

## PUBLIC NOTICE

Notice is hereby given that the County of Webb is now accepting sealed proposals for Retail Electricity Providers to submit a proposal for an **Electricity Supply Contract for all County Meters and Facilities.**

### **RFP-2013-14 "Electricity Supply Contract for all County Meters and Facilities"**

Proposals must be submitted with (1) original and (8) eight copies in one sealed envelope to the Office of the Webb County Clerk.

Sealed envelopes must be marked (Sealed-Proposals) with proposal number on front lower left hand corner of envelope.

Proposals must be hand delivered or mailed to the following location:

**Webb County Clerk's  
Webb County Justice Center  
1110 Victoria St., Suite 201  
Laredo, Texas 78042**

Proposals must be delivered no later than **Thursday, November 14, 2013 at 3:00 P.M.** at which time all bids will be opened and read to the public. Late proposals received after the time and date specified will have no consideration and be returned to respective bidder sealed and unopened.

Proposal document may also be viewed at web-site [www.webbcountytx.gov](http://www.webbcountytx.gov) under Purchasing Agent, Public Notices.

Questions should be sent through email to Leticia Gutierrez at [lgutierrez@webbcountytx.gov](mailto:lgutierrez@webbcountytx.gov). Questions and responses will appear on Webb County web-site. If any additional information is required please contact Leticia Gutierrez at Webb County Purchasing Department, 1110 Washington Suite 101, 956-523-4125.

Dr. Cecilia May Moreno  
Webb County Purchasing Agent

Published: **Sunday, October 27, 2013**  
**Sunday, November 3, 2013**

THIS FORM MUST BE INCLUDED WITH RFP-PACKAGE; PLEASE CHECK OFF EACH ITEM AND SIGN

### “Sealed Proposal Checklist”

RFP-2013-13 “Electricity Supply Contract for all County Meters and Facilities”

- Public Notice
- Scope of Work (Please read)
- Pricing Sheet (required)
- Terms and Conditions (Please read)
- Conflict of Interest Forms (required)
- Certification Regarding Debarment (Form H2048) (required)
- Certification Regarding Federal Lobbying (Form 2049) (required)
- Proof of No Delinquent Tax Owed to Webb County (required)
- Proposal Information form (required)
- References (required)

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Signature

Webb County  
Retail Electric Provider

**RFP -2013-014**

**SCOPE OF WORK: Webb County is requesting Proposals for Electricity Supply and Associated Services.**

The Webb County Request For Proposals (RFP) for Retail Electricity Provider has been developed to enable Webb County to purchase electricity and associated services beginning in January 2014 for the sites included in this proposal.

Webb County seeks a Retail Electricity Provider that is prepared to work with Webb County in a close working relationship for the ongoing supply of electricity. The pricing options submitted by respondents to this RFP to supply electricity and associated services to Webb County must be competitively priced and offer ongoing value to Webb County. Webb County is looking for responsible suppliers who will ensure that electricity is provided to every Webb County facility in a safe, reliable, and financially responsible manner.

Webb County is issuing this RFP for Retail Electricity Provider to satisfy the internal purchasing requirements of Webb County. Our current contract will expire December 2013.

Webb County will receive proposals from interested parties by November 14, 2013. Proposals from the various companies will be evaluated based on proposer support, cost control features of the contract, proposer history in providing electricity in a deregulated market, cost savings programs, and outreach programs offered by proposers to benefit the county and its patrons. The pricing options submitted by proposers to the RFP for these services must be competitively priced and offer ongoing value to the county. Cost of the electricity will be a chief determining factor when the county elects to award to an energy company.

**RFP Pricing**

The proposer will prepare pricing options on a unit per kilowatt-hour (kWh) basis for the ESID's included in this RFP for one (1), two (2), three (3), four (4), and five (5) year terms with a fixed price to the load zone that includes all associated costs for the supply of energy and a 100% bandwidth with a commencement date on the first meter read date after December 31, 2013 or as soon thereafter as practical and allowable by law. A bidder with an annual bandwidth of less than 25% will be considered non-responsive and RFP will not be accepted.

Price will include a 1.5 mil adder that will be paid to Marco A. Arredondo, Inc., Webb County energy consultant on a monthly basis for the duration of the energy contract.

The County may consider other pricing options that the proposer can offer providing value and allow ongoing flexibility.

Proposers must specify whether the supplied pricing has (i) an acceptance period and (ii) is subject to confirmation. Proposer should specify the lead time required to refresh pricing requests if necessary.

Pricing must be based on the NYMEX Market closing price on November 8<sup>th</sup>, 2013.

### **Funding Out**

Contracts with governmental entities in the State of Texas are required to be for one fiscal year or carry a non-appropriation of funds clause. Projecting a multi-year contract, proposers will provide a non-appropriation clause as part of their final contract.

### **Proposer Responsibility**

Proposers should read the requirements set forth in this proposal package. It is expected that the winning proposer will meet all of the County's requirements without exception. If for any reason a proposer cannot meet these requirements the proposer must indicate any differences in an addendum to be attached to the proposal form. Failure to meet the specification will be grounds for terminating this contract.

### **County Background**

Webb County provides many community services to the residents of the county through many different offices, educational facilities, and recreational parks. The Webb County Purchasing Agents Department is directly responsible for overseeing billing issues. They may be contacted at 956-523-4127. Key objectives for this group are to minimize energy costs across all buildings and to maintain a close working relationship with the energy supplier.

Within the County there are currently approximately 53 current sites. An itemization of all ESID numbers will be provided with the energy use history. The sites include main Webb County Facilities including various other facilities.

The County is seeking an energy supplier that will actively work to help the County achieve cost reduction and energy conservation management objectives. The decision making authority for selecting an energy supplier for the County's sites rests with the Webb County Commissioners and the County Judge. Should none of the responses meet the County's requirements, the Commissioners or the County Judge reserves the right to reject all offers and use any other means to identify an electricity provider.

### **Energy Use Overview**

Proposer with a valid PUC Retail Electric Provider Certification Number will be provided with detailed electricity usage history from Marco A Arredondo, Inc. Please send your requests to [marcoaa@prodigy.net](mailto:marcoaa@prodigy.net). The usage details are consistent with typical energy usage. Factors that are likely to influence the County's future energy usage include: new site connections or changes in operation, i.e. hours of opening.

### **Webb County SUMMARY OF SITES**

**Sites include the following:**

Marshall Building	Bruni, Texas
Bruni Street Lights	Bruni, Texas
303 E 12 <sup>th</sup> Street	Bruni, Texas
231 E 12 <sup>th</sup> Street	Bruni, Texas
23299 State Hwy 359	Bruni, Texas
Oilton Park	Oilton, Texas
Mirando City Civic Center	Mirando City, Texas
Mirando City Street Lights	Mirando City, Texas

831 North Main	Mirando City, Texas
3519 Cecilia Lane	El Cenizo, Texas
3802 Jimenez	El Cenizo, Texas
Espejo Molina Road	El Cenizo, Texas
515 Martha Drive	Rio Bravo, Texas
946 St Light Unit	Rio Bravo, Texas
1 Centeno Lane	Rio Bravo, Texas
1806 Margarita	Rio Bravo, Texas
1990 Espejo Molina Rd	Rio Bravo, Texas
1204 Paseo De Danubio	Rio Bravo, Texas
#2 Santa Rosa Drive	Rio Bravo, Texas
1017 Paseo De Tiber	Rio Bravo, Texas
1885 Patricia Lane	Rio Bravo, Texas
1607 Orquidia Lane	Rio Bravo, Texas
1600 Orquidia Lane	Rio Bravo, Texas
Espejo Molina Rd	Rio Bravo, Texas
5401 Cisneros	Laredo, Texas
1983 Mangana Hein Road	Laredo, Texas
452 Rancho Penitas Road	Laredo, Texas
1110 Victoria-Justic Center	Laredo, Texas
1200 Washington- Tex Mex	Laredo, Texas
1100 Washington- Administrative	Laredo, Texas
1310 Convent	Laredo, Texas
1000 Houston County Courthouse	Laredo, Texas
810 Zaragoza	Laredo, Texas
2001 Pinder- La Ladrillera	Laredo, Texas
901 S Milmo	Laredo, Texas
7209 E Saunders	Laredo, Texas
207 Wilson Rd	Laredo, Texas
317 River Front	Laredo, Texas
8501 San Dario	Laredo, Texas
1620 Santa Ursula	Laredo, Texas
4800 Daugherty	Laredo, Texas
1119 Houston	Laredo, Texas
902 Victoria	Laredo, Texas
919 Washington	Laredo, Texas
7341 E Saunders	Laredo, Texas
8500 E Saunders- Shooting Range	Laredo, Texas
8501 Curly Ln Trautmann Park	Laredo, Texas
Casa Blanca Maintenance Barn	Laredo, Texas
Casa Blanca Golf Course	Laredo, Texas
7210 E Saunders	Laredo, Texas
Penita Road	Laredo, Texas
2900 S Zapata Hwy	Laredo, Texas
610 E Del Mar Blvd	Laredo, Texas

Webb County has approximately 103 ESID numbers at approximately 53 locations. There will also be 32 ESID numbers from the Head Start Program.

## **Assessment Process & Supplier Qualifications**

The review of RFP will determine the Retail Electric Provider most capable of delivering the best overall value to the County, consistent with the requirements herein and as evidenced by the Retail Electric Provider's past performance history in providing the type and scope of services required within this RFP. The qualifications and operational capabilities of prospective energy suppliers are fundamental criteria that the County will assess in selecting a preferred provider. The County is seeking an experienced energy supplier that is fully committed to the Texas energy market and to assisting customers to maximize the benefits from electricity deregulation. Provide details of claims that support your company's capabilities against the following criteria:

Retail Electric Providers will be assessed against the following criteria:

- Their level of experience in retailing electricity sales within the State of Texas. References, case studies, and other verifiable documentation of experience will be utilized where they are provided.
- Financial Robustness & Experience – provide details on the size of your organization and pertinent financial excerpts from your annual report.
- Their capabilities relating to the management of their operations including corporate assets, customer base and extent of retail operations including the resources and technologies that enable them to bring value to their customer base.
- The pricing options submitted will be assessed in terms of matching the County's pricing requirements, and will assess pricing over the total period of the proposed energy services contract.
- Their capabilities and experiences with managing the risks associated with energy supply procurement. Their general approach to identifying County's needs and tailoring appropriate risk management strategies will also be assessed.
- Service Management & Customer Care – provide details of any service management examples supplied to the County or similar type customers.
- Electricity Distribution - provide details that demonstrate your company's understanding and involvement with distribution and delivery systems.
- Liaison Services – provide details of any service the Retail Electric Provider will provide with the wires company on the addition of new facilities and temporary services for construction.
- Energy Conservation - provide examples, including financial and non-financial benefits delivered to your customers.
- Community outreach services benefiting the County, staff, and/or its patrons.
- PUC Retail Electric Provider Certification Number
- An Executable proposed contract.
- A Sample Invoice

## **Selection Process**

This RFP provides for a multi-step selection process. The first step will be to review the proposals to verify that the requirements of this RFP have been fulfilled. Qualifications of Retail Electric Providers will be assessed against criteria listed in the previous section.

The second step will consist of reviewing the economic stability of the Retail Electric Provider and any other criteria that enables Webb County to feel that its reliability standards are met. If any proposal does not meet Webb County's reliability standards, it will be rejected without regard to price. At this point, Webb County may ask for additional information to provide Webb County with a short list of qualified applicants for potential contract negotiations. Ranking of Retail Electric Providers based on the evaluation factors will be done so as to move to the next step.

The next step will be to negotiate with one or more of the finalists including final price offers. The Webb County Commissioner's Court will award and execute a contract with the selected Retail Electric Provider in the final step of this process if it is deemed to be in the best interest of the County. If the County and the selected Retail Electric Provider cannot agree on terms for a contract, the County shall enter into negotiations with one of the remaining Retail Electric Providers.

Webb County reserves the right to accept any proposal, reject any or all proposals, re-solicit other proposals, or issue a new RFP in the event that all proposals are rejected, or take any other action that Webb County deems otherwise appropriate. All determinations will be based solely on the judgment of Webb County and deemed the most advantageous for Webb County. Webb County reserves the right to revise this RFP, including the desired specifications and requirements for proposals, at any time and to accept proposals other than the lowest cost as stated in the evaluation process.

The selection process and contract negotiations will be concluded as soon as possible, but no later than December 20, 2013.

## **Schedule**

<b>Release of RFP</b>	<b>October 27, 2013</b>
<b>Proposals Due</b>	<b>November 14, 2013</b>
<b>Clarification Process</b>	<b>November 14 - 21, 2013</b>
<b>Contract Award</b>	<b>Between November 14, 2013 no later than December 20, 2013</b>
<b>Contract Effective Date</b>	<b>January 1, 2014</b>

**Webb County reserves the right to modify this schedule if in its sole discretion such modifications are deemed necessary.**

## **Reliability Issues**

The provision of a safe, reliable and high-quality electricity supply is essential to this growing County with the daily care of approximately 275,000 residents. The administrative facilities depend upon a

reliable electricity supply in order to provide quality services and a safe environment for all residents and staff.

### **Customer Care**

Ongoing support and service management is an important requirement of the energy services package covered by this request. The County wishes to ensure that service levels do not deteriorate as a result of having to purchase electricity in a de-regulated environment. The service component from the provider's responses will play a significant part in differentiating potential energy suppliers. Provide details of the level of customer care that will be provided.

### **Billing**

Accurate, timely, easily understood electricity billing, and payment plans are an essential requirement. Provide details of your billing systems and payment plans that will ensure accuracy of pricing between your company and the County.

### **References**

Provide at least three references as part of your confidential information. These should be customers similar in size to Webb County.

### **Costs incurred in responding**

All costs directly or indirectly related to the preparation of a proposal in response to this RFP or clarify the proposal shall be the sole responsibility of and borne by the Retail Electric Provider incurring such costs. Webb County or its consultants will not reimburse any Retail Electric Provider for any cost incurred in the preparation, submission, or negotiation of a proposal.

## **SELECTION CRITERIA**

Webb County is presently under an electric energy contract with Reliant through December 31, 2013. Webb County must renew its contract with a Retail Electric Provider by December 20, 2013 in order to provide for a smooth transition. Webb County has retained the services of Marco A. Arredondo, Inc. to provide expertise and evaluation of the potential Retail Electric Providers.

Retail Electric Provider Selection Criteria:

1. Price 50%
2. Customer Service and Support 10%
3. Financial Credibility & Stability 20%
4. Consolidated Billing Reports 10%
5. Electronic Billing, History, and Access 10%

## **REFERENCES**

Please list three (3) references of current customers who can verify the quality of service your company provides. The County prefers customers of similar size and scope of work to this RFP.

**WEBB COUNTY**  
**Electricity Supply & Associated Services (RFP -2013-014)**

**Pricing Sheet**

Directions: Please complete all pricing blanks. The start date is the first meter read date after December 31, 2013. In order to ensure an "apples to apples" comparison, the pricing calculation should be based on the NYMEX Market closing price on November 8, 2013.

Term Months	Fixed Energy Price (\$/kWh) (Hub)	Fixed Energy Price (\$/kWh) (Load Zone)	Bandwidth (%)
12			
24			
36			
48			
60			

Note: Additional monthly terms will be considered if they provide for lower pricing.

\_\_\_\_\_  
 Company

\_\_\_\_\_  
 By

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Date



***Professional Utility Rate  
& Energy Consultants***

Contact Marco A. Arredondo for any  
 additional information at 361-777-1335

marcoaa@prodigy.net

## COUNTY OF WEBB

### **Terms and Conditions of Invitations for Bids/Proposals**

1. GENERAL CONDITIONS:

Proposers/Bidders are required to submit their proposals upon the following expressed conditions:

- (A) Proposers shall thoroughly examine the scope of work and layouts, instructions and all other contract documents.
- (B) Proposers shall make all investigations necessary to thoroughly inform themselves regarding plant and facilities for delivery of materials and equipment as required by the bid conditions. No plea of ignorance by the bidder of conditions that exist or that may hereafter exist as a result of failure to fulfill in every detail the requirements of the contract documents of the County or the compensation of the vendor.
- (C) Proposers is advised that all County contracts are subject to all legal requirements provided for in county, state and federal statutes and regulations.

2. PREPARATION OF BIDS/PROPOSALS:

Proposals will be prepared in accordance with the following:

- (A) Unit prices shall be shown and where there is an error in extension of prices, the unit price shall govern.
- (B) Alternate bids will not be considered unless specifically requested within the proposal package.
- (C) Proposed Period of Performance (POP) must be shown and shall include Sundays and holidays.
- (D) Bidders will not include Federal taxes or State of Texas limited sales excise and use taxes in bid prices since the County of Webb is exempt from payment of such taxes. An exemption certificate will be signed where applicable upon request.

3. DESCRIPTION OF SUPPLIES:

Any catalog or manufacturer's reference used in describing an item is merely descriptive, and not restrictive, unless otherwise noted, and is used only to

indicate type and quality of material. Bidders are required to state exactly what they intend to furnish otherwise they shall be required to furnish the items as specified.

4. SUBMISSION OF BIDS/PROPOSALS:

- (A) Bids/Proposals and changes thereto shall be enclosed in sealed envelopes addressed to the Webb County Clerk. The name and address of the bidder, the date of the proposal opening and the material or service bid on shall be placed on the outside of the envelope.
- (B) Bids/Proposals must be submitted in the forms furnished. Electronic bids/proposals will not be considered. Bids/Proposals, however, may be modified by written notice provided such notice is received at the County Clerk's Office before the time and date set for the proposal opening.
- (C) Samples, when required, must be submitted within the time specified, at no expense to the County of Webb. If not destroyed or used up during testing, samples will be returned upon request at the proposer expense.

5. REJECTION OF BIDS/PROPOSALS:

- (A) The Purchasing Agent may reject a bid/proposal if it is deemed to be non responsive and/or provided by not responsible bidder/proposer.
- (B) No bid/ proposal submitted herein shall be considered if the proposer owes any delinquent taxes to the County of Webb at the time proposals are opened. In the event that the successful proposer herein subsequently becomes delinquent in the payment of his or its County taxes, such fact shall constitute grounds for cancellation of the contract.
- (C) No bid/proposal submitted herein shall be considered unless the bidder/proposer warrants that upon execution of a contract with the County of Webb, the bidder/ proposer will not engage in employment practices which have the effect of discriminating against employees or prospective employees because of race, color, sex, creed, disability, or national origin and will submit such report as the County may thereafter require to assure compliance.
- (D) The County may, however, reject all proposals whenever it is deemed in the best interest of the County to do so, and may reject any part of a bid. County may also waive any minor informalities or irregularities in any bid.

6. WITHDRAWAL OF BIDS/PROPOSALS:

Bids/Proposals may not be withdraw after the closing time and date.

7. LATE BIDS/PROPOSALS OR MODIFICATIONS:

Bids/Proposals and modifications received after the time set for the proposal submission will not be considered.

8. CLARIFICATIN OR OBJECTION TO PROPOSAL SPECIFICATIONS:

If any person contemplating submitting a proposal for this contract is in doubt as to the true meaning of the specifications, or other bid/proposal documents or any part thereof, the bidder/proposer may submit to the Purchasing Agent on or before five days prior to scheduled opening a request for clarification. All such requests for information shall be made in writing and the person submitting the request will be responsible for its prompt delivery. Any interpretation of Webb County proposal package specification instructions, if made, will be made only by Addendum duly issued. A copy of such Addendum will be posted on the web-site and email to the vendors list that have received email copy of package. The County will not be responsible for any other explanation or interpretation made or given prior to the award of the contract. Any objections to the specifications and requirements as set forth in this proposal must be filed in writing with the Purchasing Agent on or before five days prior to the scheduled opening.

Where there is a question that will not lead to an addendum, the questions will be made in writing to the Purchasing Department. The answer will be in writing posted on the website for everyone to receive the same response.

9. DELINQUENT TAXES:

All vendors seeking to do business with Webb County must owe no delinquent taxes to the County. Attestation of owing no delinquent taxes will be required. If a vendor owes taxes to Webb County, those taxes should be paid before submitting a proposal.

10. AWARD OF CONTRACT:

- (A) The contract will be awarded to the best qualified according to the bid/proposal criteria and a written award letter will be issue.
  - (1) Award of a bid/proposal requires formal approval by the Commissioners Court.
  - (2) Bid/Proposal contract must also be approved by the Commissioners Court.
  - (3) The written notice to proceed will be for construction contracts provided after all contract documents are signed.

- (D) Prices must be quoted F.O.B. Webb County with all transportation charges prepaid, unless otherwise specified in the Invitation for Bids/Proposals.
- (E) Delivery time will be considered in breaking of tie proposals.
- (F) Period of Performance will commence with written Notice to Proceed.

11. BID BOND

A bid bond in the amount of 5% of the Bid/Proposal issued by an acceptable surety company shall be submitted with each bid. A certified check or Bank Draft payable to the Webb County may be submitted in lieu of the Bid Bond. All such bonds, cashier checks shall be drawn payable to Webb County.

12. PERFORMANCE AND PAYMENT BOND

A Performance Bond is require for **construction work** if the contract is in excess of \$100,000; and a Payment Bond is require if the **construction contract** is in excess of \$25,000. The requirement is for all prime contractors which enter into a formal contract with the State, any department, board, agency, municipality, county, school district or any division or subdivision. The failure of the successful bidder/proposer to execute the agreement and supply the required bonds within ten (10) days **after** the award or within such extended period as Webb County may grant, shall constitute a default and Webb County may, at its option either award the contract to next lowest responsible bidder, or re-advertise for bids/proposals. In either case, Webb County may charge against the bidder the difference between the amount of the bid, and the amount for which a contract is subsequently executed irrespective of whether this difference exceeds the amount of the bid bond. If a more favorable bid is received through re-advertisement, the defaulting bidder shall have no claim against Webb County for a refund.

13. WORKERS' COMPENSATION INSURANCE COVERAGE:

The Workers' Compensation Commission has adopted Rule 110.110 effective with all bids advertised after September 1, 1994. The TWCC has stated that it is aware that a statutory requirement for workers' compensation insurance coverage is not being met. Therefore, Rule 110.110 requires that all bidders be covered under workers' compensation insurance to achieve compliance from both contractor(s) and governmental entities. **Attachment A** is provided in accordance with the requirements on governmental entities. Please read carefully and prepare your bid in full compliance to TWCC Rule 110.110. Failure to provide the required certificates upon submission of a bid could result in your bid being declared non-responsive.

14. REFERENCES:

Webb County requires proposer to supply with this proposal, a list of at least three (3) references where like services have been supplied by their firm. Include name of firm, address, telephone number and name of representative.

15. STATEMENTS:

No oral statement of any person shall modify or otherwise change, or affect the terms conditions, plans and/or specifications stated in the bid/proposal packages.

16. ETHICS:

The proposer shall not accept or offer gifts or anything of value nor enter into any business arrangement with any employee, of the Webb County Purchasing Department.

17. PROPRIETARY INFORMATION:

All materials submitted to the County become public property and are subject to the Texas Open Records Act upon receipt. If a proposer does not desire proprietary information in the proposal to be disclosed, each page must be identified and marked proprietary a time of submittal. The County will, to the extent allowed by law, endeavor to protect such information from disclosure. The final decision as to what information must be disclosed, however, lies with the Texas Attorney General. Failure to identify proprietary information will result in all unmarked sections being deemed non-proprietary and available upon public request.

## Webb County

### Conflict of Interest Disclosure

Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filled with the records administrator of Webb County no later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. The questionnaire may be viewed and printed by following the link before:

By submitting a response to this request, the vendor represents that it is in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

The Webb County Officials who come within Chapter 176 of the Local Government Code relating to filing of Conflict of Interest Questionnaire (Form CIQ) include:

1. Webb County Judge Danny Valdez
2. Commissioner Mike Montemayor
3. Commissioner Rosaura "Wawi" Tijerina
4. Commissioner John Galo
5. Commissioner Jaime Canales
6. Judge Joe Lopez, Chairman, 49<sup>th</sup> Judicial District
7. Judge Becky Palomo, 341<sup>st</sup> Judicial District
8. Judge Monica Notzon, 111<sup>th</sup> Judicial District

Please send completed forms to the Webb County Clerk's Office located at 1110 Victoria, Suite 201, Laredo, Texas 78040.

**CONFLICT OF INTEREST QUESTIONNAIRE**  
For vendor or other person doing business with local governmental entity

**FORM CIQ**

This questionnaire reflects changes made to the law by H.B. 1481, 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

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.

4

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

\_\_\_\_\_  
Date

**CERTIFICATION**  
REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY  
EXCLUSION FOR COVERED CONTRACTS

**PART A.**

Federal Executive Orders 12549 and 12689 require the Texas Department of Agriculture (TDA) to screen each covered potential contractor to determine whether each has a right to obtain a contract in accordance with federal regulations on debarment, suspension, ineligibility, and voluntary exclusion. Each covered contractor must also screen each of its covered subcontractors.

In this certification "contractor" refers to both contractor and subcontractor; "contract" refers to both contract and subcontract.

By signing and submitting this certification the potential contractor accepts the following terms:

1. The certification herein below is a material representation of fact upon which reliance was placed when this contract was entered into. If it is later determined that the potential contractor knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Department of Health and Human Services, United States Department of Agriculture or other federal department or agency, or the TDA may pursue available remedies, including suspension and/or debarment.
2. The potential contractor will provide immediate written notice to the person to which this certification is submitted if at any time the potential contractor learns that the certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
3. The words "covered contract", "debarred", "suspended", "ineligible", "participant", "person", "principal", "proposal", and "voluntarily excluded", as used in this certification have meanings based upon materials in the Definitions and Coverage sections of federal rules implementing Executive Order 12549. Usage is as defined in the attachment.
4. The potential contractor agrees by submitting this certification that, should the proposed covered contract be entered into, it will not knowingly enter into any subcontract with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Department of Health and Human Services, United States Department of Agriculture or other federal department or agency, and/or the TDA, as applicable.

Do you have or do you anticipate having subcontractors under this proposed contract?

Yes

No

5. The potential contractor further agrees by submitting this certification that it will include this certification titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion for Covered Contracts" without modification, in all covered subcontracts and in solicitations for all covered subcontracts.
6. A contractor may rely upon a certification of a potential subcontractor that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered contract, unless it knows that the certification is erroneous. A contractor must, at a minimum, obtain certifications from its covered subcontractors upon each subcontract's initiation and upon each renewal.
7. Nothing contained in all the foregoing will be construed to require establishment of a system of records in order to render in good faith the certification required by this certification document. The knowledge and information of a contractor is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
8. Except for contracts authorized under paragraph 4 of these terms, if a contractor in a covered contract knowingly enters into a covered subcontract 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, Department of Health and Human Services, United States Department of Agriculture, or other federal department or agency, as applicable, and/or the TDA may pursue available remedies, including suspension and/or debarment.

**PART B. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION FOR COVERED CONTRACTS**

Indicate in the appropriate box which statement applies to the covered potential contractor:

- The potential contractor certifies, by submission of this certification, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this contract by any federal department or agency or by the State of Texas.
- The potential contractor is unable to certify to one or more of the terms in this certification. In this instance, the potential contractor must attach an explanation for each of the above terms to which he is unable to make certification. Attach the explanation(s) to this certification.

Name of Contractor	Vendor ID No. or Social Security No.	Program No.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed/Typed Name and Title of Authorized Representative

**CERTIFICATION REGARDING FEDERAL LOBBYING**  
**(Certification for Contracts, Grants, Loans, and Cooperative Agreements)**

**PART A. PREAMBLE**

Federal legislation, Section 319 of Public Law 101-121 generally prohibits entities from using federally appropriated funds to lobby the executive or legislative branches of the federal government. Section 319 specifically requires disclosure of certain lobbying activities. A federal government-wide rule, "New Restrictions on Lobbying", published in the Federal Register, February 26, 1990, requires certification and disclosure in specific instances.

**PART B. CERTIFICATION**

This certification applies only to the instant federal action for which the certification is being obtained and is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federally 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, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federally appropriated funds have been paid or will be paid to any person 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 these federally funded contract, subcontract, subgrant, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions. (If needed, contact the Texas Department of Agriculture to obtain a copy of Standard Form-LLL.)

3. The undersigned shall require that the language of this certification be included in the award documents for all covered subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all covered subrecipients will certify and disclose accordingly.

Do you have or do you anticipate having covered subawards under this transaction?

Yes

No

<b>Name of Contractor/Potential Contractor</b>	<b>Vendor ID No. or Social Security No.</b>	<b>Program No.</b>
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<b>Name of Authorized Representative</b>	<b>Title</b>
--	--------------

\_\_\_\_\_  
Signature – Authorized Representative

\_\_\_\_\_  
Date

PROOF OF NO DELINQUENT TAXES OWED TO WEBB COUNTY

Name \_\_\_\_\_ owes no delinquent property taxes to Webb County.

\_\_\_\_\_ owes no property taxes as a business in Webb County.  
(Business Name)

\_\_\_\_\_ owes no property taxes as a resident of Webb County.  
(Business Owner)

\_\_\_\_\_  
Person who can attest to the above information

**\* SIGNED NOTORIZED DOCUMENT AND PROOF OF NO DELINQUENT TAXES TO WEBB COUNTY.**

The State of Texas  
County of Webb

Before me, a Notary Public, on this day personally appeared \_\_\_\_\_, know to me (or proved to me on the oath of \_\_\_\_\_ to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_ 2013.

Notary Public, State of Texas

\_\_\_\_\_  
(Print name of Notary Public here)

My commission expires the \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

Proposer Information

Name of Proposer: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

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

Signature of Person Authorized to Sign Proposal:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

Indicate status as to "Partnership", "Corporation", "Land Owner", etc.

\_\_\_\_\_

\_\_\_\_\_  
(Date)

Note:

All submissions relative to these Proposals shall become the property of Webb County and are nonreturnable.

If any further information is required please call the Webb County Purchasing Agent, Dr. Cecilia May Moreno, at (956)523-4125 or Administrative Assistant, Leticia Gutierrez, at (956)-523-4127.

***THIS FORM MUST BE RETURNED WITH YOUR RFP.***

**REFERENCE ONE**

Government/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person and Title: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail address: \_\_\_\_\_

Contract Period: \_\_\_\_\_ Scope of Work \_\_\_\_\_

**REFERENCE TWO**

Government/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person and Title: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail address: \_\_\_\_\_

Contract Period: \_\_\_\_\_ Scope of Work \_\_\_\_\_

**REFERENCE THREE**

Government/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person and Title: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail address: \_\_\_\_\_

Contract Period: \_\_\_\_\_ Scope of Work \_\_\_\_\_

***THIS FORM MUST BE RETURNED WITH YOUR RFP***