



NOTICE OF INTENT

RFQ NO. 2022-02-16

**REQUEST FOR QUALIFICATIONS FOR
CONSTRUCTION MATERIALS TESTING AND GEOTECHNICAL ENGINEERING SERVICES**

The City of Mercedes is requesting qualifications for **CONSTRUCTION MATERIALS TESTING AND GEOTECHNICAL ENGINEERING SERVICES** for the **PLANNING DEPARTMENT**.

Those interested in participating in this process may download **ALL** documents related to this RFQ from the Bids and Contracts page on the City of Mercedes website:

**RESPONSES ARE DUE IN THE PURCHASING DEPARTMENT ON
March 2, 2022 AT 4:00 P.M.**

All questions should be submitted in writing and directed to:

**Mr. Alberto Perez, City Manager
400 S. Ohio Ave
Mercedes, TX 78570**

All documents relating to this RFQ, including, but not limited to, the RFQ document, questions and responses, addenda and special notices will be posted under the RFQ number on the City of Mercedes website and available for download by respondents and other interested parties. No documents will be faxed or emailed after the initial Notice of Intent prior to award. It is the respondent's sole responsibility to review this site and retrieve all related documents up to the RFQ due date.

Vendor Name:



RFQ NO. 2022-02-16

REQUEST FOR QUALIFICATIONS
FOR
CONSTRUCTION MATERIALS TESTING
AND
GEOTECHNICAL ENGINEERING SERVICES

RESPONSES DUE MARCH 2, 2022
4:00 P.M.

RFQ NO. 2022-02-16

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This Table of Contents is intended as an aid to respondents and not as a comprehensive listing of the RFQ package. Respondents are responsible for reading the entire RFQ package and complying with all specifications.

RFQ FOR CONSTRUCTION MATERIALS TESTING AND GEOTECHNICAL ENGINEERING SERVICES

City of Mercedes is soliciting qualifications for **CONSTRUCTION MATERIALS TESTING AND GEOTECHNICAL SERVICES.**

Original and Four (4) Copies
OF
COMPLETE RFQ RESPONSES
MUST BE RECEIVED IN THE CITY
OF MERCEDES City Secretary's Office
AT 400 South Ohio Ave,
Mercedes, TEXAS 78570
ON OR BEFORE March 2, 2022 AT 4:00 P.M.

All responses are due in the City of Mercedes City Secretary's Office by the due date in sealed envelopes or boxes. All responses must be clearly marked with the RFQ Number, the name of the company submitting the qualifications package, and the date and time of opening on the outside of the envelope/box and/or Air Bill/Delivery Receipt. Original response must be clearly marked "ORIGINAL" and contain all original signatures.

Any response received after the date and/or hour set for the RFQ opening will not be accepted. Respondent will be notified and will advise the City of Mercedes City Secretary's Office as to the disposition by either pick up, return at respondent's expense, or destroyed with written authorization of the Respondent. If responses are sent by mail to the City of Mercedes City Secretary's Office, the Respondent shall be responsible for actual delivery of the qualifications package to the City of Mercedes City Secretary's Office before the advertised date and hour set for opening of RFQs. If mail is delayed either in the postal service or in the internal mail system of City of Mercedes beyond the advertised date and hour set for the RFQ opening, responses thus delayed will not be considered and will be disposed of as authorized.

Responses may be withdrawn at any time prior to the official opening. Alterations made before opening time must be initialed by Respondent guaranteeing authenticity. After the official opening, responses become the property of City of Mercedes and may not be amended, altered or withdrawn without the recommendations of the City of Mercedes Purchasing Agent and the approval of Commissioners' Court.

No oral explanation or instructions will be given by City of Mercedes officials or employees in regard to the meaning of the request for qualifications before the award of the contract unless authorized by the City of Mercedes City Manager or their designee. Request from interested respondents for additional information or interpretation of the information included in the qualifications package should be directed in writing to:

All documents relating to this RFQ including but not limited to, the RFQ document, questions and responses, addenda and special notices will be posted under the RFQ number on the City of Mercedes website and available for download by respondents and other interested parties. No documents will be faxed or e-mailed after the initial Notice of Intent prior to award. It is the Respondents' sole responsibility to review this site and retrieve all related documents prior to the RFQ due date.

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The deadline for receipt of all questions is 12:00 (Noon), Mercedes Texas time, Tuesday, February 22, 2022. All questions and their responses will be posted on the website and available for download by interested parties.

All Response Forms and Questionnaires must be fully completed and included in your response. Detailed specifications have been provided and any deviations or exceptions must be referenced on the form provided. Unless deviations are specifically stated herein, services will be provided according to the specifications at no additional charge.

This RFQ is issued in compliance with the Chapter 2254 of the Government Code. Negotiations shall be conducted with responsible vendor(s) who submit responses determined to be reasonably susceptible of being selected for award.

CONFIDENTIALITY: Any material that is to be considered confidential in nature must be clearly marked as such and shall be treated as confidential to the extent allowable in the Open Records Act. Trade secrets or confidential information **MUST** be placed in a separate envelope marked **“CONFIDENTIAL INFORMATION”** and **EACH PAGE** must be marked **CONFIDENTIAL INFORMATION.** City of Mercedes will make every effort to protect these papers from public disclosure as outlined in LCG, Texas Government Code, Chapter 552.

Responses shall be opened so as to avoid disclosure of contents to competing offerors and kept secret during the process of negotiation. All responses that have been submitted shall be open for public inspection after the contract is awarded, except for trade secrets and confidential information contained in the response and identified as such.

The successful Respondent shall defend, indemnify, and hold harmless The City of Mercedes, Texas from any and all liability or loss of any nature whatsoever arising out of or relating to the Respondent performing work on County premises, including, without limiting the generality of the foregoing coverage, any act or omission of the contractor, its agents, servants, employees, or invitees in the execution or performance of the contract.

Continuing non-performance of the Vendor in terms of Specifications shall be a basis for the termination of the contract by The City of Mercedes Texas. The City of Mercedes shall not pay for work, equipment, or supplies which are unsatisfactory. Vendors will be given a reasonable opportunity before termination to correct the deficiencies. This, however, shall in no way be construed as negating the basis for termination for non-performance.

The **contract may be terminated** by either party upon written thirty (30) days notice prior to cancellation.

Responses will be considered non-responsive if they show any omissions, alteration of form, additions or conditions not called for, or inconsistencies and to make award in the best interest of The City of Mercedes, Texas.

Responses may be rejected, among other reasons, for any of the following specific reasons:

1. Responses containing any inconsistencies
2. Unbalanced value of any items.

Respondents may be disqualified and their responses not considered, among other reasons, for any of the following specific reasons:

1. Reason for believing collusion exists among the Respondents.
2. Reasonable grounds for believing that any Respondent is interested in more than one (1) Response for the work contemplated.

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3. Respondent being interested in any litigation against The City of Mercedes, Texas.
4. Respondent being in arrears on any existing contract or having defaulted on a previous contract.
5. Lack of competency as revealed, including but not limited to, by a financial statement, experience and equipment and questionnaires.
6. Uncompleted work which in the judgment of The City of Mercedes will prevent or hinder the prompt completion of additional work, if awarded.
7. Respondents shall not owe delinquent property tax in The City of Mercedes, Texas.
8. Limited competition.

It is the Respondent's sole responsibility to print and review all pages of the RFQ document, attachments, questions and responses, addenda and special notices. The Signature Form must be signed and returned. Failure to provide signature on this form renders response non-responsive. Failure to complete and submit all required forms, including but not limited to References, Compliance with Federal and State Laws Form, Questionnaires (when applicable), Addenda (including revised forms), and any other specified forms or documents will be grounds for rejection of entire response.

Due care and diligence has been used in preparation of this information, and it is believed to be substantially correct. However, the responsibility for determining the full extent of the exposure and the verification of all information presented herein shall rest solely with the Respondent. The City of Mercedes and its representatives will not be responsible for any errors or omissions in these specifications, nor for the failure on the part of the respondent to determine the full extent of the exposures.

Respondent may not assign their rights and duties under an award without the written consent of The City of Mercedes City Manager. Such consent shall not relieve the assignor of liability in the event of default by the assignee.

TO THE EXTENT PERMITTED BY LAW, VENDOR AGREES TO DEFEND, INDEMNIFY AND HOLD THE CITY OF MERCEDES, TEXAS, ITS OFFICIALS, AGENTS, SERVANTS, AND EMPLOYEES, HARMLESS AGAINST ANY AND ALL CLAIMS, LAWSUITS, ACTIONS, COSTS AND EXPENSES OF ANY KIND, INCLUDING BUT NOT LIMITED TO, THOSE FOR PROPERTY DAMAGE OR LOSS (INCLUDING ALLEGED DAMAGE OR LOSS TO OWNER'S BUSINESS AND ANY RESULTING LOST PROFITS), EMPLOYMENT MATTERS, AND/OR PERSONAL INJURY, INCLUDING DEATH, THAT MAY RELATE TO OR ARISE OUT OF OR BE OCCASIONED BY (I) VENDOR'S BREACH OF ANY OF THE TERMS OF PROVISIONS OF THIS AGREEMENT OR (II) ANY NEGLIGENT ACT OR OMISSION OR INTENTIONAL MISCONDUCT OF VENDORS, ITS OFFICERS, AGENTS, ASSOCIATES, EMPLOYEES, CONTRACTORS OR SUBCONTRACTORS, RELATED TO THE PERFORMANCE OF THIS AGREEMENT.

VENDOR(S) WILL COMPLY WITH ALL STATE, FEDERAL, AND LOCAL LAWS INCLUDING BUT NOT LIMITED TO THE AMERICANS WITH DISABILITIES ACT, TITLE VII OF THE CIVIL RIGHTS OF 1964, AGE DISCRIMINATION IN EMPLOYMENT ACT, CIVIL RIGHTS ACT OF 1991, FEDERAL INSURANCE CONTRIBUTIONS ACT (FICA), FAIR LABOR STANDARDS ACT, EQUAL PAY ACT OF 1963 AND THE AFFORDABLE HEALTH CARE ACT, AS TO TREATMENT AND COMPENSATION OF ITS EMPLOYEES.

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VENDOR(S) WILL PREPARE PAYROLL CHECKS, MAKE ALL NECESSARY DEDUCTIONS, AND PAY ALL TAXES, AND MAINTAIN INSURANCE REQUIRED BY FEDERAL, STATE, AND LOCAL LAWS. THE SUCCESSFUL VENDOR ACCEPTS FULL RESPONSIBILITY FOR THE PAYMENT OF WAGES, COMPENSATION, OVERTIME AND BENEFITS TO PERSONNEL. VENDOR ACCEPTS RESPONSIBILITY FOR PAYMENT OF ALL TAXES, ASSESSMENTS, FEES, AND FINES THAT MAY BE DUE AND OWING TO ANY LOCAL, STATE OR FEDERAL GOVERNMENT AGENCIES.

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I. SPECIAL TERMS AND CONDITIONS

- A. **CONTRACT TERMS:** Vendor(s) will be awarded a twelve (12) month contract, effective from the date of award or notice to proceed as determined by The City of Mercedes Planning Department. At the City of Mercedes option and approval by the Vendor, the contract may be renewed for one (1) additional twelve (12) month period, as further explained in Renewal Options.
- B. **RENEWAL OPTIONS:** City of Mercedes reserves the right to exercise an option to renew the contract of the Vendor for one (1) additional twelve (12) month period, provided such option is stipulated and agreed upon by both parties. If City of Mercedes exercises the right in writing, the Vendor must update and submit any documents required during the initial solicitation by no later than thirty (30) calendar days prior to the commencement of the option period. Required documents must be in force for the full period of the option. If the updated documents are not submitted by the Vendor in complete form within the time specified, City of Mercedes may rescind its option or seek a new solicitation.
- C. This RFQ proposal outlines all terms and conditions, and in the event of a discrepancy between Vendor's proposed terms and conditions, Tarrant County's terms and conditions will supersede.
- D. If Respondent requires additional terms and conditions on their responses, they must include their terms and conditions in this RFQ response by using the provided form titled "Deficiencies and Deviations Form". Priority will be given to those vendors who do not take any exceptions.
 - i. The successful vendor, when submitting proposals, will be required to remove any terms and conditions from their scope of work when submitting to City of Mercedes department if they do not list any deficiencies when they submitted their proposal.
- E. The successful Respondent will be required by contract to have insurance coverage as detailed below. The Contractor shall take out, pay for and maintain at all times during the prosecution of the work under the contract, the following forms of insurance, in carriers acceptable to and approved by Tarrant County:
 - 1) Workers' Compensation/Employer's Liability
 - a. Worker's Compensation — statutory
 - b. Employer's Liability — \$500,000
 - 2) Commercial General Liability:
 - a. Bodily Injury/Personal Injury/Property Damage —
\$1,000,000 per occurrence/\$2,000,000 aggregate
 - 3) Auto Liability:
 - a. Combined Single Limit (CSL) — \$500,000 per occurrence
 - 4) Contractual Liability — same limits as above.
 - 5) Professional Liability Insurance — \$1,000,000 each occurrence
with minimum \$2,000,000 aggregate

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- F. The City of Mercedes reserves the right to review the insurance requirements of this section during the effective period of the contract and to require adjustment of insurance coverage and their limits when deemed necessary and prudent by The City of Mercedes based upon changes in statutory law, court decisions, or the claims history of the industry as well as the Vendor.

II. SUB-CONTRACTING

- A. The intent of this contract is to award to vendor(s) who will be performing most of the scope of work with their own hired staff. There may be, on occasion, some portion of the work that will require the need to hire a sub-vendor to perform a portion of the work.
- B. Should sub-contracting be required, vendor must first obtain approval of The City of Mercedes prior to any work being performed by a sub-vendor.
- C. Sub-contracting firms will be required to obtain the same insurance requirements before any work is completed. Reference pages of this RFQ.

III. STATEMENT OF WORK

- A. The City of Mercedes is seeking vendors to submit qualifications for an annual agreement for Construction Materials Testing and Geotechnical Engineering Services for various projects located within City Limits and ETJ. The term will be for twelve (12) months with one (1) additional twelve (12) month option for renewal.
- B. A description of services that may be required includes, but is not limited to, the following:
- i. Construction Materials Testing:
 - a. Plan review
 - b. Foundation & Pier inspection
 - c. Soils testing
 - d. Concrete sample and testing
 - e. Pre-cast concrete observations
 - f. Structural steel inspection
 - g. Reinforcing steel inspection
 - h. Masonry inspections
 - i. Asphalt inspections and testing
 - j. Other construction material testing
 - ii. Geotechnical:
 - a. Field investigation
 - b. Laboratory investigation
 - c. Engineering Services
 - d. Analysis and reports
 - e. Other geotechnical evaluation and testing.

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IV. RESPONSE SUBMITTAL REQUIREMENTS

- A. In the interest of performing a thorough and timely review of all qualification packages received, The City of Mercedes requests that all packages be submitted in the following tabbed format, with strict limitation to fifteen (15) pages. All pages shall be 8 ½" x 11". Please do not submit any qualifications package (responses or portion of your response) in a font size less than ten (10) points. All qualifications package (responses or portion of your response) documents are to be one-sided (1) only. Required forms found in this Request for Qualifications, such as signature pages and reference pages, are not considered part of the 15-page limitation.
- B. The qualifications package must meet the specified format, be presented in a concise form, be provided in one (1) unbound and clearly marked "Original" and four (4) copies of the completed package signed and dated.

V. QUALIFICATION STATEMENT REQUIREMENTS

- A. Firms will be evaluated based on overall experience and depth of resources.
- B. It is imperative that responses are completed according to **Section III. Response Submittal Requirements (above)** and in the same order as reflected in the Sections, below.
 - 1. SECTION 1 – EXECUTIVE SUMMARY
 - a. Include name, address and telephone number of the firm submitting the Qualification Statement, a summary of the firm's interest in the project, and the name of one (1) or more individuals authorized to officially represent the firm in its dealings on a contractual basis.
 - i. The summary shall include a statement of the testing for which Respondent is qualified, how respondent proposes to accomplish and perform the work as described, any unique problems perceived by respondent, and applicable solutions.
This summary shall be no more than two (2) pages in length.
 - 2. SECTION 2 – CORPORATE INFORMATION
 - a. Firm's local address.
 - b. Location of corporate headquarters and other divisional offices. Specify which office or offices will be involved in work for The City of Mercedes . Include names, addresses and phone numbers.
 - c. History of the firm, including present ownership and key management individuals. Describe any anticipated or recent changes in overall corporate management ownership.
 - i. Background of Respondent and support personnel, including professional qualifications and length of time working in Respondent's capacity with this organization. Include résumés of key personnel for services that respondent proposes to perform for The City of Mercedes. Provide copies of professional registrations or licenses evidencing credentials.

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- ii. Relevant experience of Respondent as it relates to the scope of service contemplated by this RFQ.
 - iii. Specific experience with public entity clients, especially large municipalities in performing similar work as described in this RFQ.
 - d. A company organization chart showing authority structure and depth of resources.
 - e. Names and qualifications of principals who will oversee work for Tarrant County.
 - f. Names and qualifications of engineers, licensed by the State of Texas, who will perform work for The City of Mercedes.
 - g. Names and qualifications of sub-contractor (if applicable) who will be performing services on this RFQ, and a description of the work proposed (Use provided Sub-contractor form)
 - h. A disclosure statement that shall disclose all potential conflicts of interest related to any City of Mercedes Project. This disclosure statement must be addressed specifically in your response, even if no conflict exists.
 - i. An overview of the firm's DBE utilization program and past performance on projects with other entities, if applicable.
 - j. Discuss how the firm will provide quick response regarding testing requests as outlined in this RFQ.
 - k. Discuss reasons why the firm would be uniquely qualified for the work described in this RFQ.
 - l. List the firm's in-house engineering capabilities, planned to be used on The City of Mercedes Projects.
 - m. Discuss the firm's core competencies (if applicable). Core Competencies refer to a firm's distinctive abilities or unique skills it acquires from its founders or develops that cannot be easily imitated. Core Competencies are what give a company one (1) or more competitive advantages, in creating and delivering value to its customers in its chosen field.
- 3. SECTION 3 – TESTING INFORMATION
 - a. Provide a list of testing services that the firm provides.
 - i. Indicate average length of time to complete each testing service
 - ii. Indicate which testing services that are specialties of the firm
 - iii. Indicate which testing services are provided by in-house staff and which are provided by sub-contractors.
 - b. Provide the average length of response time between a customer's first contact with the firm and the issuing of a price proposal.

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- c. Provide at least three (3) examples of testing service reports. It is preferred that sample reports are of testing services that are provided in-house by staff employed directly by Respondent's firm.
- 4. SECTION 4 – REFERENCES
 - a. At least three (3) references, other than The City of Mercedes, in the Rio Grande Valley or comparable size population area in Texas for which the firm has provided similar size and scope of work in the last five (5) years.
 - b. Provided Reference Form is not to be modified and must be completed in its entirety.

VI. SELECTION CRITERIA

- A. The responses for the RFQ will be evaluated using a one-hundred (100) point system on the following categories:
 - 1. Responsiveness to Request for Qualifications 15 points
 - a. Requested information included and thoroughness of response.
 - b. Adherence to formatting requirements.
 - c. Clarity and brevity of response.
 - 2. Staffing Plan 25 points
 - a. Provision for required disciplines and skills to complete testing services.
 - b. Provision for participation by firm's key personnel assigned to The City of Mercedes.
 - c. Qualifications of key personnel who will be performing tests on City of Mercedes Projects.
 - d. Availability of staff to provide testing services on City of Mercedes Projects.
 - 3. Capability to Provide Services 30 points
 - a. Background of the firm.
 - b. Relevant experience of the firm based on past services noted.
 - c. Specific experience on active projects. Preference will be given to those organizations who provide data where the same/similar services in size and scope have been performed. Prefer work experience to be from government entities (not with The City of Mercedes) and testing examples completed in the Rio Grande Valley Texas region or other comparable area(s) in Texas.

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- d. Methodology recommended to meet testing objectives of City of Mercedes projects.
 - e. Location of firm within the Rio Grande Valley Texas as well as evidence of an in-depth knowledge of the Rio Grande Valley Texas market for testing services as described in this RFQ.
 - f. Experience completing services with entities other than The City of Mercedes.
 - g. City of Mercedes experience with the firm's completion of testing services on City of Mercedes projects.
4. Available In-House Testing Services 20 points
- a. Quantity of in-house tests that the firm offers.
 - b. Quality of sample testing reports.
 - i. Data provided on report
 - ii. Clarity and ease of use
 - c. Length of time it takes to provide price proposals.
 - d. Length of time it takes to provide test reports.
5. References 10 points

TOTAL POINTS: 100 Points

- B. Once Qualification Statements are reviewed and scored, a short list will be compiled. Interviews may be conducted with the firms determined to be the most qualified and additional information may be required at that time. The City of Mercedes Commissioners Court will approve the final selection as well as the proposed contract, if applicable.
- C. Negotiations will include selection of specific services in the best interests of Tarrant County. The selected firm must be prepared to enter negotiations with each service individually represented by costs and necessity to the overall analysis. City of Mercedes may elect to contract with any and all of the proposed services on an as needed basis.
- D. City of Mercedes shall rank those firms qualified in order as outlined above. The City of Mercedes will perform interviews and/or initiate negotiations regarding the construction materials testing and geotechnical engineering services with the awarded firm(s) on an as-needed basis. The City of Mercedes reserves the right to select one (1) or more firms for each of the projects as each project is scheduled, or any combination for the various projects, based on a particular expertise or availability.

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VII. VENDOR SUBMITTED TERMS AND CONDITIONS

- A. This RFQ proposal outlines all terms and conditions. In the event of a discrepancy between a vendor's proposed terms and conditions and The City of Mercedes' terms and conditions, The City of Mercedes' terms and conditions will supersede a vendor's proposed terms and conditions.
- B. If a vendor wishes to submit additional terms and conditions in their responses, they must include their additional terms and conditions in this RFQ response by using the provided form titled "Deficiencies and Deviations Form". Priority will be given to those vendors who do not take any exceptions to City of Mercedes terms and conditions.
- C. When submitting price proposals that list any additional terms and conditions, awarded vendors will be required to remove any additional terms and conditions that are not listed in this Request for Qualifications

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REFERENCES

Please list three (3) references, **other than past or present employees of City of Mercedes**, who can verify your performance as a Respondent. Performance includes, but is not limited to, sales and/or service, delivery, invoicing, and other items as may be required for City of Mercedes to determine Respondent's ability to provide the intended goods or service of this request. The County **PREFERS** references to be from Government customers. References must be able to verify the quality of service Respondent's company provides and that the company has completed a project of similar size and scope of work in the Request. Inaccurate, obsolete or negative responses from the listed references could result in rejection of your response.

Failure to supply required references will deem Respondent as non-responsive and will not be considered for award.

Respondent involvement with reference checks is not permitted. Only City of Mercedes or its designee will conduct reference checks. Any deviation to this will result in rejection of your response.

*****DO NOT LIST CITY OF MERCEDES AS A REFERENCE*****

REFERENCE ONE

GOVERNMENT/COMPANY NAME: _____

ADDRESS: _____

CONTACT PERSON AND TITLE: _____

TELEPHONE NUMBER: _____

E-MAIL ADDRESS: _____

SCOPE OF WORK: _____

CONTRACT PERIOD: _____

REFERENCE TWO

GOVERNMENT/COMPANY NAME: _____

ADDRESS: _____

CONTACT PERSON AND TITLE: _____

TELEPHONE NUMBER: _____

E-MAIL ADDRESS: _____

SCOPE OF WORK: _____

CONTRACT PERIOD: _____

REFERENCES MUST BE RETURNED WITH RESPONSE!

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REFERENCES

REFERENCE THREE

GOVERNMENT/COMPANY NAME: _____

ADDRESS: _____

CONTACT PERSON AND TITLE: _____

TELEPHONE NUMBER: _____

E-MAIL ADDRESS: _____

SCOPE OF WORK: _____

CONTRACT PERIOD: _____

REFERENCES MUST BE RETURNED WITH RESPONSE!

SIGNATURE FORM

The undersigned, on behalf of and as the authorized representative of Respondent, agrees this RFQ becomes the property of The City of Mercedes after the official opening.

The undersigned affirms the Respondent has familiarized itself with the local conditions under which the work is to be performed; satisfied itself of the conditions of delivery, handling and storage of equipment and all other matters that may be incidental to the work, before submitting a response.

The undersigned agrees, on behalf of Respondent, that if this response is accepted, Respondent will furnish all items/services upon which price(s) are offered, at the price(s) and upon the terms and conditions contained in the specifications. The period for acceptance of this response will be fifteen (15) calendar days.

The undersigned affirms that they are duly authorized to execute this contract, that this RFQ has not been prepared in collusion with any other Respondent, nor any employee of The City of Mercedes, and that the contents of this RFQ have not been communicated to any other Respondent or to any employee of The City of Mercedes prior to the official opening of this RFQ.

Respondent hereby assigns to The City of Mercedes all claims for overcharges associated with this contract which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and which arise under the antitrust laws of the State of Texas, Tex. Bus. & Com. Code, Section 15.01, et seq.

The undersigned affirms that they have read and do understand the specifications and any attachments contained in this RFQ package. ***Failure to sign and return this form will result in the rejection of the entire response.***

Signature _____ **X**
Authorized Representative

LEGAL NAME AND ADDRESS OF COMPANY:

Date _____
Name _____
Title _____
Tel. No. _____ FAX No. _____

E-Mail Address: _____

AFTER HOURS EMERGENCY CONTACT:

Name: _____ Tel. No. _____

THIS FORM MUST BE SIGNED. THE ORIGINAL WITH ORIGINAL SIGNATURE AND FOUR (4) COPIES MUST BE RETURNED WITH RESPONSE!



Did you provide References,
sign your Response and/or
your Addendum?

If not, your Response
will be rejected.

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COMPANY IS:

Business included in a Corporate Income Tax Return? _____YES _____NO

_____Corporation organized & existing under the laws of the State of _____

_____Partnership consisting of _____

_____Individual trading as _____

_____Principal offices are in the city of _____

DUNS Number: _____

NAICS Code: _____

THE ORIGINAL AND FOUR (4) COPIES OF THIS FORM MUST BE RETURNED WITH RESPONSE!

COMPLIANCE WITH FEDERAL AND STATE LAWS

CERTIFICATION OF ELIGIBILITY

By submitting a Response in response to this solicitation, the Respondent certifies that at the time of submission, they are not on the Federal Government’s list of suspended, ineligible, or debarred entities.

In the event of placement on the list between the time of Response submission and time of award, the Respondent will notify the The City of Mercedes. Failure to do so may result in terminating this contract for default.

RELATING TO STATE CONTRACTS WITH AND INVESTMENTS IN COMPANIES THAT BOYCOTT ISRAEL AND INVESTMENTS IN COMPANIES THAT DO BUSINESS WITH IRAN, SUDAN, OR ANY KNOWN FOREIGN TERRORIST ORGANIZATIONS.

Respondent verifies that they do not boycott Israel and will not boycott Israel in accordance with Texas Government Code Sections 2270.001(2) and 808.001 during the term of this contract. Respondent further verifies that they are not engaged in business with Iran, Sudan, or any foreign terrorist organization. The term “foreign terrorist organization” means an organization designated as a foreign terrorist organization by the United States Secretary of State as authorized by 8 U.S.C. Section 1189.

DISCLOSURE OF INTERESTED PARTIES

The law states that a governmental entity may not enter into certain contracts with a non-exempt business entity unless the business entity submits a disclosure of interested parties to the governmental entity. By submitting a Bid in response to this solicitation, the Respondent agrees to comply with HB 1295, Government Code 2252.908. Respondent agrees to provide City of Mercedes, and/or requesting department, the “Certificate of Interested Parties,” Form 1295 as required, within **ten (10)** business days from notification of pending award, renewal, amended or extended contract.

Signature _____ X

THIS FORM MUST BE SIGNED.

**THE ORIGINAL WITH ORIGINAL SIGNATURE AND FOUR (4) COPIES MUST BE RETURNED
TH RESPONSE!**

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SUBCONTRACTORS

Respondents shall list below **all** work that will be subcontracted under this contract. Provide the company name of all sub-contractors identified by the RFQ due date in the space provided. Respondents should also indicate which areas will be subcontracted to DBE firms and the percentage to be subcontracted to DBE firms.

AREA TO BE SUBCONTRACTED	COMPANY NAME OF SUB-CONTRACTOR	DOLLAR VALUE	DBE PARTICIPATION		
			CHECK ONE		DBE %
			YES (or)	NO	
TOTAL					

THE ORIGINAL AND FOUR (4) COPIES OF THIS FORM MUST BE RETURNED WITH RESPONSE!

NO-BID RESPONSE

In the event that your organization chooses not to submit a bid/proposal for this solicitation, the City of Mercedes is interested in the reasons why vendors have chosen not to submit bids/proposals in order to better serve the taxpayers of The City of Mercedes. Please indicate your reason(s) by checking all applicable items below and return this form to the address shown below.

- Could not meet specifications.
- Items or materials requested not manufactured by us or not available to our company.
- Insurance requirements too restricting.
- Bond requirements too restricting.
- Scope of services not clearly understood or applicable (too vague, too rigid, etc.)
- Project not suited to our organization.
- Quantities too small.
- Insufficient time allowed for preparation of bid/proposal.
- Other (please specify).

Vendor Name: _____

Contact Person: _____

Telephone: _____

Email: _____

Please send your response to:

City of Mercedes
400 S Ohio Ave
Mercedes, TX 78570