



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

---

### **Notice to Interested Parties**

Sealed Request for Proposals (RFP) will be received at the County Purchasing Department, 800 E. Overland, RM 300, El Paso, Texas 79901 before 2:00 p.m., Thursday, September 27, 2012 to be opened at the County Purchasing Office the same date for Consultation Services for Health & Dental Benefits for the County of El Paso.

**Proposals must be in a sealed envelope and marked:  
"Proposals to be opened September 27, 2012  
Consultation Services for Health & Dental  
Benefits for the County of El Paso  
RFP Number 12-061"**

**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 18, 2012, at 12:00 p.m. Questions can be faxed to (915)-546-8180.**

Award will be made based on a review of qualifications, scope of services and price. **COMMISSIONER'S COURT RESERVES THE RIGHT TO REJECT ANY AND ALL PROPOSALS AND WAIVE TECHNICALITIES.** Only proposals that conform to specifications will be considered. Successful Proposer shall not order items or services until a Purchasing Order is received from the County Purchasing Office. Payment will not be made on items delivered without an Agreement.

If the proposal totals more than \$100,000.00, the bidder shall furnish a certified cashier's check made payable to the County of El Paso or a good and sufficient bid bond in the amount of 5% of the total contract price, executed with a surety company authorized to do business in the State of Texas. The certified cashier's check must be included with the proposal at the time of the opening.

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

**PITI VASQUEZ**  
County Purchasing Agent

## IMPORTANT NOTICE FOR VENDORS

### EL PASO COUNTY CODE OF ETHICS TRAINING REQUIREMENT FOR VENDORS

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

#### Training

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

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

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

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

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

#### Vendors Who Have Completed Ethics Training

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



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

**Memorandum**

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

---

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

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

**PROPOSAL SCHEDULE**

To: El Paso County, Texas

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

Please quote prices and discounts on the following items:

F. O. B. El Paso County

<p><b>Description – RFP # 12-061</b>  <b>Consultation Services for Health &amp; Dental Benefits for the County of El Paso</b>  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. <b>Please submit one (1) original copy and six (6) electronic copies (CD's) of your bid.</b></p>

\_\_\_\_\_  
Company

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Federal Tax Identification No.

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Ethics Representative (refer to page 2)

\_\_\_\_\_  
Ethics Training Date or Expiration Date

\_\_\_\_\_  
CIQ Confirmation Number

\_\_\_\_\_  
Conflict of Interest Questionnaire (CIQ)  
Filed Date

\_\_\_\_\_  
Representative Name & Title

\_\_\_\_\_  
Telephone Number include area code

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Fax Number include area code

\_\_\_\_\_  
Date

\_\_\_\_\_  
Email Address

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

# **Consultation Services for Health & Dental Benefits for the County of El Paso**

**RFP #12-061**



**Opening Date  
Thursday, September 27, 2012**

## **I. General Information**

### **Purpose**

The purpose of this Request for Proposal (RFP) is to solicit and select an independent benefits consultant (hereinafter referred to as Consultant) to advise the County of El Paso (hereinafter referred to as COEP) for employee health and welfare benefits management and act as its representative as needed with third party providers and other parties. The Consultant shall evaluate and recommend the most advantageous options for benefit plans or placement of insurance coverage including but not limited to the terms and conditions of coverage, continuity and cost. In addition, the Consultant must be capable of providing a full range of value-added services, including but not limited to, those outlined in the Scope of Services section.

### **County Background Information**

El Paso County was created from Bexar District in 1849, organized in 1850, and incorporated in 1871. Parts of El Paso County were taken to form Culberson County in 1911 and Hudspeth County in 1915. The County derived its name from being a well-known pass through the Rocky Mountains. It is the most western County in Texas, and is about equidistant from Houston, Texas, Los Angeles, California, and Denver, Colorado. Bordered on the east side by Hudspeth County, El Paso County is just to the north of the International Boundary between the United States of America and the Republic of Mexico, and touches Doña Ana County in New Mexico. The County is a strategic crossroads for continental north-south and east-west traffic. The County spans a geographic area of about 1,058 square miles.

The County is a political subdivision of the State of Texas. The governing body of the County is the elected five-member Commissioners Court in accordance with the Texas Constitution, Article 5, §18(b). The Commissioners Court consists of, the county judge, who is elected at large to a four-year term, and four county commissioners, each elected to represent a precinct within the county for a four-year term. In all Texas counties, the County Judge presides over Commissioners court meetings.

As of September 30, 2011 the City of El Paso Planning, Research and Development Department officials estimated the County population at 800,647. The Current Active Employee population is 2,883.

The County of El Paso (COEP) is recognized as a public employer that provides its employees with a positive work environment and a competitive wage and benefits package which includes a self-funded medical and dental program, Texas County and District Retirement System (TCDRS) retirement program, and third party provider of life, vision, short and long term disability insurances, and 457 deferred compensation plans.

### **A. ISSUING OFFICE; COUNTY LIAISON; PROPOSED TIMETABLE**

#### **1. Issuing Office:**

County of El Paso  
Purchasing Agent  
Room 300, County Administrative Annex  
800 E. Overland  
El Paso, Texas 79901

2. County Liaison:

The County Purchasing Agent has named the following person as the individual to serve as the County's contact during the performance of the contract. Any telephone questions or problems must be addressed to her during County working hours, 8:00 A.M. to 5:00 P.M., Monday through Friday, or may be emailed or faxed to her attention. The following contact information is for questions only, not for the submission of proposals.

Lucy Balderama  
Email: lbalderama@epcounty.com  
Telephone: (915) 540-2048  
Fax: (915) 546-8180

3. Proposed Timetable:

Activity	Target Date
Release of Request for Proposals	September 4, 2012
Deadline for questions	September 18, 2012
Submission of proposals	September 27, 2012
Offeror(s) presentations	To be determined at a later date
Selection and notification of Offeror(s)	To be determined at a later date
Contract finalized	To be determined at a later date
Projected sale date	To be determined at a later date

**B. OFFEROR; VENDOR QUALIFICATION AND DISQUALIFICATION**

Any person or entity responding to this RFP shall be referred to herein as a "Offeror" or "Vendor". Any reference to "you", "your", or derivation thereof refers to any actual or potential Offeror reviewing this RFP policy. Offerors are required to comply with the following requirements and ethical standards. Failure to comply with any of the following requirements or ethical standards may serve to disqualify an Offeror from further consideration

1. El Paso County Code of Ethics Training Requirement for Vendors

Any vendor involved in a single procurement exceeding \$50,000 must complete training on the El Paso County Code of Ethics. This training must be completed prior to submitting a bid or proposal, responding to a request for qualifications or proposals, or otherwise contracting with the county. The training must be completed by an officer, principal, or other person with the authority to bind the vendor. The certification of completed training on the Ethics Code issued by the County Human Resources Department is valid for one (1) calendar year from the date of completion. A list of those Vendors with a current certification of completion and the corresponding date of expiration shall be maintained on the El Paso County website under the

Purchasing Department's Current List of Training Certified Bidders. **Vendors should print out completed training receipt and attach to BID/RFP/RFQ/RFI to verify that it was taken.** The required training for Vendors may be accessed and completed at: [http://www.epcounty.com/ethicscom/trainingvendor\\_files/frame.htm](http://www.epcounty.com/ethicscom/trainingvendor_files/frame.htm)

## 2. Private Communication with Vendors by Members of Commissioners Court, County Elected Officials/Department Heads

No member of the El Paso County Commissioners Court or County Elected Officials/Department Heads shall permit any vendor, its lobbyists, representative, or employee to communicate with him privately regarding any procurement of items by the County from the date that the bid, RFP, or RFQ is released. No private communication regarding the purchase shall be permitted by a member of the commissioner's court, or a county elected official/department head, until the procurement process is complete and a purchase order is granted or a contract is entered into. Members of the commissioners' court, county elected officials/department heads and the board of managers shall make a reasonable effort to inform themselves regarding procurements and shall have a duty to inquire of vendors, their lobbyists, representatives, or employees, the nature of the private communication being sought prior to engaging in any communication.

**IF ANY OFFEROR IS CONCERNED ABOUT THE LEGALITY, PROPRIETY, OR FAIRNESS OF THIS RFP OR THIS PROCUREMENT PROCESS, SUCH OFFEROR IS ENCOURAGED TO IMMEDIATELY CONTACT THE PURCHASING AGENT IN WRITING WITH SUCH CONCERN.**

## C. PROPOSAL SUBMISSION

All proposals, including all required copies, must be submitted to the Purchasing Department, 800 E. Overland, Room 300, El Paso Texas 79901 by September 27, 2012 at 2:00 P.M. local time; all proposals shall be submitted in a sealed envelope, clearly marked to indicate that it is in response to County of El Paso RFP 12-061 for Consultation and/or Actuarial Services of Health and Dental Benefits. Proposals in the form of emails, email attachments, telegrams, telephone calls, facsimiles, or telex messages will not be accepted.

The proposal shall be signed by an official authorized to bind the Offeror (Authorized Officer) and shall contain a statement that the Offeror's proposal is firm until the Commissioners Court selects one Offeror RFP response and authorizes final contract negotiations between the parties (Award Date). On or after the Award Date, an Authorized Officer may withdraw its RFP proposal by written request to the Purchasing Agent. Such withdrawal shall be final upon receipt by the Purchasing Agent. If contract negotiations fail with the selected Offeror, the County shall not re-consider withdrawn RFP proposals for the award. If an Offeror does not withdraw its proposal, its RFP response will remain in effect until a final contract is executed or the solicitation is canceled.

One hard copy of the Offeror's Response to the Request for Proposal, with an original signature of an Authorize Officer, and six (6) electronic format copies (such as read-only CD or DVD and responses in Microsoft Word or Microsoft Excel) must be delivered to:



County of El Paso  
Purchasing Department  
Room 300, 3<sup>rd</sup> floor  
El Paso, Texas 79901  
Telephone (915) 546-2048

Each proposal shall include the information as further described in this RFP.

**D. QUESTIONS, CHANGES, AND ADDENDA**

If any Proposer is in doubt as to the meaning of any part of this RFP or otherwise believes that additional clarification or information is necessary in order for the Offeror to provide its proposal, a written request for clarification should be submitted to the Purchasing Agent no later than September 18, 2012.

Responses to such requests, changes to the RFP, and any and all addenda to the RFP shall be made only by written response to be posted on the County website at <http://www.epcounty.com/purchasing/bids/default.htm>

Offerors should regularly check the County Purchasing website for updates. Offeror should not make any changes to the questions in this RFP; however, Offerors may offer additional information to supplement your response. Changes made to the questions in this RFP may result in the disqualification of your offer.

**E. DISPOSITION OF PROPOSALS; TEXAS PUBLIC INFORMATION ACT**

All materials submitted in response to this RFP will become the property of the County of El Paso. As a political subdivision of the State of Texas, the County is governed by the Texas Public Information Act, Chapter 552, Texas Government Code.

If the Offeror considers any section or part of their proposal to contain confidential or proprietary information, such section or part shall be clearly marked and identified. In the event the County receives a request under the Public Information Act for Confidential Information as identified by Offeror, the County shall promptly notify the Offeror. It is expressly agreed that the County may request a determination from the Attorney General of the State of Texas in regard to the application of the Public Information Act to the requested information and whether the information is to be made available to the public. It is further agreed that County, its officers and employees shall have the right to rely on the determinations of the Texas Attorney General, and that County, its officers and employees shall have no liability to Offeror for disclosure to the public in reliance on a decision by the Attorney General. Nothing in this RFP shall require County or Offeror to violate the terms of the Public Information Act.

**F. COST INCURRED IN RESPONDING**

The County of El Paso shall not pay any costs incurred in the preparation and submission of proposals or in making necessary studies or designs for the preparation thereof, nor to procure or contract for services.

**G. LAWS AND REGULATIONS**

All applicable federal and state laws, county policies and the rules and regulations of all

authorities having jurisdiction over the contract shall apply to the contract throughout, and they will be considered to be included in the contract the same as though herein written out in full.

## **II. Scope of Services – Employment Benefits Consulting**

### **A. EXPECTATIONS**

The County of El Paso is seeking to enter into a professional services contract with a competent Health Benefits Insurance Consulting firm to assist the County in overall review and long range planning of Health and other related employee benefits needs and requirements. The services detailed below are expected to be provided by the Consultant. Actual work will be directed by COEP and may involve other consulting services pertaining to health and welfare benefits that are not listed below. The firm will:

1. Conduct business assessments, coverage and cost analysis, project management, and consulting services for all of the County Health Benefits needs and future requirements.
2. Review, oversee, assist, provide resources, and cost analysis and effectiveness in the development of a short and long term Strategic Plan for the County. The plan must incorporate goals and objectives for the County's optimal uses of Health Benefits requirements. It must balance the need for Health Benefits coverage against the costs and limited financial resources of the County.
3. Conduct strategic planning meetings to establish goals, priorities and identify areas of concern for all benefit programs.
4. Review and assess all Health Benefits plans and provide direction on why, what, who, how, and when to proceed with any projects.
5. Conduct financial underwriting and claims analysis for self-funded medical and dental plan, including renewal analysis and negotiations, budget projections, funding levels and alternatives, large claims analysis and reporting of the plan's financial performance, and inform the County of any issue that could cause a financial impact to the County.
6. Provide appropriate cost analysis of the current El Paso County Health and Dental Benefit Plan. Provide cost impact analysis as benefit changes are anticipated or recommended. Calculate, with the County, the appropriate employee funding and premium requirements, as well as case specific trend factors and reserve calculations.
7. Evaluate and provide information regularly on medical and dental plan design in light of industry trends and labor market conditions, claims cost trends, alternative delivery systems, and legal requirements. Evaluate eligibility, cost sharing and benefits structure and network savings.
8. Discuss cost containment alternatives to help control current and future plan costs in conjunction with the rate review. Review plan documents for content and legal requirements to ensure compliance.
9. Prepare Requests for Proposals for insurance services of other employee benefit programs (i.e. vision, life, etc.); analyze and make appropriate recommendations.

10. Provide, analyze, and recommend methods for Retiree Health Coverage.
11. Participate in meetings as determined by the County's management.
12. Apprise COEP of local and national trends and innovative ideas, and recommend new products, programs and services to ensure a competitive benefits plan.
13. Review and analyze claims experience data, claims service, efficiency and accuracy of claims administration to ensure that COEP is receiving optimum service and benefits from all carriers and vendors. Annually review insurance carriers contracts and third party administrators contract to assure the most cost effective provider utilization. Review specific stop loss limits.
14. Review and provide on-going employee communications program, including booklets, announcement materials, and benefits statements.
15. Manage carrier/vendor relationships, review and advise on master contracts, review carrier service levels and compare to performance guarantees, resolve administrative issues, conduct periodic meetings as necessary.
16. Assist in COBRA, HIPAA, DOL, and other regulatory compliance and reporting to include Summary Plan Descriptions and other Plan Documents.
17. Act as a technical resource and provide periodic updates on legislative developments and emerging trends.
18. Conduct claim audit of the Third Party Administrator (TPA) to include medical claim payment functions and to evaluate the performance of the third party claims administrator.
19. Provide Risk Pool Board Member orientation and training regarding their role and duties as well as a pertinent orientation covering auditing, legal, personnel, TPA and continuing education requirements.

## **B. PROPOSER QUALIFICATIONS**

1. The proposer must have experience in providing assistance to Public Institutions in the area of Health Care Benefits for Public Employees under self-insured plans. It is recommended that the proposer have qualified and experienced personnel and submit the qualifications of personnel which will be assisting the County in the activity requested in this proposal.

## **III. Proposal Instructions**

**ALL PROPOSALS SUBMITTED BY THE CONSULTANT MUST BE PRESENTED IN THE FORMAT PROVIDED BELOW AND MUST CLEARLY SHOW CONSULTANT'S RESPONSE IN THE APPROPRIATE DESIGNATED SECTION. FAILURE TO FOLLOW THIS DIRECTIVE WILL CAUSE YOUR PROPOSAL TO BE DEEMED UNRESPONSIVE AND IT WILL BE REJECTED FROM ANY FURTHER CONSIDERATION.**

Consultant should submit one original of the Offeror's Response to the Request for Proposal, with original signature of an Authorize Officer, and six (6) electronic format copies (such as read-only CD or DVD and responses in Microsoft Word or Microsoft Excel).

**All proposals must include the following requested information in the appropriate sections as defined below:**

### **Introduction**

1. Company Information
2. Name of the proposed firm and name of the representative submitting the proposal. Include all contact information.
3. Provide an overview of your firm and its ownership/organizational structure, philosophy/culture and number of employees.
4. Describe, if applicable, how your firm is legally and/or functionally tied to any insurer, broker or provider of service and how that relationship may influence your ability to provide Consultant services to COEP.
5. Identify members of your staff that would be assigned to this contract and provide as summary of their qualifications, percentage of their time you anticipate they would be dedicating to this contract and their availability to travel to COEP and/or other field locations.

### **Company Expertise/Experience**

**Describe your firm's expertise in each of the following areas:**

6. Health, Dental, Life, Vision, STD, LTD, FSA, HSA, and other tax-deferred programs.
7. Benchmarking
8. Actuarial/Underwriting
9. Research and Technical Services
10. Benefits Administration
11. Benefits Communication

### **Marketplace Position**

12. Describe your firm's marketplace leverage in negotiating with carriers in regards to rates, policy terms and plan design.
13. Describe your view of the role of a Consultant in this type of relationship and what differentiates your firm from other consulting firms.
14. Identify a minimum of three (3) other accounts similar in size to the COEP as a reference for your service and provide contact information.

### **Vendor Selection Process**

15. Describe how your firm would handle the review, selection, and recommendation of insurance carriers and other service providers for COEP.

16. Describe your firm's consulting approach for bidding and selecting the most appropriate health plan alternative.

### **Description of Consultant Services and Ability**

17. Describe the process your firm utilizes to manage and administer a benefit package of our size throughout a contract.

18. What strategy does your firm utilize to manage and forecast a benefit package over a 2-3 year period and explain why?

19. Describe all services your firm will offer COEP

20. What type of performance measures would your firm use to evaluate customer service and COEP employee satisfaction? Are you willing to provide performance guarantees to COEP for your services?

21. Describe your procedure for dealing with employee inquiries.

22. Do you offer assistance with claims and/or coverage questions?

23. Describe the action that would be taken, the support provided, and the personnel who would be involved in investigating and settling a disputed claim.

### **Compensation and Fee Structure**

24. Provide a description of the compensation structure proposed by the Consulting firm. The description shall include all bases for remuneration proposed by the firm, i.e., commission, fee, other. Consultant shall completely disclose all rates, commissions, fees and other expenses for a total proposal price.

25. Describe all available fee structures offered by your firm; including travel charges and any other cost that may be passed on to COEP.

### **IV. Overview of Current Insurance Programs**

Plan documents listed in Section X are provided as Consultant information only. This is a general overview of COEP current employee benefits program. This information is to be used in the preparation of your proposal only.

### **V. Evaluation Criteria**

The proposal received will be evaluated based on the following criteria to determine each Consultant's qualifications. The order does not indicate relative ranking.

1. Demonstration of competence, technical expertise, experience in employee benefits, insurance placement and Human Resources.

2. Demonstrated record of responsiveness and quality of customer service on this type of account.

3. Both the Consultant's capabilities and the experience of individual team members assigned to the COEP account will be considered.
4. Availability to travel to COEP locations and meetings as needed.
5. Rates, fees or charges including the level of detail provided in the firm's fee information, as well as the willingness of the firm to offer flexible fee arrangements.
6. Consultant's awareness and ability to provide timely, accurate communication of emerging trends, opportunities, regulatory updates and liabilities to clients.
7. Consultant's ability to provide a broad spectrum of consulting services, including, but not limited to actuarial, claims administration, and alternative funding arrangements.
8. Responsiveness of the Consultant's proposal to the RFP, including clarity and organization of response, clear presentation of Consultant's experience and approach to ensuring the needs of COEP are fully met.
9. Questions and responses will also be distributed to all companies or organizations who were sent a copy of these specifications from the County. No reference will be made as to the source of the questions.

#### **VI. Final Evaluation and Selection**

Based on a review of the written response, COEP will select a short list of candidates who will be asked to make an oral presentation to be arranged at a mutually convenient time at COEP's office in El Paso, Texas. This presentation is expected to confirm proposal representations; supplement information obtained through the proposal process and give COEP the opportunity to meet the individuals who would be assigned to our accounts. An agenda of items we wish to be addressed during this meeting will be forwarded to the final candidates prior to the meeting.

Each selected finalist will be evaluated with consideration given to how they best meet the needs of COEP and the basis of capabilities described in their written proposal and oral presentation. The organization that best matches COEP's objectives will be selected.

#### **VII. Proposal Timetable**

The timetable below sets forth the expected due dates for each event regarding this RFP process and our selection of the successful Consultant.

Questions due to COEP	<b>September 18, 2012</b>
Proposals due to COEP	<b>September 27, 2012</b>
Finalist Selection	<b>To be determined at a later date</b>
Finalists Oral Presentation Week of	<b>To be determined at a later date</b>
Final Selection and Award	<b>To be determined at a later date</b>

## **VIII. General Contract Conditions**

### **Term/Option to Extend the Term of the Contract**

1. The initial term of the contract will be for a period of three years. This contract is renewable at the prices listed for two additional one-year periods, at the option of the County, by the County giving written preliminary notice of the County's intent to renew at least 30 days prior to the end of any contract period. Any such extensions are subject to availability of funds provided and approved by Commissioners' Court. A preliminary notice shall not be deemed to commit the County to any renewal.

### **Contractor's Status**

2. The successful proposer(s), if any, will be awarded a contract as an independent contractor and not as an agent or employee of the County. The contractor shall furnish, deliver, and perform all work, services, supplies, personnel, and resources necessary or incident for performing the work as defined in this solicitation.

### **The Offer**

3. Standard form, Invitation to Submit Proposal, is being used by the County as a request for proposals and upon submission by the offeror becomes the offeror's proposal. As such it is an "offer" which can be accepted by the County and awarded by Purchase Order or separate contract document. The offer and acceptance (via Purchase Order or other contract document) form the contract.

### **Cancellation of Contract**

4. The County reserves the right to cancel this contract, at any time during the term of the contract, without cause. Notice of any such cancellation will be made in writing at least 30 calendar days prior to the effective date of cancellation to the vendor's last legal address on file with the County. It is the responsibility of the vendor to inform the County of any change of legal address.

### **Processing of Invoices/Contract Manager**

5. Payment shall be made to the contractor only for services rendered and/or goods received. Original invoices should be hand delivered or mailed on a monthly basis to the following Contract Manager:

Mr. Sam Trujillo,  
Risk Manager  
Human Resources Department  
800 E Overland Room 223.  
El Paso, Texas 79901

Payment shall be made no earlier than 30 days after receipt of invoice unless earlier payment is approved by the County.

### Assignment

6. The County's commitment, upon award of this proposal, will be with the successful proposer(s) only. This contract is not assignable without the expressed written permission of the County. All requests for assignment shall be submitted to the Purchasing Agent.

### Legal Responsibility

7. All proposals must meet all applicable Texas State laws. The Proposer attests to the fact, supported by legal or contractual opinion, that its services meet the qualifications associated with the Proposal and the Proposer will contract with the Commissioners' Court and the El Paso County Risk Pool Board in accordance with the proposal. The governing law shall be the law of the State of Texas and venue shall lie in El Paso County, Texas.

### Deviations

8. If the proposer does not permit full contract compliance with the specifications, the closest alternative should be quoted and the deviations specifically itemized in a separate addendum.

The County accepts no financial responsibility for costs incurred by any offeror in responding to these specifications.

All responses to these specifications will be public once awarded by the County Commissioners Court.

Non-responsive proposals will not be considered. If offeror will not be preparing a proposal, please indicate the reason in a letter of declination.

### Financial Requirement

9. No company proposing itself as, or proposed to be, qualified to provide requested services under this proposal or any part of it, if it does not have the financial resources to perform on a timely basis will not be considered. The mere fact that such company has entered into financial reinsurance, obtained performance bonds, or taken any other action to unburden itself of financial liabilities will not relieve it of satisfying the aforementioned performance requirements.

### Fee Guarantee

10. Proposals are anticipated to provide a maximum contract fee guarantee. However, the County reserves the right to accept a guarantee of less than the maximum fee if it is in the County's best interest.

### Other representation and Compensation

11. During the term of the agreement, since the Consultant will assist the County in evaluating, negotiating, and contracting for those services, Consultant will be prohibited from bidding or representing any other vendor who bids on County health and benefit products and services. Further, Consultant will not directly or indirectly receive any compensation (including any rebate, commission, fees, etc.) from any insurer, broker, service provider or any other person relating to the County's health and benefit products or services.



## **IX. Census Data**

See Attached Charts – Employee Health Benefits Census + TPA Summary

## **X. Plan Documents**

Plan Documents can be downloaded from our website using the following link:

<http://www.epcounty.com/hr/documents/benefits/2012Health&DentalPLANDESCRIPTION.pdf>

<http://www.epcounty.com/hr/documents/benefits/2012HealthDentalRates.pdf>

## **COUNTY OF EL PASO, TEXAS**

---

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

Instructions for the certifications:

#### General Requirements

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

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

#### 1. LOBBYING

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

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

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

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

#### 1. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

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

A. The applicant certifies that it and its principals:

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

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

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

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

## 2. DRUG-FREE WORKPLACE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 4. CERTIFICATION REGARDING THE NONDISCRIMINATION STATUTES AND IMPLEMENTING REGULATIONS

The applicant certifies that it will comply with the following nondiscrimination statutes and their implementing regulations: (a) title VI of the Civil right Act of 1964 (42 U.S.C. 2000D et seq.) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity for which the applicant received federal financial assistance; (b) Section 504 of the rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance; (c) title IX of the Education Amendments of 1972m as amended (20 U.S.C. 1981 et seq.) which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance; and (d) the Age Discrimination Act of 1975, and amended (42 U.S.C. 6101 ec seq.) which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance, except that actions which reasonably take age into account as a factor necessary for the normal operation or achievement of any statutory objective of the project or activity shall not violate this statute.

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

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Authorized Representative

\_\_\_\_\_  
Signature of Authorized Representative

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

# COUNTY OF EL PASO PURCHASING DEPARTMENT

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

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

## PROPOSAL CONDITIONS

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

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

11. This is a quotation inquiry only and implies no obligation of the part of the County of El Paso.
12. The County of El Paso reserves the right to reject any proposal due to failure of performance on deliveries. The County Purchasing Agent will justify this.
13. Brand names are for descriptive purposes only, not restrictive (merchandise only).
14. The County of El Paso is an Equal Opportunity Employer.
15. Any proposal sent via express mail or overnight delivery service must have the RFP number and title clearly marked on the outside of the express mail or overnight delivery service envelope or package. Failure to clearly identify your proposal may be cause for disqualification.
16. PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2253.021, A PRIME CONTRACTOR WHO IS AWARDED A PUBLIC WORKS CONSTRUCTION CONTRACT SHALL, PRIOR TO BEGINNING THE WORK, EXECUTE TO THE COUNTY:
  - 1) A PERFORMANCE BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$100,000; AND
  - 2) A PAYMENT BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$25,000.
17. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 262.032(b), ANY SUCCESSFUL BIDDER WHO IS AWARDED ANY CONTRACT IN EXCESS OF \$50,000 MAY BE REQUIRED TO EXECUTE A PERFORMANCE BOND TO THE COUNTY. SAID BOND SHALL BE IN THE FULL AMOUNT OF THE CONTRACT AND MUST BE FURNISHED WITHIN 30 DAYS AFTER THE DATE A PURCHASE ORDER IS ISSUED OR THE CONTRACT IS SIGNED AND PRIOR TO COMMENCEMENT OF THE ACTUAL WORK. ANY PERFORMANCE BOND REQUIRED PURSUANT TO THIS SECTION SHALL BE NOTED IN THE ATTACHED DETAILED BID SPECIFICATIONS OR SCOPE OF WORK. THIS SECTION DOES NOT APPLY TO A PERFORMANCE BOND REQUIRED BY CHAPTER 2253, TEXAS GOVERNMENT CODE.
18. "Beginning January 1, 2006, in order to implement HB 914 (adding new Local Government Code Chapter 176), ALL VENDORS MUST SUBMIT A CONFLICT OF INTEREST QUESTIONNAIRE (Form CIQ) disclosing its affiliations and business relationships with the County's Officers (County Judge and Commissioners Court) as well as the County employees and contractors who make recommendations for the expenditure of County funds. The names of the County Officers and of the County employees and contractors making recommendations to the County Officers on this contract are listed in the Specifications.

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

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

**NOTICE:**

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

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



# Health Insurance Benefits Provided By Bidder

## Consideration of Health Insurance Benefits\*

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

---

---

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

---

---

---

---

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

---

---

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

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Authorized Representative

\_\_\_\_\_  
Signature of Authorized Representative

\* This page must be included in all responses.



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

---

RE: RFP #12-061, Consultation Services for Health & Dental Benefits 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 Veronica Escobar  
Commissioner Anna Perez  
Commissioner Sergio Lewis  
Commissioner Tania M. Chozet  
Commissioner Dan Haggerty

County Employees: Piti Vasquez, Purchasing Agent  
Jose Lopez, Jr., Assistant Purchasing Agent  
Peter Gutierrez, Buyer II  
Elvia Contreras, Formal Bid Buyer  
Araceli Hernandez, Inventory Bid Technician  
Lucy Balderama, Inventory Bid Technician  
Betsy Keller, HR Manager  
Sam Trujillo, Risk Manager  
Lupe Jaurequi, Benefits Specialist  
Rafael Salcido, HR Admin Assistant  
Jim Fashing, RPB  
Rick Hernandez, RPB  
Justin Pretiger, RPB  
Kathryn Hairston, RPB  
Wayne Diggs, RPB  
Ed Dion, County Auditor  
Wallace Hargrove, Auditor's Dept  
Imelda Gaytan, Auditor's Dept  
Nic McCarthy, Auditor's Dept  
Edward Hyatt, Auditor's Dept  
James Utterback, Auditor's Dept  
Lee Shapleigh, Assistant County Attorney  
Josie Brostrom, Assistant County Attorney

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

## COUNTY OF EL PASO PURCHASING DEPARTMENT

---

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

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

### **Instructions: Conflict of Interest Form (CIQ)**

- **Please complete CIQ Form whether or not a conflict exists.**
- **Box #1 All Vendors** Must Print Clearly their names and company name.
- **Box #2** If the vendor has already filed a CIQ for the current year and is updating (filing a new one) due to changes on bid, please check box. If this is the first time within the current year that the vendor is submitting a CIQ, then do not check this box.
- **Box #3** If you are filing a disclosure of conflict of interest, meaning that you do have a relationship with someone listed on the page prior to the CIQ form on your BID, RFP, RFQ, or RFI, then you must print the name of the person whom you have a business relationship with.
- If you answer **yes** to any of the following: **Item A, B, C** you have a conflict and must disclose on this form.
- **Item D** List the type of relationship and what department in the local government the person you have listed in **Box #3**.
- **Box #4** Please have the person that is named on **Box# 1**, sign and date in this box. We request a contact number in case there are any questions or form is missing information. This is a courtesy to you.
- It is the vendor's responsibility to submit the CIQ document number provided by the County Clerk's to the Purchasing Department.
- Please note that the state law requires that the Questionnaire be filed with the COUNTY CLERK no later than the 7th business day after submitting an application, response to an RFP, RFQ, RFI or bid or any other writing related to a potential agreement with the County. Failure to file the questionnaire within the time provided by the statute is a Class C misdemeanor and will disqualify your bid offer.
- File a completed Conflict of Interest Questionnaire (Form CIQ) with the El Paso County Clerk in person or by mail to 500 E. San Antonio, Suite 105, El Paso, TX 79901 or by fax to 915-543-3816 the attention of the County Clerks office.
- If filing by fax use your fax confirmation (date/time) for your records. To obtain a copy/CIQ document number go to our website at [www.epcounty.com](http://www.epcounty.com), click on public records, click on to [Official Public Records](#) - Deeds of Trust, Liens and other public documents (County Clerk), type in the name of your company, on Style: scroll to CIQ-Conflict INT. QUESTIONNAIRE, and click on Search. It will be available on the web-site approximately 7 to 15 business days. Please fax a copy of your fax confirmation (date/time) to The Purchasing Department at (915) 546-8180. If you have not yet placed it in your Bid, RFP, RFQ, RFI.
- If you have any questions, please call Lucy Balderama at 915-546-2048

# CONFLICT OF INTEREST QUESTIONNAIRE

## FORM CIQ

For vendor or other person doing business with local governmental entity

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

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

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

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

### OFFICE USE ONLY

Date Received

RFP # 12-061

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

**2**

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

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

**3**

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

\_\_\_\_\_  
Name of Officer

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

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

Yes       No

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

Yes       No

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

Yes       No

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

\_\_\_\_\_  
Signature of person doing business with the governmental entity

\_\_\_\_\_  
Date

Adopted 06/29/2007

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) serves as an officer or director; or

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

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

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

(A) is a local government officer; and

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

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

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

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

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

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

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

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

---

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

§ 176.001. Definitions

In this chapter:

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

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

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

(4) "Local government officer" means:

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

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

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

**COUNTY OF EL PASO, TEXAS  
Check List**

**Consultation Services for Health & Dental Benefits for the County of  
El Paso  
RFP #12-061**

---

THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

\_\_\_\_\_ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Thursday, September 27, 2012. Did you visit our website ([www.epcounty.com](http://www.epcounty.com)) for any addendums?

\_\_\_\_\_ Did you sign the Bidding Schedule?

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

\_\_\_\_\_ Did you sign the “Consideration of Insurance Benefits” form?

\_\_\_\_\_ Did you file a copy of the completed Conflict of Interest Questionnaire (Form CIQ) with the El Paso County Clerk (in person or by mail to 500 E. San Antonio, Suite 105, El Paso, TX 79901 or by fax to 915-543-3816 attention Joann) and write the confirmation number given as proof of filing on your bidding schedule? Please include the completed and signed form with your response whether a relationship exists or not. **If form is not completed and filed with the County Clerk’s office, proposal will be considered non-responsive.**

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

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

\_\_\_\_\_ Did you provide one original and six (6) electronic copies (CD’s) of your response?