

REQUEST FOR PROPOSAL
Proposal Number RFP# RFP#06152010 CCPS TRS Supplies

REQUEST FOR PROPOSAL



DUE DATE: Monday, June 28, 2010 at 3:00 P.M., CST.

Middle Rio Grande Development Council

**307 West Nopal
Carrizo Springs, TX 78834
830-876-3533**

Leodoro Martinez, Executive Director

REQUEST FOR PROPOSALS

RETURN BIDS TO: RAMON S. JOHNSTON, DEPUTY EXECUTIVE DIRECTOR
MIDDLE RIO GRANDE DEVELOPMENT COUNCIL
P.O. BOX 1199 - 307 W. NOPAL ST.
CARRIZO SPRINGS, TEXAS 78834

The enclosed Request for Proposals (RFP) packet and attached SPECIFICATIONS are for your convenience in submitting an offer for the enclosed referenced products, services and/or materials for the MIDDLE RIO GRANDE DEVELOPMENT COUNCIL.

COMPETITIVE BIDS SHALL BE RECEIVED NO LATER THAN:

Monday, June 28, 2010 at 3:00 P.M., CST.

The Middle Rio Grande Development Council (MRGDC) appreciates your time and effort in preparing this proposal. Please note that all proposals **must be received at the designated location by the deadline shown**. Proposals received after the deadline **will not be considered** for the award of the contract, and shall be considered void and unacceptable. Please submit your bid to the attention of:

**Ramon S. Johnston, Deputy Executive Director
Middle Rio Grande Development Council Central Office
307 W. Nopal St. - P.O. Box 1199
Carrizo Springs, Texas**

**PLEASE MARK ENVELOPE RFP#06152010 CCPS TRS Supplies –
DO NOT OPEN**

If you do not wish to submit a proposal at this time, but wish to remain on the agency's bidders list, please submit a "**No Offer**" by the same time and at the same location as stated above. If a response is not received in the form of a "**BID**" or "**No Offer**" for three consecutive RFP's, your firm shall be removed from the bidder's list. If you wish to be removed from the bidder's list, or changed to the bidder's list for another commodity, please let us know.

MRGDC is very conscious and extremely appreciative of the time and effort you have expended to submit an offer. We would appreciate if you would indicate on any "No Offer" response any requirement of this RFP, which may have influenced your decision to respond with a "No Offer".

SCOPE OF WORK

MRGDC is requesting proposals to identify vendors from which we will purchase supplies and/or equipment. MRGDC anticipates making additional purchases of items over the course of three years, provided that additional appropriate funding is available. MRGDC will review the responses of vendors and will select one or more vendors from which it will enter into a purchase agreement; entering into a purchase agreement is not a guarantee of sales. MRGDC reserves the right to break out the list of supply items and award a portion of the supply items to several vendors. This RFP does not restrict MRGDC from purchasing from vendors other than the vendor(s) awarded the proposal.

In responding to this RFP, prospective vendors will be required to provide information on the range of supplies and equipment that they propose to provide. In addition, the following criteria are provided to inform each vendor of the requirements that may be imposed by the Middle Rio Grande Development Council in ordering supplies from vendors. Prices are to be based on published vendor and/or catalog price listing. The successful vendor(s) will furnish two (2) copies of their catalog or price list on a year to year basis.

1. All items must be delivered to the Middle Rio Grande Development Council office, located at 307 West Nopal, Carrizo Springs, Texas, unless specified by MRGDC.
2. The Vendor(s) will be expected to provide a new catalog on a year to year basis to MRGDC.
3. Vendors must contact MRGDC on any cancellation or for any substitution when items are not in stock.
4. Vendors must itemize their invoice(s) and provide price quotes for each item listed.
5. Vendors may recommend an item substitution of equal quality at the time of proposal submission.
6. Vendors may indicate price breaks or special pricing based on quantities, if applicable.
7. Vendors must identify any additional cost for any special or customized products.
8. Vendors should outline the return process, giving details of how credit is given and what restrictions are placed on returns if any.
9. Vendors must be able to supply items based on a purchase order system, net 30-day basis.
10. Vendors must identify any special applicable delivery charge in their proposal.

If you intend to respond to this RFP, please be informed that your proposal should

include a catalog of the items your business offers. In order to make your respond more competitive, each vendor is encouraged to offer a “percent off catalog price” in your respond to this RFP. Middle Rio Grande Development Council intends to utilize vendor catalogs to conduct cost price analysis for anticipated purchases needed to be made on a year to year, for the next three years.

Contact for questions on bid specifications should be addressed to: Marisa Cervantes, CCPS Director at MRGDC, 216 West Main St., Uvalde, TX 78801, (830) 278-4491, Ext. 22033 or Raul Diaz at 307 West Nopal Street, Carrizo Springs, TX 78834 830-876-3533 ext. 21235.

BID INFORMATION SHEET

I. IDENTIFICATION OF BIDDER

- a. Name of Organization
- b. Address
- c. Telephone Number
- d. Contact Person and Telephone Number
- e. Tax Identification Number (14 digits)

II. DESCRIPTION OF BIDDER (indicate all applicable)

- a. Corporation
- b. Sole Ownership
- c. Other

III. HISTORY OF BIDDER

Briefly, describe the history, experience of the firm, and the number of years in business. (100 words or less)

IV. COSTS ASSOCIATED WITH SERVICES

Provide an Itemized catalog identifying the cost of all items your business offers.

V. REQUIRED CERTIFICATIONS

- a. Signature Authorization Form
- b. Certification Regarding Debarment, Suspension, Ineligibility, And Voluntary Exclusion -- Lower Tier Covered Transaction
- c. Code of Conduct
- d. Drug Free Workplace Certification
- e. Disclosure of Lobbying

VI. REFERENCES

PROPOSAL NARRATIVE

The narrative should address each of the following categories outlined below:

I. PROPOSED SERVICES

Provide a description of your business understanding of the work to be performed...items 1 through 10 within the Scope of Services on this RFP should be addressed. State if you are able to provide a vendor's list of items and/or a catalog on a year-to-year basis to MRGDC.

II. QUALITY OF REFERENCES

Provide a list of references of governmental units, agencies or businesses for which your business has provided a similar type of sale or items within the last two (2) years. The list should include names, addresses, and telephone numbers of the entities.

III. COST PROPOSED

Address the price reasonableness and competitiveness of your firm to provide the proposed services and capability to provide the quality items listed within your service catalog.

IV. SERVICE SCHEDULE

Provide a realistic schedule with completion dates for delivery of items connected with this RFP.

SIGNATURE AUTHORIZATION CERTIFICATE

I hereby certify that the information contained in this Bid and any attachments are true and correct, and may be viewed as an accurate representation of proposed services to be provided as well as the administrative, management, and financial capabilities of the organization. I also hereby certify that the Bid has been duly authorized by the appropriate person, persons, or governing body of the applicant and that the applicant will comply with applicable State assurances if the Bid is funded or accepted.

The person signing this certificate hereby warrants that such person has been fully authorized by the applicant to execute this certificate on behalf of the applicant and to validly and legally bind the applicant to all the terms, performances and provisions set forth in the Bid.

Signature of Authorized Agent:

Typed Name:

Title:

Date:

**MIDDLE RIO GRANDE DEVELOPMENT COUNCIL
CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND
VOLUNTARY EXCLUSION -- LOWER TIER COVERED TRANSACTION**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants, responsibilities.

- (1). The prospective recipient of Federal assistance funds certifies, by submission of this Bid, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

- (2). Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this Bid.

Name of Bidder/Organization

Print or Type Name and Title of Authorized Representative

Signature

Date

INSTRUCTIONS FOR CERTIFICATION REGARDING DEBARMENT

1. By signing and submitting this Bid, the prospective participant is providing the certification as set out on the form itself.
2. The certification is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the U.S. Department of Labor may pursue available remedies, including suspension and/or debarment.
3. The prospective participant must provide immediate written notice to the Middle Rio Grande Development Council if at any time the prospective participant learns that its certification was erroneous when submitted or has become erroneous because of changed circumstances.
4. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "Bid", and "voluntarily excluded" as used in the certification have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the Middle Rio Grande Development Council for assistance in obtaining a copy of these regulations.
5. The prospective participant agrees by submitting this Bid that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the U.S. Department of Labor.
6. The prospective participant further agrees by submitting this Bid that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower-tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Federal Nonprocurement List.
8. Nothing contained in the foregoing may be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the U.S. Department of Labor may pursue available remedies, including suspension and/or debarment.
10. Write in the name of the bidder (individual or organization) and the name and title of the authorized representative of the bidder. The authorized representative signs where noted and dates the signature.

**MIDDLE RIO GRANDE DEVELOPMENT COUNCIL
CODE OF CONDUCT**

No officer, employee or agent of the Middle Rio Grande Development Council shall participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved.

- . The employee, officer or agent;
- . any member of his immediate family;
- . his or her partner; or
- . an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

Middle Rio Grande Development Council officers, employees, or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. To the extent permitted by state or local law or regulations, the Middle Rio Grande Development Council shall enforce penalties, sanctions, or other disciplinary actions for violations of Attachment O Circular A-102, paragraph 7, by the agency's officers, employees, or agents, or by contractors or their agents.

I have read the above Code of Conduct and will not knowingly breach it.

Signature

Date

(Type or Print Name and Title)

DRUG FREE WORKPLACE CERTIFICATION

The Drug Free Workplace Act of 1988 covers employers with contracts of more than \$25,000 with any federal agency and certain recipients of federal financial assistance. Such employers are required to certify they will take certain steps to maintain a drug-free workplace.

Texas law requires an employer who maintains worker's compensation insurance coverage and employs fifteen or more employees to adopt a policy "designed to eliminate drug abuse and its effects in the workplace." The employer must distribute a written copy of its policy to each employee.

I do hereby certify that, as the law pertains to the applicant submitting this RFP, the applicant has complied with the proper regulations.

Signature of Authorized Agent: _____

Typed Name: _____

Title: _____

Entity: _____

Date: _____

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Invitation for Bids (IFB) number; Invitation for Bid (IFB) number, grant announcement number; the contract, grant, or loan award number the application/Bid control number assigned by the Federal agency). include prefixes, e.g., "IFB-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered, include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing Instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget Paperwork Reduction, Project (0348-00-46), Washington, D.C. 20503.

**DISCLOSURE OF LOBBYING ACTIVITIES
CONTINUATION SHEET**

Approved by OMB
0348-0046

Reporting Entity: _____ **Page** _____ **of**

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Standard Form - LLL-A

PART II
SPECIAL CONDITIONS AND REQUIREMENTS

This section presents special conditions and requirements pertaining to proposal submission. Bidders should be aware of the conditions contained herein and, submitted proposals must be in compliance with the requirements.

A. PROCEDURAL CONDITIONS AND REQUIREMENTS

1. Deadline for Submission.

The deadline for submission of proposal is **Monday, June 28, 2010 at 3:00 P.M. CST.** Proposals received after that date will not be considered.

FAX or emailed submissions will only be accepted with prior approval from MRGDC.

2. Period of Performance.

The period of performance of the services shall be from **June 16, 2010 to August 31, 2011.** The Middle Rio Grande Development Council reserves the right to renegotiate and extend the contract award on a year-to-year basis with the selected firm for two (2) additional years, provided that additional appropriate funding is available.

B. Delivery Schedule

The delivery schedule is a vital determining factor in awarding this RFP.

C. Bidder Conditions and Requirements

1. Eligibility of Bidder

Open to potential bidders that have provided the same type service, products or materials as proposed in this request for proposals.

2. Pre-Award Survey

Bidders selected as a result of this request for proposals may be subject to a pre-award survey prior to contract award.

D. Program Conditions

1. M.R.G.D.C. reserves the right to accept or reject any and all proposals submitted; select only one to the exclusion of all others; or consolidate or breakout out this procurement among several bidders to obtain a more economical purchase. MRGDC also reserves the right to reject any and all proposals submitted and enter into into state and local intergovernmental agreements for which MRGDC is eligible. Such agreement include but not limited; the Texas Department of Information Resources(GoDIR), Texas Procurement and Support Services Cooperative Purchasing Program (State of Texas CO-OP), Houst Galveston Area Council Purchasing Co-op (HGACBuy) .

2. It is the Council's policy to assure that small, women-owned, minority businesses

and Historically Underutilized Business (HUBs) will be utilized when possible as sources of suppliers, equipment, construction and services when State or Federal programs and/or funds are involved and are encouraged to submit bids for the participation in the services described above.

- 3.** This RFP does not commit M.R.G.D.C. to pay for any costs incurred prior to the execution of any contract or purchase order, and/or prior to availability of funds from the Texas Workforce Commission.
- 4.** M.R.G.D.C. will not provide any technical assistance in the preparation of proposals.
- 5.** The intent of this RFP is to identify the various prospective contractor alternatives and estimates of costs of services, products or materials being solicited, and M.R.G.D.C. is under no legal requirement to execute a contract or issue a purchase order on the basis of any proposal.
- 6.** M.R.G.D.C. specifically reserves the right to vary the provisions set forth herein any time prior to the execution of a contract where such variance is deemed necessary and in the best interest of the M.R.G.D.C.
- 7.** M.R.G.D.C. reserves the right to negotiate an extension of any executed contract or purchase order issued through this proposal solicitation process for a period not to exceed two additional years beyond the period of performance, provided that additional appropriate funding is available.
- 8.** If selected for contractual negotiations, bidder may be required to prepare and submit additional information prior to final contract or execution of a purchase order, to delineate terms agreeable to both parties for the provision of the services or materials.
- 9.** All proposals and their accompanying attachments become the property of M.R.G.D.C. upon submission. Materials submitted will not be returned.
- 10.** All bidders selected must meet performance goals as well as shipping dates as specified in the final negotiated contract or purchase order.
- 11.** All bidders or service providers approved under this RFP may be required to procure audits for services as provided and explained in detail in the executed contract for services.
- 12.** Contract negotiations may be undertaken with all bidders responding to this RFP whose performance, as determined by M.R.G.D.C., shows them to be the most qualified, responsible, and capable of delivering the services, materials or products. Price and schedules may be negotiated with the selected bidders deemed responsive to this RFP and the final award may differ from the bid submitted when it is in the best interest of the MRGDC.

- 13.** Respondents shall comply with all State, Federal and Local laws, as well as rules of the funding agency, the Office for Domestic Preparedness (ODP) Homeland Security Grant Program (HSGP).
- 14.** MRGDC enters into this procurement process in good faith having identified funding sources and long-term income capable of supporting this procurement. However, the procurement of the goods and services requested in this RFP, and the installation of equipment, is nevertheless dependent upon availability of funding.
- 15.** In the event that a potential bidder wishes to protest the solicitation or selection process, the process of protest or inquiry shall be the following: The bidder may choose to request an informal conference. The purpose of the informal conference is to give the parties an opportunity to resolve a complaint.

The request of an informal hearing must be submitted in writing within ten (10) days of the notification of the award to the:

Executive Director
MIDDLE RIO GRANDE DEVELOPMENT COUNCIL
P. O. Box 1199
Carrizo Springs, Texas 78834

All responses to a request for an Informal Conference shall be mailed within ten (10) days by the Executive Director of the MIDDLE RIO GRANDE DEVELOPMENT COUNCIL. The Informal Conference shall be scheduled by the Equal Opportunity Officer (EO Officer) within seven (7) days of receipt of a properly completed Grievance Information form. The EO Officer shall serve as Chairperson and moderator of the Informal Conference. Only those issues presented at the Informal Conference may be addressed in subsequent hearings. All parties shall make a good faith effort to reach a mutually acceptable resolution of the complaint at the Informal Conference. The Chairperson shall adjourn the Informal Conference when a satisfactory resolution of the complaint has been reached or when it appears to the Chairperson that no such resolution is possible. A written determination of the Informal Conference shall be prepared by the Chairperson and shall be final and void of any appeal.

The complainant may request a Hearing if dissatisfied with the outcome of the Informal Conference. When an informal resolution has not been successful, notification of the opportunity for a hearing along with a copy of the State agency's Request for Hearing form and all procedures to be followed must be sent to the complainant.

PART III

PROPOSAL EVALUATION CRITERIA

Proposals judged to be in response to this RFP will be evaluated by M.R.G.D.C. staff in terms of the criteria as listed in this section. All proposals will be reviewed and assessed for detail, clarity, and comprehensiveness. The evaluation will be based upon the following criteria:

| | CRITERIA | VALUE |
|------|--|--------------|
| I. | Proposed Quality of Supplies/Equipment | 40 |
| II. | Quality of References | 10 |
| III. | Cost Proposed | 30 |
| IV. | Delivery Schedule/Support | 20 |

NOTE: ALL PROPOSALS MUST SCORE ABOVE 70 POINTS IN ORDER TO BE CONSIDERED RESPONSIVE.

I. PROPOSED SUPPLIES/EQUIPMENT

Criteria under this category will be evaluated as to the extent to which the bidder is knowledgeable and capable to provide the equipment that meets the need of the MRGDC and the quality of the supplies/equipment as per the RFP. Points will be awarded based upon the offeror's ability to demonstrate that the firm is capable and qualified to provide the required services or equipment.

II. QUALITY OF REFERENCES

The references that the bidder is able to provide will be evaluated and checked to determine the prior experience and competence of the bidder. Points will be awarded based on the quality of references provided by the bidder.

III. COST PROPOSED

Criteria under this category require that your proposal address the price reasonableness and competitiveness of the vendor to provide supply items in response to this RFP. Points will be awarded based on similar type services to other agencies.

IV. DELIVERY SCHEDULE/SUPPORT

This category will require that your proposal address and provide details on the proposed service schedule to be followed by your firm in response to this RFP. Points will be awarded based on the feasibility of the bidders to provide the services within the specified period of time listed within the RFP and the level and type of product warranties offered by vendors.