



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., **Wednesday, September 19, 2007** to be opened at the County Purchasing Office the same date for **Section 125 Plan Administrator for the County of El Paso**.

Proposals must be in a sealed envelope and marked:
"Proposals to be opened September 19, 2007
Section 125 Plan Administrator for the County of El Paso
RFP Number 07-113"

Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, September 11, 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

Description – RFP #07-113 Section 125 Plan Administrator for the County of El Paso Vendor must meet or exceed specifications
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.

Company

Address

Federal Tax Identification No.

City, State, Zip Code

CIQ Confirmation Number

CIQ Sent Date

Representative Name & Title

Telephone & Fax Number

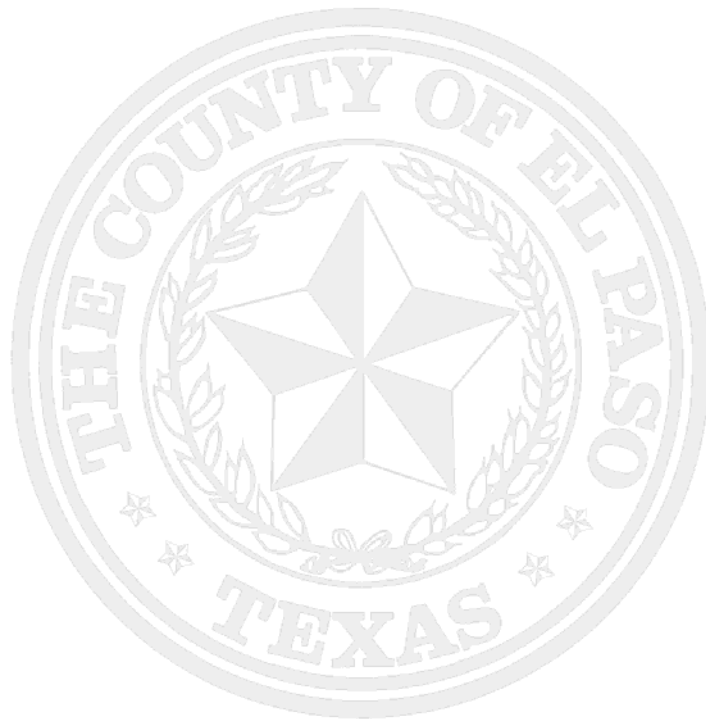
Signature

Date

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

Section 125 Plan Administrator for the County of El Paso

RFP #07-113



**Opening Date
Wednesday, September 19, 2007**

SECTION 125 PLAN ADMINISTRATION REQUEST FOR PROPOSAL

Scope of Services Requested

The County of El Paso currently makes available to its employees the opportunity to participate in a Section 125 Cafeteria plan that includes pre-tax deductions for eligible expenses, Flexible Spending Accounts, Dependent Care Assistance Programs, a Parking Reimbursement Plan as allowed under IRC Section 132(f).

At this time the County of El Paso is accepting proposals for a January 1, 2008 effective date for these services.

GENERAL REQUIREMENTS

- Proposal is predicated on **duplication** of all current benefits, terms, conditions, exclusions, definitions and limitations. Any deviations will be clearly identified.
- Proposal is net of commissions (The County of El Paso does not preclude use of a broker, but premium quotation must be net of commissions. If any fees are to be paid to a non employee of the Proposer they should be identified).
- Proposal includes a minimum 3 year rate guarantee.
- Proposal does **not** include a minimum participation percentage.
- Proposer accepts client eligibility verification process for employees
- Proposal must be valid for a minimum period of 90 days from date of submission.
- Proposer agrees to provide, at no cost to The County of El Paso and enrolled members, Summary Plan Descriptions (SPD) for product line offered in a quantity sufficient for current participants as well as new hires throughout the term of this contract as needed. Vendor will also provide amendments in lieu of a new printing, subject to the County of El Paso's approval, at no cost to the County of El Paso. Any and all marketing and informational materials are subject to review and approval by the County of El Paso prior to printing and distribution.
- Proposer agrees to the County of El Paso's eligibility guidelines, enrollment/termination guidelines, and premium remittance methodology
- Proposer should identify all of the following fees:
 - Initial Start Up Fee
 - Printing Costs
 - Annual Renewal Fee
 - Per Participant monthly fees
 - Illustrate with and without debit card options
 - Any other fees or expenses not identifies above

Notice: All questions must be answered. Please refrain from responding with a phrase such as “cannot provide at this time or will provide at a later date if selected, etc.” The reviewer will consider these answers non-responsive to the question.

SECTION A. GENERAL COMPANY INFORMATION		
A-1	Parent Company Name:	
A-2	Address:	
A-3	City/State/Zip:	
A-4	Company Name: (If not same as above)	
A-5	Address:	
A-6	City/State/Zip:	
A-7	Contact Person: (Employee of vendor)	
A-8	Contact Phone #:	
A-9	Contact Cellular #:	
A-10	Contact Email:	
A-11	Contact Fax #:	
A-12	Local Address:	
A-13	Local City/State/Zip:	
A-14	Local Contact Person: (Employee of vendor)	
A-15	Local Contact Phone #:	
A-16	Local Contact Cellular #:	
A-17	Local Contact Email:	
A-18	Local Contact Fax #:	
A-19	Federal Tax ID Number:	
A-20	Date Parent Company formed:	
A-21	Date Subsidiary Company formed:	
A-22	Date Company enrolled first group in State of Texas:	
A-23	Number of employees employed in Texas and Nationwide:	
A-24	Number of groups you administer with over 2,000 employees in force: Private Sector Texas Nationwide Public Sector Texas Nationwide	

A-25	<p>Is your company using any sub-contractors? If so, please list: name of sub-contractor, the scope of services the sub-contractor will perform, the reasons why you are sub-contracting these services, the benefit of sub-contracting these services, the depth of experience of the sub-contractor performing these services, and how you evaluated the sub-contractor, and why you selected this vendor to perform these services.</p>	
A-26	<p>Has your company recently been acquired or been involved with any merger/acquisition? If yes, briefly describe.</p>	
A-27	<p>Is your company involved in any pending or contemplated acquisition in the next 36 months? If yes, briefly describe.</p>	
A-28	<p>Under what other or former names has your company operated? If yes, briefly describe.</p>	
A-29	<p>Identify any officer, director, employee or agent of your organization who is also an employee of The County of El Paso.</p>	
A-30	<p>Disclose the name of any The County of El Paso employee who owns, directly or indirectly, an interest of 5% or more in your firm or any of its subsidiaries. Also disclose any familial or financial relationship anyone in your firm may have with any employee of the The County of El Paso or member of the family of an employee of the The County of El Paso.</p>	
A-31	<p>Identify any affiliation your firm or an employee of yours currently has with The County of El Paso such as a current contract, sub-contractor on a current contract, a member of an advisory board, etc.:</p>	
A-32	<p>Are any services necessary for the operation of your organization provided by a third party? If so, briefly describe.</p>	

A-33	Describe your company's disaster recovery and contingency plans. Have you ever tested or actually implemented these plans?	
A-34	State your type of business: corporation, non-profit corporation, partnership, joint venture, etc.	
A-35	Does your proposal involve a joint venture with other organizations? If so, specify your role, those of other organizations and identify which organization would be the primary contractor.	
A-36	How many years of experience does your company have servicing group contracts with 2,000 or more eligible employees?	
A-37	Will acquiring the The County of El Paso account result in more than a 5% increase in your company's current book of business, as measured by total fees paid or lives administered?	
A-38	Has your company been involved in any litigation over the last five years; pending, settled, or dismissed? Explain each separately. If there is any pending litigation, please include an opinion of counsel as to whether the pending litigation will impair the proposer's performance in a contract under this RFP.)	
A-39	Has the proposer or any of the proposer's employees, agents, independent contractors or sub-contractors ever been convicted of, pled guilty to, or pled nolo contendere to any felony; and if so, provide an explanation of the relevant details.	
A-40	Has your company, within the last 10 years, filed (or had filed against it) any bankruptcy or insolvency proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignee for the benefit of creditors; and if so, provide an explanation of the relevant details.	

A-41	What separates your firm from other competitors?	
A-42	Has the interested firm, its principals, officers, or predecessor organization(s) been debarred or suspended from bidding by any government during the last five (5) years? If yes, provide details.	
A-43	Have you ever failed to complete any work awarded to you? If so, where and why?	

SECTION B. FINANCIAL INFORMATION

B-1	Describe your firm's financial condition for the last three years. Specify retained earnings, debt, and equity. Detail each year separately:	
B-2	Has your company received any corrective action requests from a State Government in the last 5 years? If yes, briefly explain.	
B-3	Describe in detail how renewal rates will be determined after the initial guarantee period; your response should include an estimate of the credibility that will be given to the County of El Paso's experience.	
B-4	What performance guarantees will you offer? If your performance guarantee includes a financial penalty, please specify.	

SECTION C - REFERENCES

Provide the contact information for **five current and three former clients of similar size, preferably in the public sector area.** Include Organization Name, Address, Contact Person Name and Phone #, number of employees, indicate private/public sector, and briefly explain what services you provided and for how long was your contract.

C-1	#1 Current Organization Name: Address: Contact Person: Phone #: Number of Employees: Private/public sector: Length of Service: Services Provided:	
C-2	#2 Current Organization Name: Address: Contact Person: Phone #: Number of Employees: Private/public sector: Length of Service: Services Provided:	
C-3	#3 Current Organization Name: Address: Contact Person: Phone #: Number of Employees: Private/public sector: Length of Service: Services Provided:	
C-4	#4 Current Organization Name: Address: Contact Person: Phone #: Number of Employees: Private/public sector: Length of Service: Services Provided:	

SECTION C - REFERENCES

C-5	<p>#5 Current</p> <p>Organization Name: Address: Contact Person: Phone #: Number of Employees: Private/public sector: Length of Service: Services Provided:</p>	
C-6	<p>#1 Former</p> <p>Organization Name: Address: Contact Person: Phone #: Number of Employees: Private/public sector: Length of Service: Services Provided:</p>	
C-7	<p>#2 Former</p> <p>Organization Name: Address: Contact Person: Phone #: Number of Employees: Private/public sector: Length of Service: Services Provided:</p>	
C-8	<p>#3 Former</p> <p>Organization Name: Address: Contact Person: Phone #: Number of Employees: Private/public sector: Length of Service: Services Provided:</p>	

SECTION D - CUSTOMER SERVICE INFORMATION		
D-1	What are the customer service hours of operation?	
D-2	Describe how calls are received and by whom.	
D-3	How are calls handled after hours and by whom?	
D-4	Is there a toll free number?	
D-5	Are you able to service the hearing impaired or those that speak a foreign language?	
D-6	What office will handle claims processing and payment? Are all claims adjudicated in one location? By one claims team?	
D-7	Do you monitor member satisfaction? If so, how frequent? How do you handle unsatisfied customers?	

SECTION E - TECHNICAL INFORMATION		
E-1	Describe your claims facilities and procedures, including: A. Steps and procedures used in claims administration starting with the original claim form(s) completed by the employee and ending with the issuance of payment. B. Provide a matrix of turn around times C. Measures taken to prevent fraud by your own employees related to claims processing and claim/draft control. D. Measures taken to prevent fraud by claimants. E. Explain your grievance procedure.	
E-2	When were your current claims, eligibility, member services, and data reporting systems last upgraded or enhanced? When is the next upgrade/enhancement scheduled?	
E-3	What are your expectations of the employer's role in the following processes: administration, appeal	

	processing, investigations, etc?	
E-4	Is it possible for the The County of El Paso to have on-line access to run reports and to view current status? Be specific as to how this would work.	
E-5	What, if any, data is required from the current vendor in order to assure a smooth transition?	
E-6	Describe your enrollment process for employees who elect coverage after the initial enrollment period.	
E-7	Specify your capabilities to monitor legal and regulatory matters at State and Federal Levels and how do you keep the client abreast of any changes?	
E-8	What standard reports are available? Frequency? Are there additional costs associated with these standard reports? With customized reports? If yes, what are they?	
E-9	List the functions your claim system automatically performs.	
E-10	Identify the office from which this account will be handled for claim processing and payment.	
E-11	What are your firms claim processing standards for: Turnaround time Procedural accuracy Financial accuracy What are your actual results for 2005: Turnaround time Procedural accuracy Financial accuracy What are your actual results for 2006: Turnaround time Procedural accuracy Financial accuracy	
E-12	Do you send an acknowledgement receipt of a claim form?	
E-13	Please provide a copy of your most recent audited annual report or financial statement.	
E-14	Will your company participate in the County's Annual Enrollment Fair and other promotional events?	

E-15	<p>Provide a detailed work plan you would use to implement administration of The County of El Paso's benefit program effective January 1, 2008. Include key activities, the dates during which they will be performed, the person(s) on your team who would be responsible for carrying them through, and the anticipated time frame in which you would anticipate The County of El Paso's involvement. Please respond in a tabular or outline format rather than narrative format. Key activities should include the following:</p>	
	Initial planning meeting	
	Periodic update meetings	
	Preparation and distribution of enrollment kits	
	Employee enrollment, including participation in employee meetings	
	Processing of elections	
	Preparation of your claim administration system	
	Customer services orientation	
	Establishing the account structure, including initiation of periodic report generation (type and frequency)	
	Identification card production	
	Identification card distribution	
	Certificate/SPD drafting, production and distribution	
	Provision of actual contract once drafts are approved	
	Provision of standard customized claim forms	
	Provision of administration manual	
	<p>Assume that Annual Enrollment meetings will be conducted between October/November with an effective coverage date of January 1, 2008.</p>	

SECTION F – WEB CAPABILITY INFORMATION

F-1	Please provide your website address and an explanation of your website's capabilities and characteristics.	
F-2	What information is available to members via different methods? (i.e. voice response, web page, etc.) Be detailed as to all the types of information that would be accessible via each method.	

Notice: Confirm or offer additional explanation regarding your ability to provide the following services:

SECTION G – SERVICE CAPABILITIES		
G-1	Provide approved communications to help maximize plan participation. Provide Samples.	
G-2	Provide daily claims processing.	
G-3	Provide participant status account inquiry via the internet.	
G-4	Provide direct deposit of claims reimbursement.	
G-5	Provide a 24-hour toll-free automated information line for participants.	
G-6	Provide toll-free technical support for the County of El Paso.	
G-7	Provide Internet Based Open Enrollment for participants.	
G-8	Provide the County of El Paso with updates of relevant legislative and regulatory changes.	
G-9	Provide direct pay to day care providers.	
G-10	Provide non-discriminatory testing services.	
G-11	Provide toll-free customer service for participants.	
G-12	Provide a customized Plan Document and Summary Plan Description for the plan.	
G-13	Provide the capability to offer a debit card for reimbursement use.	
G-14	Provide administrative support and claims processing support for the Premium Only Plan, the Flexible Savings Account, and Dependent Care Assistance Plan as described in the current SPD.	
G-15	Provide adequate personnel for enrollment assistance for up to 10 enrollment or orientation meetings per year.	

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. 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

COUNTY OF EL PASO PURCHASING DEPARTMENT

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

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

PROPOSAL CONDITIONS

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

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

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

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

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

NOTICE:

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

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

Health Insurance Benefits Provided By Bidder

Consideration of Health Insurance Benefits*

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

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

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

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

Business Name

Date

Name of Authorized Representative

Signature of Authorized Representative

* This page must be included in all responses.



COUNTY OF EL PASO
County Purchasing Department
500 East San Antonio, Suite PU500
El Paso, Texas 79901
(915) 546-2048
(915) 546-8180 Fax

RE: RFP #07-113, Section 125 Plan Administrator for the County of El Paso

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
Peter Gutierrez, Buyer II
Linda Gonzalez, Inventory Bid Technician
Ralph Mitchell, Trustee for the Risk Pool Board
Claudia Cochran, Trustee for the Risk Pool Board
Richard Diaz, Vice-Chair for the Risk Pool Board
Valerie Sanchez, Trustee for the Risk Pool Board
Robert Gallegos, Risk 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

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

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.

OFFICE USE ONLY

Date Received

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) serves as an officer or director; or

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

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

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

(A) is a local government officer; and

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

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

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

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

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

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

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

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

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

§ 176.001. Definitions

In this chapter:

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

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

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

(4) "Local government officer" means:

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

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

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

COUNTY OF EL PASO, TEXAS

Check List

Section 125 Plan Administrator for the County of El Paso RFP #07-113

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

- _____ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Wednesday, September 19, 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?
-