

TITUS COUNTY, TEXAS
March 17, 2021

INVITATION TO BID AND RELATED SPECIFICATIONS
REQUEST FOR PROPOSAL FOR USED WHEELED EXCAVATOR AND RELATED
ATTACHMENTS FOR PRECINCT #4

PROPOSAL DEADLINE: APRIL 7, 2021 AT 4:30 PM

Electronic responses will not be accepted.

RETURN PROPOSAL TO: Titus County Auditor's Office
100 West First Street, Suite 106
Mt. Pleasant, Texas 75455

MARK ENVELOPE: Titus County Used Wheeled Excavator RFP # 2021-003

PUBLIC OPENING WITH NAMES OF BIDDERS READ ALOUD ONLY: April 8, 2021 at 9 AM
Titus County Courtroom, Room 205
Titus County Courthouse

ANTICIPATED SELECTION DATE BY COMMISSIONERS' COURT: April 26, 2021 Subject to Change

LOCAL NEWSPAPER PUBLICATION DATES: March 20 and 27. See Exhibit C for copy of newspaper notice.

TO OBTAIN A COPY OF THIS PROPOSAL: Please refer to the Titus County website at www.co.titus.tx.us and select the link listed in the lower left side of the home page labeled PURCHASING, then click on the Used - Wheeled Excavator item. You may also contact the Titus County Auditor at 903-572-8101 or by email at auditor@co.titus.tx.us.

INTRODUCTION

Titus County is soliciting proposals for the purchase of a used wheeled excavator and two related attachments for precinct #4. Titus County appreciates your time and effort in preparing a proposal.

QUESTIONS

Please direct all questions regarding this RFP to the Titus County Auditor, Barbara Shurbet at 903-572-8101 or at auditor@co.titus.tx.us. Any updates, questions with responses, addenda and special notices related to this application will be posted on the Titus County website at www.co.titus.tx.us accessed by following the link listed on the lower left side of the home page labeled PURCHASING, Used Wheeled Excavator. It is the applicant's sole responsibility to review this site and retrieve any related documents prior to the application due date. In an effort to allow all applicants an equal opportunity, items will not be posted to this website related to this document after March 31, 2021.

PURPOSE & OBJECTIVES

The purpose of this proposal is to meet the requirements of the local government code as stated in Chapter 262. This RFP is issued in compliance with the County Purchasing Act, Section 262.

The primary objective is to allow the Titus County Commissioners Court to have sufficient information to select the best well qualified proposal that offers the most favorable terms and conditions for the purchase of a used wheeled excavator and related attachments for precinct #4 at the sole discretion of Commissioners Court.

SPECIFICATIONS

The specifications for the used wheeled excavator and related attachments are attached in Exhibit A. Any deviation or alternate from the requested specifications must be noted in the proposal response.

EVALUATION CRITERIA

The submitted proposals shall be reviewed based on the following criteria:

- *Purchase price
- *Reputation of vendor & vendor's goods or services
- *Quality of the vendor's goods as compared to the specifications
- *Extent to which the goods or services meet the needs of the County
- *Vendor's past relationship with the County
- *Total long-term cost of ownership of the goods or services including costs of repair
- *Location of proposed equipment in consideration of cost of on-site visit and test drives

*Availability to test drive the proposed equipment

*Any other item of interest determined to be in the best interest of Titus County.

Negotiations may be conducted with vendors whose submitted proposal is determined to be reasonably anticipated of possibly being selected for award. The award will not necessarily be made to the vendor submitting the lowest price proposal.

The County reserves the right to request additional information or to meet with representatives of the proposer, to test drive and evaluate the equipment, and to discuss or clarify items in the proposal. Any and all information collected during these interactions may be used in analyzing the proposal. All of these elements combine for the evaluation of the proposal.

The County will select the proposer that submits the best, most responsive overall proposal to satisfy the needs of the Titus County as determined solely by the Commissioners' Court and reserves the right to waive any technicalities in the best interest of Titus County.

ATTACHMENTS

Exhibit A – Specifications for Used Wheeled Excavator and related attachments, Precinct #4

Exhibit B – Conflict of Interest Questionnaire

Exhibit C – Newspaper Advertisement

OTHER STIPULATIONS

By submitting a proposal, the proposer certifies that at the time of submission, it is **NOT** on the federal government's list of suspended, ineligible or debarred contractors.

CONFLICT OF INTEREST FORM – CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE

A copy of the Conflict of Interest Questionnaire (CIQ) form and instructions (Exhibit B) from the Texas Ethics Commission is attached. Complete this form if the applicant has a conflict of interest with any Titus County Official, Employee or Department. The questionnaire should reflect the name of the individual with whom the conflict of interest occurs. If you have any questions regarding compliance with Chapter 176, please consult your legal representative. Compliance is the responsibility of each individual, business, agent or representative who is subject to the law's filing requirements.

Original completed forms should be sent to the Titus County Clerk's Office. Please see contact information below for this form:

Titus County Clerk
Titus County Courthouse
100 West First Street, Suite 204
Mt. Pleasant, Texas 75455

Also a copy of any completed CIQ should be included with the response to this proposal.

Applicable Law

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 filed with the records administrator of Titus County (County Clerk) no later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed.

SUBMITTAL INSTRUCTIONS

Sealed applications clearly marked “Titus County Used Wheeled Excavator RFP # 2021-003” shall be delivered on or before April 7, 2021 at 4:30 pm to the following:

Titus County Auditor’s Office – Titus County Courthouse
100 West First Street, Suite 106
Mt. Pleasant, Texas 75455

Proposers are responsible for actual delivery of the proposal on or before the date and time set for the deadline at the required location. The mere fact that a proposal was dispatched will not be considered including any proposals delivered to the incorrect address/location. All responses must be received in the Titus County Auditor’s Office on or before April 7, 2021 at 4:30 PM.

Items to Submit:

- 1) A complete copy of this application,
- 2) A Specification Sheet with any alternates or deviations noted including a complete comparison of the proposed equipment to the specifications stated,
- 3) Copy of Completed Conflict of Interest Questionnaire, if any, and
- 4) Contract Summary signed by authorized officer.

CONTRACT SUMMARY

The undersigned agrees that this RFP becomes the property of Titus County after the official opening.

The undersigned affirms that they have familiarized themselves with the specifications requested and fully disclosed any known alternatives or variations within this proposal response.

The undersigned agrees, if this application is accepted, to furnish any and all items/services based on the terms of this agreement.

The undersigned affirms that they are authorized to act on behalf of the company represented, that this application has not been prepared in collusion with any other proposer, nor any employee of Titus County, and that the contents of this proposal have not been communicated to any other applicant or to any employee of Titus County prior to the official opening of this application process.

The undersigned affirms that they have read and do understand the requirements stated within this contract including any addenda and the specifications as presented in Exhibit A.

Failure to complete and sign this form will result in the rejection of the entire application.

SIGNATURE _____ **XXX**

Print Authorized Officer's Name

Print Authorized Officer's Title

Name of Company

Date

Address

Office Phone Number

City, State, Zip Code

Cell Phone or Other Phone Number

General Email for Company

Email Directly to Above Authorized Officer

Spec's for Wheeled Excavator

2015 or Newer no more than 2000 hrs

100 to 130 hp

Ac

Rear and front outriggers or rear outriggers and front blade

Twin tires

Individual controls for outriggers

Speeder

Rear camera

Return filter for attachment

Two piece boom

Pipe fracture safety valve of stick cylinder

Stick

Swivel circuit

Hammer-shear operation with tool control

Return filter for hammer

Helac tilting coupler

36" bucket and 60" ditch cleaning bucket

Delivery to Titus County PCT 4 yard

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor 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 vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

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

OFFICE USE ONLY

Date Received

1 Name of vendor 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 on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

Date

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;

or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

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

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

EXHIBIT C

To: Mt. Pleasant Daily Tribune
From: Barbara Shurbet
Subject: Bid Notice – Wheeled Excavator - Used
Date: March 17, 2021

Please run the following notice on March 20 and 27.

Request for Proposals # 2021-003
Used Wheeled Excavator & Related Attachments

The Commissioners' Court of Titus County, Texas hereby provides notice that the Court intends to approve the purchase of a Used Wheeled Excavator and related attachments for Precinct #4 at the regular court meeting on April 26, 2021. All candidates must comply with all applicable state statutes as outlined in the RFP.

To obtain a RFP, please visit the homepage of the Titus County website at: www.co.titus.tx.us and click on the Purchasing Link on the left bottom section of the homepage then click on the Used – Wheeled Excavator item, or call 903-572-8101 or contact the auditor's office at auditor@co.titus.tx.us.

Sealed applications will be accepted on or before April 7, 2021 at 4:30 PM in the auditor's office at 100 West First Street, Suite 106, Mt. Pleasant, Texas 75455.

Lump sum pricing will apply. Titus County reserves the right to accept or reject in whole or in part any proposal received and to waive any irregularities or formalities in the best interest of the County.