

# Notice of Request for Proposals (RFP)

## Codification Services, Publication and Supplement Services for Mercedes City Code

### For the City of Mercedes, Texas

The City of Mercedes, Texas is accepting proposals for Codification and Supplement Services from a qualified consultant with extensive experience in codification. Proposals will be received until 10:00 A.M. February 23, 2018 at the City of Mercedes, 400 S Ohio, Mercedes, TX 78570. Proposals will be opened at that time.

The goal is to update the codification of the "Ordinances", ensuring conformity with state and federal law in a format that will allow for growth and flexibility of the "Ordinances". Services will include, but are not limited to, an internal comparison of the "Ordinances" to identify conflicts, inconsistencies, preemptions and other potential problems, recommendations of an ordinance structural plan, provide an electronic version that is fully searchable and modifiable, and possible Internet hosting services to include browsing and searching of the "Ordinances".

*The submitting party acknowledges the right of the City of Mercedes to reject any or all proposals and to waive informality or irregularity in any proposal received and to award each item to different submitting parties or all items to a single submitter. In addition the submitting party recognizes the right of the City of Mercedes to reject a proposal if the submitter fails to furnish any required data required by the RFP, or if the proposal is in any way incomplete or irregular. The City of Mercedes shall be the sole judge of compliance with the specifications and reserves the right to accept or reject any or all proposals or parts thereof.*

## I. OVERVIEW

### Request for Proposals

The City of Mercedes is seeking Requests for Proposals (RFP's) from qualified firms with considerable experience in the area of codification to provide publication and supplement services to the City. The purpose of this RFP is to gather information from firms relative to the City of Mercedes' required scope of service and key selection criteria. The same finalists may be expected to provide a presentation to a selection panel.

The City of Mercedes is requesting proposals for re-codification of the City's existing Code of Ordinances. The Code was codified in 1979. It is contained in one volume and consists of approximately the following pages: **(PREFACE)** - 9 double-sided sheets; **(ORIGINAL CITY CHARTER)** - 45 double-sided pages; **(CODE)** - 132 double sided pages; **(APPENDIX)** - 31 double sided pages; **(STATUTORY REFERENCE TABLE)** - 5 pages; **(CODE COMPARATIVE TABLE)** - 7 pages; **(CHARTER INDEX)** - 7 double sided pages, and **(CODE INDEX)** - 36 double sided pages in a 6 x 9-inch single column page format. Ordinances adopted since 1979 have NOT been added to the Code and the City estimates that approximately 984 Ordinances have been passed since the last revision. The current city charter is approximately 25 pages.

## II. SELECTION OF CRITERIA

Selection of a Codification Firm will be based upon criteria deemed relevant to the City of Mercedes including, but not limited to the following:

1. Size and experience of the firm
2. Number of years in business
3. Name and availability of contact person
4. Experience and educational background of legal editorial staff
5. Experience and educational background of editors and support staff
6. Pricing and value for services
7. Complete list of current Texas clients
8. Reference contacts from at least 5 Texas municipalities for which similar projects have been completed
9. Website and list of Codes in online library
10. Data on average turnaround time for routine Code supplements
11. Letter attesting to financial stability of firm
12. Completed Quotation Sheet

The City of Mercedes shall select the most responsive, responsible and qualified proposal based on this criteria. Pricing will not be the sole criterion for selection. Preference may be granted to the firm demonstrating extensive experience serving Texas municipalities, possessing knowledge of Texas law and receiving favorable references from Texas municipalities concerning their services.

### III. SCOPE OF SERVICES

The City of Mercedes is requesting proposals for the codification of the legislation of the City, including supplemental services. Listed below are the various required components for the codification project. The codification firm shall clearly describe, in its response, a recommended process for achieving these components. The proposals should include an estimated timeline for each component.

- (1) The codification process shall ensure that all Code-relevant legislation is properly incorporated into the Code and shall provide written documentation to the City of Mercedes.
- (2) The codifier shall recommend an organizational and numbering system to be used for the Code however; the City of Mercedes shall have the final approval of the organizational and numbering system for the Code.
- (3) Also to be included as a part of the basic project is the preparation and publication of a comprehensive, detailed Code Index. The Codification Firm shall provide an example of a typical Index as part of its response.
- (4) Prepare a legislative history of each section, citing the ordinance number and date of passage of the current ordinance, as indicated on copies of ordinances supplied to the Codification Firm.
- (5) Prepare a table of contents and sectional analysis for each chapter.
- (6) Prepare statutory cross-references to sections of the City statutes and references to other pertinent parts of the Code, where applicable. These references shall appear at the end of the section to which they apply.
- (7) Prepare Tables of Special Ordinances listing chronologically, in groups, those ordinances in certain subject areas that the City and the Codification Firm mutually agree to be pertinent.
- (8) Prepare parallel Reference Tables showing:
  - (a) The disposition of ordinances (in numeric sequence) included in the codification (Ordinance to Code).
  - (b) A listing of Code sections based on City statutes (Statute to Code).
- (9) The Codification Firm shall also provide for a complete review of the City of Mercedes' current legislation, identifying any conflicts or inconsistencies within the legislation or between the legislation and applicable state statutes.
- (10) Deliver to the City, within 4 months from the receipt of the materials deemed necessary by the Codification Firm to begin the codification, one copy of a manuscript of the Code for the City's examination, as well as the Codification Firm's written legal report detailing its legal research and analysis of the City's Code and ordinances.
- (11) 20 copies of the Code volumes shall be published. The Code volumes will be on 8 ½ x 11 inch pages, housed in heavy-duty post binders, imprinted with the name and Seal of the City of Mercedes on the front and spine. The Codification Firm shall indicate the color choices available for the binders.

- (12) The Codification Firm shall provide a complete sample Code from another Texas client to illustrate the type of binders and page format to be used.
- (13) In addition to the printed copies, the Code must be available in electronic format, preferably PDF, including 5 CD's and provide possible web hosting.
- (14) Meet with the Municipality to hold a manuscript conference to make final corrections, additions and deletions to the Code. Any of the pages of the manuscript may be changed at this time as the municipality sees fit.
- (15) Classify all ordinances which are of a general and permanent nature into titles, chapters and sections, according to subject matter. All ordinances repealed by implication, or which are outmoded or antiquated, shall be disposed of in accordance with the recommendations of the City.
- (16) Make changes to affect uniformity of style and to correct typographical and spelling errors, grammar and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in the ordinances will be submitted to the City.
- (17) Submit to the Municipality, in writing, all prices for these codification services and a proposed invoicing schedule.
- (18) The Codification Firm should also:
  - (a) Submit to the Municipality the costs and minimums for additional copies of the Code in the future.
  - (b) Provide an increase and decrease price for pages more than or less than the pages on which the proposal is based.
  - (c) List separately each cost for supplement services, such as shipping, editorial fees and extra charges for tabular material.
  - (d) Submit to the Municipality the costs for annual updates to the Code.
  - (e) State completion time for supplement service.
  - (f) Provide information about the Publisher's capability to provide free technical phone support, training and updates.

#### **IV. OPTIONAL SUPPLEMENTAL UPKEEP SERVICES**

After publication of the Code of Ordinances is complete the Codification Firm may be asked to continue to maintain the Code as new legislation is enacted or ordinances are changed or repealed as follows:

- i. Post updates to website where Code is maintained in an agreeable timeframe after receiving from the City of Mercedes.
- ii. Incorporate all changes and additions into the appropriate place in the existing Code, including deletion of repealed ordinances, and update table of contents and index as necessitated.
- iii. Publish loose-leaf supplements on an annual basis for 20 codebooks after incorporating all changes. Include with each supplement a page of instructions for removal of the obsolete pages and insertion of the new pages.
- iv. If requested by the City of Mercedes, make available printed

copies of selected chapters or portions of the Code, printed and bound in separate covers. Prices for such services shall be quoted at the time of the request.

The Codification Firm may provide information on any additional product options or services related to this codification project not outlined in this Request for Proposals. Please include a complete description of the services, procedures involved, and a separate breakdown of all applicable costs.

## V. INQUIRIES

All inquiries shall be submitted in writing or via e-mail no later than 10:00 a.m. central standard time on February 14, 2018. This will allow the City the opportunity to respond in a timely manner and to share any pertinent information with any applicants. Please direct any and all inquiries to:

Sergio Zavala  
Assistant City Manager  
City of Mercedes  
[szavala@cityofmercedes.com](mailto:szavala@cityofmercedes.com) and cc: [afelix@cityofmercedes.com](mailto:afelix@cityofmercedes.com)  
(956) 565-3114 x 127

## VI. PRICE QUOTATION

The Codification Firm shall provide a breakdown of costs for this codification project indicating not-to-exceed prices. Payment terms should also be specified.

20 copies of the printed Code have been requested, along with 20 copies of loose-leaf supplements on an annual basis. Please also indicate a cost for printing extra books beyond the 20 requested.

Any variations from the specifications as outlined in this request for proposals should be noted on the price quotation sheet.

Proposals must be clearly marked on the outside "City of Mercedes Municipal Code Of Ordinance Codification". Due: February 23, 2018.

Please send completed proposal, including three additional copies along with letter and quotation sheet to:

Sergio Zavala  
Assistant City Manager  
City of Mercedes  
400 S. Ohio  
Mercedes, TX 78570

### **Disqualification**

Disqualification may occur for any of the following reasons:

The respondent is involved in any litigation against the City of Mercedes;  
The respondent is in arrears on any existing contract or has defaulted on a previous contract with the City;  
The respondent is disbarred, suspended, or otherwise excluded from or ineligible for participation in State or Federal assistance programs.  
The respondent contacts any member of the City Commission from the time proposals are bid up to and during the time to award to promote their proposal.

### **Confidentiality**

All proposals submitted shall remain confidential. After award, proposals will be made available for public inspection. The City shall not be responsible for the confidentiality of any trade secrets or other information contained or disclosed in the proposal unless clearly identified as such.

### **Award of Contract**

The City reserves the right to accept or reject any or all proposals, and to waive any formalities, or irregularities in the RFP process and award the proposal to best serve the interest of the City. Proposals may be awarded or rejected in any combination the City selects.

The City will select the most highly qualified respondent(s) of the requested services based on demonstrated competence and qualifications and then negotiate with respondent(s) a contract(s) at a fair and reasonable price.

### **Acceptance of Proposal Content**

Before submitting a proposal, each Respondent shall make all investigations and examinations necessary to ascertain all conditions and requirements affecting the performance of the contract and to verify any representations made by the City upon which the proposal will rely.

## NOTICE TO RESPONDENTS

### Disclosure of Certain Relationships

Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local governmental entity make certain disclosures concerning any affiliation or business relationship that might cause a conflict of interest with the local governmental entity. The provisions of Chapter 176 and the Form CIQ questionnaire that must be completed to comply with this law are available at the Texas Ethics Commission website.

A current list of City of the Mercedes City Commission members and City Manager is available at the City, or on the City's website at <http://www.cityofmercedes.com>. If you are considering doing business with the City of Mercedes and have an affiliation or business relationship that requires you to submit a completed Form CIQ, it must be filed with the City Secretary's office of the City of Mercedes no later than the seventh (7th) business day after the date you become aware of facts that require the form to be filed. You may also include the statement along with the proposal. See Section 176.006, Texas Local Government Code. It is a Class C misdemeanor to violate this provision.

By Submitting a response to the City of Mercedes Request for Proposal, Request for Bid, or Request for Qualifications or by conducting business with said entity, you are representing that you are in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

DISCLOSURE OF RELATIONS WITH  
ANY MEMBER OF THE CITY COMMISSION, OFFICER, OR EMPLOYEE  
OF CITY OF MERCEDES

Failure to fully and truthfully disclose the information required by this form may result in the termination of any business the City is now doing with the entity listed below and/or could impact future dealings.

1. Name of Entity/Business/Person doing business with City: \_\_\_\_\_  
Is the above entity: (Check one)  
 A corporation       A partnership       A sole proprietorship or an individual  
 A Other (specify): \_\_\_\_\_

Check all applicable boxes.

2. Is any person involved as an owner, principal, or manager of name listed in #1 related to or financially dependent on any City Commission member, officer, or employee of the City of Mercedes?  
 NO -- there is no such relationship between Entity/Business/Person and the City of Mercedes.  
 YES, a person who is a/an  owner,  principal, or  manager of this entity/business/person is : (Check all applicable boxes below)  
 related to by blood or marriage\* and/or  a member of the same household as  
*And/or*  financially dependent upon\*\* and/or  financially supporting\*\*  
to a City of Mercedes  City Commission member,  A officer or  employee.

\* As used here, "related to" means a spouse, child or child's spouse, and parent or parent's spouse. It also includes a former spouse if a child of that marriage is living (the marriage is considered to continue as long as a child of that marriage lives).

\*\* As used herein, "financially dependent upon" and "financially supporting" refers to situations in which monetary assistance---including for lodging, food, education, and debt payments---is provided by owner, principal or manger of #1 to any member of the City Commission, officer or employee of City of Mercedes, or that Council member, officer or employee of City of Mercedes provides to owner, principal or manger of #1.

If YES, provide (a) the name of owner, principal, or manager, and (b) the name of the City Commission member, officer or employee (include the department the City officer or employee works for, if known), and (c) if a relationship by marriage or by blood/kinship exists. (Use back of sheet if more space is needed)

(a) Name of owner, principal, or manager	(b) Name of Commission member, officer or	(c) What is relationship or household arrangement

3. Is a current City Commission member or City employee involved with the name listed in #1 as an owner, principal, manager, or employee, or employed as a contractor for name listed in #1?  
 NO (no person involved/working for Entity/Business/Person is Council member, officer or employee of the City).  
 YES, a person is (Check all applicable boxes)  
(a) a current City of Mercedes:  City Commission member,  officer, or  employee,  
(b) and is  an owner,  a principal, or  a manager of the entity/business/person listed in #1,  
or  an employee or  an independent contractor of the entity/business/person listed in #1.

If YES, provide the name of owner, principal, manager, employee or independent contractor who is a member of the City Commission, officer or employee. Include the department the City officer or employee works for, if known.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Phone#: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Print Title: \_\_\_\_\_



PLEASE SIGN AND RETURN WITH PROPOSAL

"NON-COLLUSION STATEMENT"

BY THE SIGNATURE BELOW, THE SIGNATORY FOR THE BIDDER AFFIRMS THAT THEY ARE DULY AUTHORIZED TO EXECUTE THIS CONTRACT, THAT THIS COMPANY, FIRM, PARTNERSHIP OR INDIVIDUAL HAS NOT PREPARED THIS PROPOSAL IN COLLUSION WITH ANY OTHER BIDDER, AND THAT THE CONTENTS OF THIS PROPOSAL AS TO PRICES, TERMS OR CONDITIONS OF SAID PROPOSAL HAVE NOT BEEN COMMUNICATED BY THE UNDERSIGNED NOR BY ANY EMPLOYEE OR AGENT TO ANY OTHER PERSON ENGAGED IN THIS TYPE OF BUSINESS PRIOR TO THE OFFICIAL OPENING OF THIS BID. FURTHER, THE SIGNATORY AFFIRM, THAT THEY, OR ANY REPRESENTATIVE OF THE COMPANY, DID NOT CONTACT ANY EMPLOYEE OR MEMBER OF THE CITY COMMISSION OF THE CITY OF MERCEDES AT ANY TIME DURING THE SOLICITATION PROCESS FROM INITIAL ADVERTISEMENT THROUGH AWARD TO DISCUSS THE CONTENTS OF THIS PROPOSAL, OTHER THAN CITY MANAGER'S OFFICE PRIOR TO THE AWARDED OF THIS PROPOSAL. I UNDERSTAND THAT FAILURE TO OBSERVE THIS PROCEDURE MAY CAUSE THE PROPOSAL TO BE REJECTED. I ALSO AFFIRM THAT NO OFFICER OR STOCKHOLDER OF THE RESPONDENT (BIDDER) IS A MEMBER OF THE STAFF, OR RELATED TO ANY EMPLOYEE OR MEMBER OF THE CITY COMMISSION OF THE CITY OF MERCEDES EXCEPT AS NOTED HEREIN:

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By signing this proposal, the vendor (Bidder) makes the assurance that vendor has not been debarred or suspended from conducting business with the U.S. Government according to Executive Order 12549 entitled "Debarment and Suspension."

COMPANY \_\_\_\_\_ EMPLOYER I.D. NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP CODE \_\_\_\_\_

PHONE \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL: \_\_\_\_\_

BIDDER (SIGNATURE) \_\_\_\_\_

PRINTED NAME) \_\_\_\_\_

POSITION WITH COMPANY \_\_\_\_\_

**REQUEST FOR PROPOSALS**  
**Codification Services, Publication and**  
**Supplement Services for City of Mercedes' Municipal Code**

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QUOTATION SHEET

CITY OF MERCEDES  
RECODIFICATION OF MUNICIPAL CODE

The Publisher proposes to recodify the code of ordinances at the following price:

- I) Base Cost (Includes) \$ \_\_\_\_\_
- (A) Number of Copies (minimum 20) \_\_\_\_\_
- (B) Binders for each Code, three ring or post (minimum 20) \_\_\_\_\_
- (C) Legal Analysis, as described in Duties of Publisher
- (D) Special Features; List Below
- (E) Estimated Number of Pages (number of pages included in base rate)
- 8 ½ x 11 Format
- 1.) Single column \_\_\_\_\_ pages
- 2.) Dual column \_\_\_\_\_ pages
- II) Variable Cost
- 1) Per Page (Above/Below) 1,500-page estimate 8 1/2" x 11" Format
- 2) Single Column \$ \_\_\_\_\_
- 3) Dual Column \$ \_\_\_\_\_
- (B) Freight/Shipping \$ \_\_\_\_\_
- III) Time to Completion
- Number of Months Until Manuscript \_\_\_\_\_ months
- Number of Months Until Completed Code (after return of manuscript) \_\_\_\_\_ months
- Number of Days for Updated Supplements \_\_\_\_\_ days

# REQUEST FOR PROPOSALS

## Codification Services, Publication and Supplement Services for City of Mercedes' Municipal Code

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IV) Optional Services

A) Reorder Extra Copies of Extra Code

Minimum Number of Copies \_\_\_\_\_

1) Cost per Extra Code with Binder \$ \_\_\_\_\_

2) Cost per Extra Code without Binder \$ \_\_\_\_\_

3) Cost per Extra Chapter, separately bound \$ \_\_\_\_\_

B) Cost of copies of Code on disk/ CD-ROM \$ \_\_\_\_\_

C) Cost of putting Code on City of Mercedes website and/or hosting  
it on the selected firms website \$ \_\_\_\_\_

D) Updating ordinances in conflict with state and federal statutes Describe \_\_\_\_\_

E) Cost for information retrieval software for the Code. \_\_\_\_\_

F) Supplement Service (8 1/2 x 11 format)

1) Single-column \$ \_\_\_\_\_ per page

2) Dual-column \$ \_\_\_\_\_ per page

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Company Name: \_\_\_\_\_

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

Signature: \_\_\_\_\_

Name of Authorized Signature: \_\_\_\_\_

Title of Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Phone Number: \_\_\_\_\_ fax Number: \_\_\_\_\_



