



COUNTY OF EL PASO
500 E. San Antonio, Suite PU500
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, 500 E. San Antonio, Suite 500, El Paso, Texas 79901 before 2:00 p.m., Tuesday, March 6, 2007 to be opened at the County Purchasing Office the same date for Juvenile Drug Court Treatment Services.

Proposals must be in a sealed envelope and marked:

**"Proposals to be opened March 6, 2007
Juvenile Drug Court Treatment Services
RFP Number 07-018"**

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, February 27, 2007, 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 cashiers check made payable to the County of El Paso or a good and sufficient bid bond in the amount of 5% of the total contract price, executed with a surety company authorized to do business in the State of Texas. The certified cashiers check must be included with the proposal at the time of the opening.

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

PITI VASQUEZ
County Purchasing Agent

PROPOSAL SCHEDULE

To: El Paso County, Texas

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

Please quote prices and discounts on the following items:

F. O. B. El Paso County

<p style="text-align: center;">Description – RFP #07-018 Juvenile Drug Court Treatment Services</p> <p style="text-align: center;">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 and two (2) duplicates of your proposal.</p>
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_____ Company	_____ Address
_____ Federal Tax Identification No.	_____ City, State, Zip Code
_____ CIQ Confirmation Number	_____ CIQ Sent Date
_____ Representative Name & Title	_____ Telephone & Fax Number
_____ Signature	_____ Date

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

COUNTY OF EL PASO, TEXAS

Check List

Juvenile Drug Court Treatment Services RFP #07-018

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

- _____ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Tuesday, March 6, 2007. Did you visit our website (www.epcounty.com) for any addendums?
- _____ Did you sign the Bidding Schedule?
- _____ Did you sign the "Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Federal Debt Status, and Nondiscrimination Status And Implementing Regulations" document?
- _____ Did you sign the "Consideration of Insurance Benefits" form?
- _____ Did you file a copy of the completed Conflict of Interest Questionnaire (Form CIQ) with the El Paso County Clerk (in person or by mail to 500 E. San Antonio, Suite 105, El Paso, TX 79901 or by fax to 915-546-2012 attention Joann) and write the confirmation number given as proof of filing on your bidding schedule? Please include the completed and signed form with your response whether a relationship exists or not.
- _____ If your bid totals more than \$100,000, did you include a bid bond?
- _____ Did you provide one original and two (2) copies of your response?
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SOLICITATION OF PROPOSALS

The El Paso County Juvenile Probation Department is soliciting proposals for juvenile drug court treatment services in the El Paso County area. The El Paso County Juvenile Drug Court has been operational since June 2004.

Continuation funding is continuously being sought to assure continuity of services. It is anticipated that this program will continue and that these services may be renewable in accordance with applicable laws dependent upon funding and satisfactory fulfillment of contract requirements. The contract will be renewable for up to two for a total of a three-year contract period contingent on the availability of funding.

REVISIONS AND SUPPLEMENTS

If it becomes necessary to revise any part of the RFP or if additional information is needed to clarify any provision of the RFP, the revision and/or additional information shall be provided to all persons who receive the RFP packet. All persons intending to make an offer shall provide written acknowledgment of receipt of any revisions or supplements. The El Paso County Juvenile Drug Court shall not issue a revision or supplement to the RFP less than seven working days before the deadline set for receipt of proposals, unless the El Paso County Juvenile Drug Court extends the deadline.

Applicants may revise or withdraw their proposal prior to the proposal submission deadline date and time by delivering written notice to the El Paso County Purchasing Department. The written notice must be addressed to the attention of Claudia Sepulveda at the Purchasing Department.

BACKGROUND ON DRUG COURTS

A Drug Court is a special court given the responsibility to handle cases involving less serious drug-using offenders through an intensive supervision and treatment program. Because the criminal justice system often fails to subject non-violent, substance-abusing adult offenders to intervention measures that provide the sanctions and services necessary to change their deviant behaviors, many of these individuals repeatedly cycle through out courts, corrections, and probation systems. Basic criteria for drug court participation include first time, non-violent felony drug offenders who are charged with drug possession, use, or who have drug use as a substantial part of their conviction. Other participants may have no more than one prior felony conviction and be eligible for standard probation.

While drug court programs differ nationwide, most programs are comprehensive and divided into sequential phases, utilizing closely supervised probation, mandatory drug testing, individual and group treatment, involvement in support services, family therapy and community service. Complying with requirements within each phase completes each phase. The key difference between Drug Court and other intensive supervision probation programs is its system of immediate yet graduated sanctions for noncompliance, recognizing that the recovery process

may involve some continued drug use. The participants remain in the program for a minimum of 12 months, requiring less frequent drug testing and contact with probation officers and the judge as participants' progress through the phases.

BACKGROUND OF JUVENILE DRUG COURTS

SCOPE OF WORK FOR TREAT The populations and caseloads of most juvenile courts in the U.S. have changed dramatically during the past decade. The nature of both the delinquent acts and the dependency matters being handled have become far more complex, entailing more serious and violent criminal activity and escalating degrees of substance abuse. Problems that bring a juvenile under the court's jurisdiction are interrelated with those of his/her family, particularly with regard to substance abuse.

The development of juvenile drug courts has, therefore, required special strategies to address these – and other – issues emerging during the course of program planning and implementation. While the hallmark of juvenile drug courts operating to date has been flexibility, the following are characteristics common to their approaches:

- much earlier and more comprehensive intake assessments,
- much greater focus on the functioning of the juvenile's family, as well as the juvenile throughout the juvenile court process,
- much closer integration of the information obtained during the assessment process as it relates to the juvenile and his/her family,
- much greater coordination between the court, the treatment community, the school system and other community agencies in responding to the needs of the juvenile and the court, and
- much more active and continuous judicial supervision of the juvenile's case and the treatment process.

Juvenile drug courts are using a variety of strategies to achieve these goals, including developing systems of triage applied to intake to better utilize community services; recognizing and responding to the cultural diversity of children involved in court proceedings and the environments in which they live; and treating children and families holistically, e.g. overcoming the dichotomy between juvenile delinquency and family/dependency matters and providing substance abuse treatment that addresses family issues.

SERVICES FOR THE JUVENILE DRUG COURT IN EL PASO, TEXAS

EL PASO COUNTY'S JUVENILE DRUG COURT

Juvenile drug court treatment services are not confined to the treatment provider—all activity generated by the juvenile drug court is designed to have a therapeutic value, including the interaction between “treatment” and “court” processes which is on-going. Among the special attributes of juvenile drug court treatment services are (1) very early and extensive assessment of the juvenile and his/her family situation; (2) providing treatment programs that are developmentally based, gender specific, and culturally appropriate, (3) incorporating an “outreach” component to the assessment and treatment processes that includes periodic visits to the home to assess the family situation; and (4) addressing school performance, peer relationships and self-esteem issues regarding the juvenile participant, in addition to his/her family situation.

The Juvenile Drug Court program is designed to work with post-adjudicated male and female juveniles who are between 14-17 years of age and who have demonstrated an extensive substance abuse history are in need of intensive outpatient services, and court supervision with frequent drug testing. There will be two gender specific groups with a maximum of 12 participants in each thus facilitating the opportunity to provide the appropriate services to each population. We are seeking an average of 6 hours of group therapy and one hour of individual therapy per week. The program is approximately 12-18 months with a required 3-month probation aftercare component. The drug court participants and drug court team will be required to meet once every week for a court review with the Judge.

El Paso County's Juvenile Drug Court program will be used as an integral component within the juvenile justice system that exists in the county. This program will address and provide counseling by licensed therapists/counselors (LCDC, LPC, CI); mediation for juveniles; individual treatment plans within 30 days after entering the program and every 90 days thereafter with documentation provided to the Program Director; provide performance measurement information as requested by the Court and/or Program Director; education groups (using community resources); gender-specific groups; faith-based services; awareness of educational alternatives; and programs that work toward building trust and positive problem-solving skills (MRT Cognitive Behavioral therapy). Age- and gender-specific issues will be addressed and a focus on cultural awareness will be emphasized. The “Girls Circle Curriculum” will be incorporated into the gender specific programming for the female participants. Advancements will be dependent upon program participation and clean drug screens. The juvenile drug court Judge and Program Director will be kept informed regarding progress and compliance of all participants.

Professionals from the community will be brought in to speak to youth about parenting, health, and education issues. Participants will be exposed to experiential activities to increase their trust and problem-solving behaviors including discussions concerning the use of alcohol and drugs and their effects on the juvenile physiologically, psychologically, and socially.

The Juvenile Drug Court treatment component will be a court-supervised program that will provide:

- Intensive/supportive outpatient drug treatment services for up to 30 juvenile offenders per year,
- phased treatment modalities including Moral Recognition Therapy (MRT) addressing cognitive, motivation, and behavioral modification therapies and a faith based component if beneficial to the population being served,
- gender specific services
- assist with the monitoring and supervision of juvenile offenders while in treatment in conjunction with Juvenile Probation, El Paso Police Department, and the County Attorney's Office.

PROPOSAL SUBMISSION

The original plus four (4) copies of an applicant's proposal must be received by the El Paso County Purchasing Department at the address indicated on the cover page of the Request for Proposal pack no later than March 6, 2007, at 2:00 p.m. Mountain Daylight Savings Time. A representative at the Purchasing Department will date-stamp and time-stamp every proposal received immediately upon receipt. All proposals received before the proposal submission deadline will be kept in a secure location at until the due date and time.

The applicant's original proposal must be unbound with no staples, paper clips, fasteners, or heavy or lightweight paper stock within the document itself. It may be necessary to reproduce the original application to provide sufficient copies for review purposes. Therefore, the applicant should not include anything that cannot be photocopied using automatic processors. Such items include anything stapled, folded, pasted, or in a size other than 8 ½" x 11" on white paper and heavy or lightweight paper which could disable the photocopy machine and/or become destroyed. Odd sized attachments of any kind will not be copied or sent to reviewers. Excessive or over-sized material, e.g., posters, videotapes, audiotape, or CDs should not be included. Documents may be photo-reduced or have type closer than 15 characters per inch. Furthermore, only one side of each page should have printing.

PROPOSAL FORMAT

Each applicant may submit one proposal. The proposal must be submitted as an original plus four (4) copies as stated in the PROPOSAL SUBMISSION section.

Application materials could accidentally get out of order when being processed, thus every sheet of the proposal must have a page number. It is also requested that pages be numbered consecutively from beginning to end (for example, page 1 for the Cover Page, page 2 for Letter of Transmittal, page 3 for the Table of Contents, etc.). Any appendices should be labeled and separated from the narrative and budget section, and the page numbers should be continued in the sequence.

The proposal must be organized and indexed in the following format and must contain, at a minimum, all listed items in the sequence indicated.

- Cover Page
- Letter of transmittal
- Table of Contents
- Proposal Narrative
- Budget
- Application Forms & Certifications

Within each section of the proposal, applicants should address the items in the order in which they appear in the RFP.

Any proposal that does not adhere to this format, and which does not address each specification and requirement within the RFP may be deemed non-responsive and rejected on that basis. All material submitted in response to this RFP becomes the property of El Paso County.

COVER PAGE

Each proposal must have the Proposal Schedule form as the cover page.
The cover page must:

- identify the RFP (i.e., Proposal for the El Paso County Juvenile Drug Court Program);
- identify the applicant organization;
- identify the applicant organization's contact person,
- identify the applicant organization's address, phone and FAX, and
- indicate the date of the proposal.

LETTER OF TRANSMITTAL

A Letter of Transmittal must accompany each proposal.

The Letter of Transmittal must:

- identify the applicant organization and contact person;
- identify the name and title of the person authorized by the organization to contractually obligate the organization;
- identify the legal status of the submitting organization (proprietorship, corporation, non/for-profit, etc.). Include federal tax number
- identify the name, title, telephone and FAX number of the person to be contacted for clarification;
- explicitly indicate acceptance of all requirements of the RFP;
- be signed by the person authorized to contractually obligate the organization;
- acknowledge receipt of any and all amendments to this RFP; and
- must be on official business letterhead.

TABLE OF CONTENTS

Immediately following the letter of transmittal, the applicant is required to provide a Table of Contents that identifies all subsequent sections and pages.

PROPOSAL NARRATIVE

Describe your organization's qualifications and experience in drug court treatment programs in Texas under this RFP's SCOPE OF WORK.

In addition, explain your knowledge and understanding of and experience with:

- Drug court programs;
- Familiarity with the Texas Family Code and procedure pertaining to juvenile probation;
- Related judicial entities working with the juvenile delinquent population (for example: public defenders, district attorney's juvenile court judges, drug court administrators and judges);
- Familiarity with the Teen Addiction Severity Index (APSI, SASSI, GAIN) as a clinical instrument;
- Understanding of and experience with Moral Recognition Therapy (MRT) or willingness to adopt this modality or a similar one.
- Understanding of and experience with the Girls Circle curriculum or willingness to adopt this modality or a similar one.

In detail, explain how your organization will address, incorporate, and coordinate all components of this RFP's SCOPE OF WORK.

Identify the lead professional and his or her qualifications and experience in conducting this type of assessment. If applicable, identify any other professional staff and their qualifications and experience.

BUDGET

The contract period for this RFP is approximately 4 months, and may be renewable for a period not to exceed 3 years. The applicant must provide a detailed budget including but not limited to travel, per diem, salaries, benefits and any other applicable budget items. A narrative description of each proposed cost must be provided.

PROPOSAL EVALUATION

A representative from the El Paso County Purchasing Department will open the proposals immediately after the deadline and will record them. A El Paso Juvenile Drug Court representative will perform a preliminary review of the proposals to determine compliance with the mandatory requirements of the RFP. The El Paso County Juvenile Drug Court administrator will review all proposals and evaluate each according to the evaluation criteria.

The contents of any proposal shall be kept confidential during the evaluation process.

All proposals received by the El Paso County Purchasing Department on or before the submission deadline shall become the property of the El Paso County Juvenile Drug Court and shall not be returned to the applicant. The El Paso County Juvenile Drug Court shall have the right to use any or all ideas contained in the proposal. Acceptance or rejection of a proposal shall not affect this right.

The El Paso County Juvenile Drug Court's administrators shall evaluate each proposal using the following weighted criteria. It is important that proposals address each item in sufficient detail to provide the best possible evaluation:

Proposal Narrative:	
Qualifications of the Organization	10%
Qualifications of the Lead Professional	10%
Experience of the Organization	25%
Experience of the Lead Professional	10%
Description of How the organization will Address, Incorporate, and Coordinate All Components of the SCOPE OF WORK	25%
Budget	<u>20%</u>
	100%

ASSURANCES

1. Contractor shall assure that all of its paid and unpaid personnel who are required or allowed to provide services pursuant to this agreement will sign documents allowing the El Paso County Juvenile Probation Department to perform a criminal history check to include a Texas Law Enforcement Telecommunications System (TLETS)/National Crime Information Center (NCIC) records check, an FBI records check (to include fingerprints), and a sex offender background check through the Texas Department of Public Safety.
2. Under Sec. 231.006, Texas Family Code, the Contractor certifies that the individual or business entity named in this agreement is not ineligible to receive the specified grant, loan or payment and acknowledges that this agreement may be terminated and payment may be withheld if this certificate is inaccurate.
3. Contractor must be familiar with the Texas Family Code Sec. 261.101 Persons Required to Report; Time to Report. This code deals with reporting child physical or mental health abuse or neglect. Additionally, the contractor may be required to attend any training required by the Texas Juvenile Probation Commission.
4. Contractor certifies that the individual(s) or business entity named in this agreement is in good standing with the Texas Comptroller of Public Accounts.
5. Contractor shall maintain and make available for inspection, audit or reproduction, by an authorized representative of El Paso County, the State of Texas, or the Federal Government, books, documents and other evidence pertaining to the cost and expenses for this agreement, hereinafter called the Records.
6. Contractor shall ensure that the Texas Department of State Health Services, Substance Abuse Services has properly licensed them to provide services at the level and intensity specified in the Request for Proposal and shall submit with proposal a copy of said license.
7. Contractor shall make available upon request a copy of their current Policy and Procedures Manual to ensure compliance with the Texas Administrative Code Title 25, Part 1, Chapter 448 Standard of Care.

NOTIFICATION OF SELECTION & REJECTION

The El Paso County's Purchasing Department will send an award letter to the successful applicant and will send regret notifications to unsuccessful bidders.

COUNTY OF EL PASO, TEXAS

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

Instructions for the certifications:

General Requirements

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

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

1. LOBBYING

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

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

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

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

1. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

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

A. The applicant certifies that it and its principals:

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

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

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

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

2. DRUG-FREE WORKPLACE

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

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

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

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

- (1) The dangers of drug abuse in the workplace;
- (2) The applicant's policy of maintaining a drug free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace;

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

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

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

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

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

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

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

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

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

4. CERTIFICATION REGARDING THE NONDISCRIMINATION STATUTES AND IMPLEMENTING REGULATIONS

The applicant certifies that it will comply with the following nondiscrimination statutes and their implementing regulations: (a) title VI of the Civil right Act of 1964 (42 U.S.C. 2000D et seq.) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity for which the applicant received federal financial assistance; (b) Section 504 of the rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance; (c) title IX of the Education Amendments of 1972m as amended (20 U.S.C. 1811 et seq.) which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance; and (d) the Age Discrimination Act of 1975, and amended (42 U.S.C. 6101 ec seq.) which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance, except that actions which reasonably take age into account as a factor necessary

for the normal operation or achievement of any statutory objective of the project or activity shall not violate this statute.

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

Business Name

Date

Name of Authorized Representative

Signature of Authorized Representative

1

* All four (4) pages of this document must be included in all responses.

COUNTY OF EL PASO PURCHASING DEPARTMENT

COUNTY COURTHOUSE, 500 EAST SAN ANTONIO,
ROOM PU500, EL PASO, TEXAS 79901
PURCHASING AGENT
(915) 546-2048, FAX: (915) 546-8180

PITI VASQUEZ, PURCHASING AGENT
JOSE LOPEZ, JR. ASST.

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 BID, 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 BID; THE WAIVER BY EL PASO COUNTY OF ANY REQUIREMENTS UNDER THE BID DOCUMENTS OR THE CONTRACT DOCUMENTS; THE ACCEPTANCE OR REJECTION OF ANY BIDS; AND THE AWARD OF THE CONTRACT.
2. Bids must be in the Purchasing Department **BEFORE** the hour and date specified. Faxed bids will not be accepted.
3. Late bids properly identified will be returned to bidder unopened. Late bids will not be considered under any circumstances.
4. All bids are for new equipment or merchandise unless otherwise specified.
5. Quotes F.O.B. destination. If otherwise, show exact cost to deliver.
6. Bid unit price on quantity specified-extend and show total. In case of error in extension, unit prices shall govern. Bids subject to unlimited price increases will not be considered.
7. Bids 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.
8. No substitutions or cancellations permitted without written approval of County Purchasing Agent.
9. The County reserves the right to accept or reject all or any part of any bid, waive minor technicalities and award the bid to the lowest responsible bidder. The County of El Paso reserves the right to award by item or by total bid. Prices should be itemized.
10. Bids \$100,000.00 and over, the bidder shall furnish a certified cashiers check made payable to the County of El Paso or a good and sufficient bid bond in the amount of 5% of the total contract prices and execute with a surety company authorized to do business in the State of Texas. The bid bond must be included with the bid at the time of the opening.
11. This is a quotation inquiry only and implies no obligation of the part of the County of El Paso.
12. The County of El Paso reserves the right to reject any proposal due to failure of performance on deliveries. The County Purchasing Agent will justify this.
13. Brand names are for descriptive purposes only, not restrictive.

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 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 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
500 East San Antonio, Suite PU500
El Paso, Texas 79901
(915) 546-2048
(915) 546-8180 Fax

RE: RFP #07-018, Juvenile Drug Court Treatment Services

Dear Vendor:

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

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

County Officers: County Judge Anthony Cobos
Commissioner Luis C. Sariñana
Commissioner Veronica Escobar
Commissioner Miguel Teran
Commissioner Dan Haggerty

County Employees: Piti Vasquez, Purchasing Agent
Jose Lopez, Jr., Assistant Purchasing Agent
Rosie Medina, Program Director
Ruth Fierro, Case Manager

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

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.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

OFFICE USE ONLY

Date Received

This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the governmental entity.

By law this questionnaire must be filed with the records administrator of the local government 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 violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

1 Name of person doing business 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 September 1 of the year for which an activity described in Section 176.006(a), Local Government Code, is pending and not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3

Name each employee or contractor of the local governmental entity who makes recommendations to a local government officer of the governmental entity with respect to expenditures of money AND describe the affiliation or business relationship.

4

Name each local government officer who appoints or employs local government officers of the governmental entity for which this questionnaire is filed AND describe the affiliation or business relationship.

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM CIQ

Page 2

5

Name of local government officer with whom filer has affiliation or business relationship. (Complete this section only if the answer to A, B, or C is YES.

This section, item 5 including subparts A, B, C & D, must be completed for each officer with whom the filer has affiliation or other relationship. 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 from the filer of the questionnaire?

☐

Yes

☐

No

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

☐

Yes

☐

No

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

☐

Yes

☐

No

D. Describe each affiliation or business relationship.

6

Signature of person doing business with the governmental entity

Date