Coordinate application information with applicable County of El Paso, state agencies and local USDA-RD office for review and approval. Submit evidence of coordination, issues, and resolutions.
- d) Conduct Technical Review Meetings with County of El Paso, EPWU, and USDA-RD and provide minutes of all meetings.
- e) Prepare and submit a “Draft” application and conduct review meeting with County of El Paso, EPWU, and USDA-RD.
- f) Compile necessary checklist items related to all of the above.

TASK 3 – DESIGN AND BID PHASE SERVICES

Following the submission of the schedule, the selected Consultant will be authorized to begin the design of the Colonia Revolución Water Distribution System. Design work shall include, but not be limited to the following:

- a) Coordinate final design work with applicable County of El Paso and state agencies for review and approval. Submit evidence of coordination, issues, and resolutions.
- b) Prepare Traffic Control plan, and submit to County of El Paso for approval.
- c) Prepare and submit pipeline design and cost estimate for review at 60% progress.
- d) Conduct Technical Review Meetings with EPWU, County of El Paso and USDA-RD and provide minutes of all meetings.
- e) Prepare and submit 95% and conduct review meeting with County of El Paso, EPWU, and USDA-RD.
- f) Provide 100% plans and specifications, Engineer’s Final Opinion of Probable Cost, Project Schedule, Basis for Liquidated Damages amounts, and other requirements described in the USDA-RD procedures and EPWU Procedures Manual.
- g) Conduct pre-bid conference and provide minutes of the meeting.
- h) Submit addenda to the contract documents as may be required for issuance by County of El Paso Purchasing.
- i) Assist with bidding and contract award procedures including Recommendation of Award.

The Consultant shall work closely with the County’s Project Manager to ensure that utility design standards are incorporated and that he designs are practical and economical. The anticipated bidding for this project is October 2011.

The County requires the use of AUTOCAD to maintain standardization in information exchange where possible. Standard spread sheet software operating in a PC environment for tabulation of data and results are also encouraged.

TASK 4 – CONSTRUCTION PHASE SERVICES

This project may include construction phase services at the option of the Program Manager. Such services will include, but may not be limited to, general coordination

and administration, special services as required by the County, and shall include the following:

- a) Hold Pre-Construction conference, develop agenda's, list of invitees, and provide minutes of the conference to all attendees.
- b) Provide and supervise construction management and inspection staff for the project.
- c) Monitor and approve monthly updates to the contractor's construction schedule.
- d) Administer construction contract requirements, payroll reports, and partial payment requests.
- e) Review, recommend, and process work directive changes and change orders.
- f) Review shop drawings and resolve design related construction problems at no cost to the owner.
- g) Provide construction inspection, resident project representative (RPR), quality control procedures and testing, construction photographs, record keeping, claim documentation, non-conformance reporting, punch lists, record drawings in AUTOCAD, and project closeout including an orderly turnover of warranties, Operation & Maintenance Manuals, and other requirements.
- h) Provide Engineer's Certificates of Substantial and Final Completion.
- i) Assist the Utility staff in the start-up and acceptance of facilities.
- j) Provide evaluation of Contractor's performance on this project.
- k) Provide a warranty inspection of the interceptor lines and appurtenances prior to expiration of construction contract warranty and a written report.

IV. TENTATIVE SCOPE OF WORK AND OBJECTIVES

Proposed Planning and Pre-design Schedule:

Start USDA-RD Application & Design	August 2011
Complete Design	December 2011
Receive Bids	February 2012
Construction Period	March 2012-September2012

Schedule is subject to change depending on circumstances and availability of funds.

V. Evaluation Criteria:

The Qualifications received will be evaluated and ranked according to the following criteria:

Technical Competence (20 Pts) – Provide your understanding of the Scope of Work described in the Statement of Work provided below by the County. Briefly outline any project similar or related experience with the name of the contact person and telephone number. A complete history of projects and contacts shall **not** be provided. Information provided shall consist of a minimum of two (2) and not more than five

(5) similar projects. The County will evaluate the preparedness, enthusiasm, and capacity of the proposer to understand and deal with the requirements of the project. This includes prior experience in the engineering planning and design for line installation or replacement. The consulting firm shall **not** reiterate the tasks outlined in Exhibit A attached to the Statement of Work section discussed below in this document, except to summarize or reinforce its understanding of the Scope for this project.

Project Approach (40 points) – Provide a brief discussion on proposed technical solutions approach to the project. Do not provide extensive design comments or consideration of various alternatives in detail. A firm will be evaluated on its ability to consideration of various alternatives in detail. A firm will be evaluated on its ability to address the general solutions approach to the project issues and objectives, within the page limitations indicated in the Response Submittal Content discussion below. Information provided may include but not limited to a brief discussion of such factors as: Cost-effectiveness of proposed design; Understanding of materials, system appurtenances, and operation of facilities applicable to this project; Understanding of federal, state, and local rules and regulations, laws, and design standards; Degree of commitment to the Program Manager’s schedule; and if applicable, proposed use of innovative solutions and techniques.

Team Organization and Availability (20) – Provide a hierarchal Organizational Chart indicating the Project Team which includes names of the proposed key project personnel, their area of responsibility, and relationships of sub consultants. Proposed organization shall reflect, where applicable, the planning, design, and construction phases of the project. Key personnel experience and strengths relative to the project at hand may be briefly discussed, but extensive staff resumes shall **not** be submitted. The County Project Manger is Munzer Alsarraj, whose name shall appear in the organizational chart. Provide Table of Availability of key personnel giving the percent of time available for this project, based on current upcoming workloads on other projects. The County will evaluate a firm’s proposed staffing organization based on factors such as what areas and percent of work will be performed locally; how efficiently is the team structured; the character and qualifications of sub consultants; utilization of minority groups; and team members’ record of prior performance with the County and EPWU.

Project Management and Quality Control (20 points) – Provide a brief discussion of the process and procedures in place and proposed for managing this project. Indicate what the key ingredients are for a successful project and what methods and organizational efforts are made to provide for constructability reviews and to ensure quality control in projects. In addition, a firm’s evaluation will be based on its based on its track record of successful project management and construction administration relative to scheduling, reporting, cost-control, quality of deliverables, timely response to the County, and the ability to provide experienced construction quality control personnel and procedures. The consultant should be familiar with EJCDC Contract Documents, 2007 Version and the EJCDC documents developed in conjunction with

USDA-RD attached to the STATEMENT OF WORK section of this REQUEST FOR QUALIFICATIONS.

VI. Qualification Submission:

The qualifications must be submitted in sealed envelopes on or before the deadline. **One original signature copy and six (6) duplicate copies** of the qualifications must be submitted to the County of El Paso Purchasing Agent office, 800 E. Overland Rm. 300, El Paso, Texas 79901 or mailed to its registered address above and received by the deadline.

To be deemed responsive, submittals must at a minimum contain the following:

- Cover letter (one page).
- Technical Competence (two pages)
- Project Approach (four pages)
- Team Organization and Availability (one page)
- Project Management and Quality Control (two pages)

Brief resumes for Key Project Personnel may be submitted at the option of the consultant, for those persons new to the firm or with no history of having performed project for the County or EPWU. Such resumes shall be attached to the Team Organization and Availability section and **shall not exceed two (2) pages**. Resumes will **not** be included in the ten (10) page count described above. Graphic, Schematic, Photos, and Tables shall be kept to a minimum, inserted within the 10 page count above if space permits, and used only to augment any of the required information more clearly. No cost information is to be provided.

Individuals or firms maybe invited to make presentations in person to the review committee assigned by the County of El Paso Commissioners' Court at a time and place designated by the committee. No communication with persons assigned to the review committee by individuals or firms responding to this solicitation other than that requested by the committee as a whole.

VII. Project Schedule:

The County of El Paso requires that the responder selected for this project adhere to the following schedule:

- A maximum of 30 calendar days for preparation of preliminary engineering report, environmental assessment, plans and draft specifications from receipt of Notice to Proceed by the County of El Paso
- Upon return of preliminary plans and draft specifications by the County of El Paso, a maximum of 60 calendar days for completion of final plans and specifications, cost estimates and bid documents for this project.

The County Commissioners' Court will select an engineering firm and authorize the Purchasing Agent to negotiate a fee for the projects. The County of El Paso reserves the right to require the

individual or firm providing engineering services to redesign the project for re-bidding at no additional compensation to that individual or firm in order to stay with the budget for the project. Should the individual or firm fail to adhere to the design schedule as delineated above, the County of El Paso reserves the right to find the individual or firm selected to be in breach of contract. The total amount of funds for the project, including Engineer services, administrative services and construction is set by the County.

VIII. Deadline For Submission:

Qualifications to be received no later than **2:00 p.m.** Mountain Standard Time on **Wednesday, August 10, 2011** at the County of El Paso, Purchasing Department, 800 E. Overland, Suite 300, El Paso, TX 79901.

Questions regarding the submittal must be directed to:

Piti Vasquez, Purchasing Agent
County of El Paso
800 E. Overland, Suite 300
El Paso, Texas 79901
(915) 546-2015, fax (915) 546-8180

Any additional information or questions required by interested offers must be submitted in writing to the attention of the County Purchasing Agent before **Tuesday, August 2, 2011 at 12:00 (noon).**

COUNTY OF EL PASO, TEXAS

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

Instructions for the certifications:

General Requirements

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

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

1. LOBBYING

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

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

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

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

1. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

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

A. The applicant certifies that it and its principals:

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

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

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

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

2. DRUG-FREE WORKPLACE

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

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

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

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

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

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

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

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

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

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

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

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

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such convictions. Employers of convicted employees must provide notice including position

title, to: The County of El Paso, Texas, 500 East San Antonio Street, Suite 406, El Paso, Texas 79901. Notice shall include the identification number of each affected grant

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

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal State, or local health, law enforcement, or other appropriate agency

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

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

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

4. CERTIFICATION REGARDING THE NONDISCRIMINATION STATUTES AND IMPLEMENTING REGULATIONS

The applicant certifies that it will comply with the following nondiscrimination statues 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

COUNTY COURTHOUSE, 800 E. Overland,
ROOM PU300, EL PASO, TEXAS 79901
(915) 546-2048, FAX: (915) 546-8180

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

BIDDING CONDITIONS

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

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

10. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 262.032(b), ANY SUCCESSFUL BIDDER WHO IS AWARDED ANY CONTRACT IN EXCESS OF \$50,000 MAY BE REQUIRED TO EXECUTE A PERFORMANCE BOND TO THE COUNTY. SAID BOND SHALL BE IN THE FULL AMOUNT OF THE CONTRACT AND MUST BE FURNISHED WITHIN 30 DAYS AFTER THE DATE A PURCHASE ORDER IS ISSUED OR THE CONTRACT IS SIGNED AND PRIOR TO COMMENCEMENT OF THE ACTUAL WORK. ANY PERFORMANCE BOND REQUIRED PURSUANT TO THIS SECTION SHALL BE NOTED IN THE ATTACHED DETAILED BID SPECIFICATIONS OR SCOPE OF WORK. THIS SECTION DOES NOT APPLY TO A PERFORMANCE BOND REQUIRED BY CHAPTER 2253, TEXAS GOVERNMENT CODE.

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

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

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

NOTICE:

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

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

Health Insurance Benefits Provided By Bidder

Consideration of Health Insurance Benefits*

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

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

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

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

Business Name

Date

Name of Authorized Representative

Signature of Authorized Representative

* This page must be included in all responses.



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

RE: RFQ #11-030, Engineering and Environmental Services for the Colonia Revolucion Water Line Extension Project.

Dear Vendor:

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

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

County Officers: County Judge Veronica Escobar
Commissioner Anna Perez
Commissioner Sergio Lewis
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
Robert Rivera, P.E.
Ernesto Carrizal III, P.E.
Gilbert Saldana, P.E.
Munzer Alsarra, Program Coordinator
Carlos Rubio, Project Engineer EPWU

Please note that the state law requires that the Questionnaire be filed with the **COUNTY CLERK** no later than **the 7th business day after submitting an application, response to an RFP, RFQ or bid** or any other writing related to a potential agreement with the County. Failure to file the questionnaire within the time provided by the statute is a Class C misdemeanor

COUNTY OF EL PASO PURCHASING DEPARTMENT

PITI VASQUEZ, PURCHASING AGENT
JOSE LOPEZ, JR. ASST. PURCHASING AGENT
LUCY BALDERAMA, INVENTORY BID TECHNICIAN

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

Instructions: Conflict of Interest Form (CIQ)

- **Please complete CIQ Form whether or not a conflict exists.**
- **Box #1 All Vendors** Must Print Clearly their names and company name.
- **Box #2** If the vendor has already filed a CIQ for the current year and is updating (filing a new one) due to changes on bid, please check box. If this is the first time within the current year that the vendor is submitting a CIQ, then do not check this box.
- **Box #3** If you are filing a disclosure of conflict of interest, meaning that you do have a relationship with someone listed on the page prior to the CIQ form on your BID, RFP, RFQ, or RFI, then you must print the name of the person whom you have a business relationship with.
- If you answer **yes** to any of the following: **Item A, B, C** you have a conflict and must disclose on this form.
- **Item D** List the type of relationship and what department in the local government the person you have listed in **Box #3**.
- **Box #4** Please have the person that is named on **Box# 1**, sign and date in this box. We request a contact number in case there are any questions or form is missing information. This is a courtesy to you.
- It is the vendor's responsibility to submit the CIQ document number provided by the County Clerk's to the Purchasing Department.
- Please note that the state law requires that the Questionnaire be filed with the COUNTY CLERK no later than the 7th business day after submitting an application, response to an RFP, RFQ, RFI or bid or any other writing related to a potential agreement with the County. Failure to file the questionnaire within the time provided by the statute is a Class C misdemeanor.
- File a completed Conflict of Interest Questionnaire (Form CIQ) with the El Paso County Clerk in person or by mail to 500 E. San Antonio, Suite 105, El Paso, TX 79901 or by fax to 915-543-3816 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 5 to 10 business days. Please fax a copy of your fax confirmation (date/time) to The Purchasing Department at (915) 546-8180. If you have not yet placed it in your Bid, RFP, RFQ, RFI.
- If you have any questions, please call Linda Mena or Lucy Balderama at 915-546-2048

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

RFQ # 11-030

1 Name of person who has a business relationship with local governmental entity.

2

Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3

Name of local government officer with whom filer has employment or business relationship.

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

Signature of person doing business with the governmental entity

Date

Adopted 06/29/2007

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) serves as an officer or director; or

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

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

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

(A) is a local government officer; and

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

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

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

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

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

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

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

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

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

§ 176.001. Definitions

In this chapter:

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

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

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

(4) "Local government officer" means:

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

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

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

COUNTY OF EL PASO, TEXAS

Solicitation Check List

Engineering and Environmental Services for the Colonia Revolucion Water Line Extension Project. RFQ #11-030

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

_____ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Wednesday, August 10, 2011. Did you visit our website (www.epcounty.com) for any addendums?

_____ Did you sign the Signature Page?

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

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

_____ **Did you file a copy of the completed Conflict of Interest Questionnaire (Form CIQ) with the El Paso County Clerk (in person or by mail to 500 E. San Antonio, Suite 105, El Paso, TX 79901 or by fax to 915-543-3816 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?**

_____ Did you provide one original and six (6) copies of your response?
