

2/14/13 MS

PUBLIC NOTICE

Notice is hereby given that the County of Webb is accepting Request for Qualifications from Energy consultants to provide professional electricity consulting services related to the procurement and delivery of electricity for its facilities.

RFQ-2013-03 "Energy Consulting Services"

RFQ must be submitted in one (1) original and eight (8) copies in sealed envelopes to the Office of the Webb County Clerk's. Sealed envelopes must be marked (sealed-RFQ) with RFQ number and title on front of lower left-hand corner of envelopes.

RFQ's will either hand delivered or mailed to the following location:

**Webb County Clerk
Webb County Justice Center
1110 Vitoria St. Suite 201
Laredo, Texas 78042-0029**

Request for Qualifications must be delivered no later than **Friday April 19, 2013 at 2:00 p.m.** at which time all RFQ's received will be opened and read to the public. Late RFQ's will not be considered.

If additional information is requested please contact, Leticia Gutierrez at the Webb County Purchasing Department, 1110 Washington St. Suite 101 (956)523-4127, Laredo, Texas 78041. Please visit our Web-site for a copy of notice and specifications, under purchasing department www.webbcountytx.gov.

The County of Webb reserves the right to reject any and all requests that is in the best interest of Webb County.

Dr. Cecilia May Moreno
Purchasing Agent

Published on March Thursday March 28, 2013 and Thursday April 4, 2013

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

“Sealed RFQ”

RFQ-2013-03 “Energy Consulting Services”

- Notice to Qualifier
- Statement of Work
- Conflict of Interest Forms (required)
- Certification Regarding Debarment (Form H2048) (required)
- Certification Regarding Federal Lobbying (Form 2049) (required)
- Qualifier Information Form (required)
- Proof of No Delinquent Tax Owed to Webb County (required)
- References (required)

Signature

RFQ 2013- 03 "Energy Consultant Services"

1. Section I – General

Webb County is soliciting qualifications from energy consultants to provide professional electricity consulting services related to the procurement and delivery of electricity for its facilities.

Webb County will be preparing an RFP for energy to Webb County and seeks the services of a consultant to assist with the details of the RFP, to evaluate the proposals and to assist the Commissioner's Court during the decision making process. Webb County is currently participating in a pool for the supply of electricity to the county; the agreement will expire on December 31, 2013.

2. Section II – Statement of Work

The independent consultant will assist the county with the following:

- a. Assist in the development of the specifications for an RFP (Request for Proposal) for to the procurement of electrical power to the facilities operated by the County of Webb.
- b. Review current electrical billings, meters, and identify current contract requirements and/or terms that are of concern to the county
- c. Assist in the evaluation of the RFPs for delivery of electricity to Webb County facilities
- d. Assist the Webb County Energy Committee in reviewing RFPs submitted to the county
- e. Meet with county officials to review electrical RFP details such as company references, financial stability, pricing; pass thru fees, gross receipts tax, and other contract terms, etc.
- f. Assist in making a recommendation of the proposals to the Commissioner's Court and/or answer any questions the Commissioner's Court may have during the decision making process
- g. Provide an analysis/comparison/assessment of prices, products, and contract business terms of the County's electric providers and work with the county attorney to negotiate preferred business terms with electric providers.
- h. Be available for presentations to the Webb County Commissioner's Court during the procurement of the energy contract and during the length of the contract with an energy provider.
- i. Make presentations to the Commissioner's Court as needed.

The independent consultant will perform the following services during the term of the contract (after the selection of the electric service provider and during the term of the electric service provider contract).

- a. Evaluate the electrical consumption of the County and make recommendations to reduce energy consumption.
- b. Analyze peak hours of electricity usage
- c. Monitor and audit utility bills on a monthly basis
- d. Provide information needed to conform with SB 12 and HB 3693

- e. Make suggestions on how to reduce or consolidate the number of meters and meter cost at the County facilities
- f. Advice on energy reduction projects for County facilities
- g. Make recommendations during construction projects/renovation projects on the possible energy reduction measures.

3. Section III – Qualifications Information

- a. Before a consultant is considered for selection as the energy consultant the qualifier must show independence.
 - i. The qualifier or his/her firm does not engage in the sale of energy
 - ii. The qualifier must disclose any potential conflict of interest with participating in the recommendation of an energy provider
 - iii. The qualifier must show experience and knowledge of the industry yet independence
 - iv. **All responders must have a section in their response package that addresses the issue of independence/conflict of interest. Failure to address this issue will be cause for non-consideration.**
- b. Qualifications will be evaluated using the following criteria
 - i. Experience – 50 points
 - 1. Experience in negotiating electricity contracts for counties, cities, schools, other entities with at least 15,000,000 kwh load; identify the entities you have done this business for
 - ii. Capacity to perform- 30 points
 - 1. Consultant should have a proven record in providing competitive assessment and procurement advisory services for the procurement of electricity.
 - 2. Provide resumes on key personnel that have more than 3 years experience working in deregulated energy markets
 - 3. Identification of who will be assigned to the county's account; include the qualifications; agree to notify the county of any changes
 - 4. List of 3 references with contact information where the proposed consultant has assisted in obtaining a retail electricity contract
 - iii. Knowledge of rules, regulations, codes and other information – 10 points
 - 1. Knowledge of utility rate schedules, wholesale electricity
 - 2. Provide written information communicating your knowledge of rules, regulations, codes, and other information
 - iv. Understanding and capacity to bring suggestions and ideas for energy saving within the county energy use -10 points
 - 1. Identify some of the more traditional savings efforts you can coordinate with the county
- c. The Webb County Energy Committee will review RFQs submitted and identify all qualifiers that meet the requirements.

- d. The Webb County Commissioner's Court will evaluate the qualifiers. Interviews and presentations will be scheduled.
 - e. Price will be negotiated after the court has ranked the qualifiers.
 - f. Responders to this request must submit one (1) original and eight (8) copies in sealed envelopes to the Webb County Clerk's Office within the due time.
 - g. Qualifiers information must appear in the Information sheet provided by the county and be signed
 - h. Qualifiers will be asked to interview with the County Commissioner's Court. Any cost associated with the preparation of the proposals or for the interview process is the sole responsibility of the consultant.
 - i. Qualifiers should review the check list and identify if all requirements have been met.
4. Section IV -Submissions to Webb County
- a. One (1)original and eight (8) copies will be turned in to: *Webb County Clerk
Webb County Justice Center
1110 Victoria St., Suite 201
Laredo, Texas 78040*
 - b. RFQ must be delivered no later than **Friday April 19, 2013 at 2:00 P.M**
5. Section V -Price consideration – Provide information on 2 options
- a. Webb County may consider an independent contractor whose fees are paid through the retail electric provider contract.
 - b. Webb County may option to have the county pay for the services provided by the consultant
 - c. Webb County expects to negotiate a fee structure with the consultant after the consultants have been ranked by the court and after a complete list of deliverables is agreed upon.

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 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. 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 Miguel Montemayor
3. Commissioner Rosaura "Wawi" Tijerina
4. Commissioner John Galo
5. Commissioner Jaime Canales
6. Judge Joe Lopez, Chairman, 49th Judicial District
7. Judge Becky Palomo, 341st Judicial District
8. Judge Monica Notzon, 111th 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

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

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

Name of Contractor/Potential Contractor	Vendor ID No. or Social Security No.	Program No.
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Name of Authorized Representative	Title
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Signature – Authorized Representative

Date

Qualifier Information

Name of Qualifier: _____

Address: _____

Phone: _____

Email Address: _____

Signature of Person Authorized to Sign RFQ:

Signature

Print Name

Title

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

(Date)

Note:

All submissions relative to these Qualifications 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.

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 _____ 2012.

Notary Public, State of Texas

(Print name of Notary Public here)

My commission expires the ____ day of _____ 20__.

References

Name of Firm	Address	Phone	Name of Contact