

Port Arthur Independent School District Purchasing Department

Competitive Sealed Proposal NETWORK CABLING OF SCHOOL FACILITIES DECEMBER 17, 2009

Section 1

General

1. Port Arthur Independent School District (PAISD) is soliciting sealed proposals (RFP) for **NETWORK CABLING OF SCHOOL FACILITIES** for the development and upgrades to the district's Wide Area Network and local area networks at some or all of the schools.

It is the intention of Port Arthur Independent School District to award the contract to the company or companies that appears most advantageous to the district.

2. Contact Persons: Joe Escobedo, Purchasing (409) 989-6264
Beverly Thornton, Technology (409) 460-0780
3. **Two copies of proposals will be received NO LATER THAN 9:00 a.m. on Thursday, January 14, 2010 in the Purchasing Department of the Port Arthur Independent School District Administration Building, first floor, 733 5th Street, P.O. Box 1388, Port Arthur, Texas 77640.**
4. **THERE WILL BE A PRE BID CONFERENCE AT 9:00 A.M. ON Thursday, January 7, 2010 AT THE ADMINISTRATION BUILDING, THIRD FLOOR CONFERENCE ROOM, 733 5TH STREET, PORT ARTHUR, TEXAS 77640. CONTACT PERSON: Mrs. Beverly Thornton, Technology, (409) 460-0780 or (409) 989-6287.**
5. **FAXED PROPOSALS WILL NOT BE ACCEPTED.**

Section 2 - Terms and Conditions

- 2.1 The terms of this agreement will be mutually agreed upon.
- 2.2 PAISD reserves the right to accept or reject all or any part of any bid, waive minor technicalities, and award the proposal to serve the best interest of the PAISD.
- 2.3 In evaluating qualified proposals, the following considerations will be taken into account for award recommendations: overall quality and value to the district, suitability for the intended purpose and overall cost to the district.
- 2.4 PAISD reserves the right to cancel this contract without pecuniary risk or penalty upon written notice of the intent. The board reserves the right to cancel this contract upon written notice of the intent.
- 2.5 If at any time the vendor fails to fulfill or abide by the terms, conditions, or specifications of this contract, PAISD reserves the right to cancel upon thirty days written notification of the intent.

Section 3 - Insurance

- 3.1 Vendor MUST provide evidence of liability and worker's compensation insurance with this proposal.** PAISD retains the right of approval for insurance coverage.
- 3.1.1 Each Proposal must be accompanied by a Proposal Guaranty in the amount of five percent (5%) of the estimated construction budget for the Project. Provided, however, if an Offeror submits more than one Proposal, the Offeror shall submit only one Proposal Guaranty which shall be in the amount of five per cent (5%) of the estimated construction budget of the largest Project for which Offeror is submitting a Proposal.
- 3.1.2 The Proposal Guaranty shall be in the form of either (i) a cashier's check written on a Bank with one or more branch offices located in Texas, payable to the order of the Port Arthur Independent School District (and should be dated no earlier than one month before the deadline for Proposal submission), or (ii) a Proposal Bond in the form included with this Request for Proposals issued by a corporate surety authorized to do business in the State of Texas, that is listed on the U.S. Treasury list of approved sureties. Offeror must list in the blanks in the top left corner of the Proposal Bond each Project for which Offeror is submitting a Proposal.
- 3.1.3 The Proposal Guaranty will be held until the selected Offeror has signed the Contract and provided the required insurance and payment and performance bonds as provided in these instructions.
- 3.1.4 Should the selected Offeror for a particular Project fail or refuse to sign the Contract applicable to such Project and/or provide the required insurance and payment and performance bonds for such Project as provided for in these instructions, then the Offeror's Proposal Guaranty will be forfeited to PAISD as liquidated damages and not as a penalty and PAISD may, in its discretion, disqualify the Offeror from selection for any or all other Projects for which Offeror has submitted a Proposal.

- 3.2.1 Under government code §2253.021, performance (if in excess of \$100,000) and payment bonds (if in excess of \$25,000) will be required for the full amount of the contract.**
- 3.2.2 The vendor shall agree to waive all right of subrogation against the district, its officials, employees and volunteers for losses arising from work performed by the engineers/consultants/architects for the district.
- 3.2.3 The vendor agrees to indemnify and hold harmless owner, its Board of Trustees, individually and in their capacities, and all employees and agents of owner, from any and all claims, actions, demands, suits, causes or otherwise, for personal injury, death or property damage, arising out of or related directly or indirectly to the project, brought by or on behalf of any person, group of persons, or legal entity.

SUBMISSION OF BID: Two copies of proposals shall be submitted no later than 9:00 a.m. on Thursday, January 14, 2010 at the Port Arthur Independent School District Administration Building in the Purchasing Department, 733 5th Street, Port Arthur, Texas where they will be opened and read aloud publicly.

Two Copies of the Proposals must be submitted in a sealed envelope marked "NETWORK CABLING OF SCHOOL FACILITIES". Bids may be modified or withdrawn prior to the opening of the proposals.

Section 4 - Non-Collusive Bidding Certificate

NON-COLLUSIVE BIDDING CERTIFICATE

By submission of this proposal, the bidder certifies that:

- a) This bid or proposal has been independently arrived at without collusion with another bidder or with any competitor;
- b) This bid or proposal has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of bids, or proposals for this project, to any other bidder, competitor or potential competitor;
- c) No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a proposal;
- d) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the bidder as well as to the person signing in its behalf.
- e) **THE FAILURE TO SIGN THIS CERTIFICATE MAY BE CAUSE FOR YOUR BID TO BE REJECTED.**

Company Name

Authorized Signature

Title

Section 5 - Criminal Notification

FELONY CONVICTION NOTIFICATION

State of Texas Legislative Senate Bill No. 1, Section 44.034, Notification of Criminal History, Subsection (a), states "a person or business entity that enters into a contract with a school district must give advanced notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony."

Subsection (b) states "a school district may terminate a contract with a person or business only if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in a conviction. The district must compensate the person or business entity for services performed before the termination of the contract."

I, the undersigned agent for the firm named below, certify that the information concerning notification of felony convictions has been reviewed by me and the following information furnished is true to the best of my knowledge.

Vendor's Name: _____

Authorized Company Official's Name (Printed): _____

A. My firm is a publicly-held corporation, therefore, this reporting requirement is not applicable.

Signature of Company Official: _____

B. My firm is not owned nor operated by anyone who has been convicted of a felony:

Signature of Company Official: _____

C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony:

Name of Felon(s): _____

Details of Conviction(s): _____

Signature of Company Official: _____

Section 6 - Proposal Preparation Instructions:

6.0 GENERAL

In order to facilitate the timely evaluation of proposals, a standard format for proposal submission must be used by vendors which is described below.

Please include the name, title, address, and telephone number of the contact person for questions on your proposal.

6.1. Proposal Life

A statement must be included which indicates the length of time during which PAISD may rely on all proposal commitments.

6.2 General

This section of the Business Proposal may be used to introduce or summarize any information the vendor deems relevant or important to PAISD's successful acquisition of the services and products described in the RFP.

6.3 References

This section must include a list of at least three (3) clients to whom your company has provided services. The name, address, and telephone number of a person who may be contacted for further information must be included. It is highly desirable that some of these reference be other school districts or public sector accounts comparable in size.

6.4 Non-Collusion Affidavit

The authorized person must sign a non-collusion affidavit. A fully executed copy of the required affidavit is contained in Section 4. **The original signed affidavit is to be included in the proposal in order for proposal to be considered.**

6.5 Felony Conviction Notification

The authorized person must sign a felony conviction notification. A fully executed copy of the required affidavit is contained in Section 5. **The original signed affidavit is to be included in the proposal in order for the proposal to be considered.**

6.6 Conflict of Interest

The authorized person must sign a conflict of interest affidavit. A fully executed copy of the required affidavit can be downloaded at:

http://www.ethics.state.tx.us/whatsnew/conflict_forms.htm.

The original signed affidavit is to be included in the proposal in order for the proposal to be considered.

6.7 Evaluation Criteria

Final evaluation of this bid will be based on the Texas Educational Code 44.031 (b) per item #14 on the General Conditions. Evaluation of pricing will be base on Unit Price value to be submitted on the "Pricing Sheet"

Evaluation Criteria	Recommended Point Value
Purchase Price	35
Reputation of the vendor and vendor's good or services	10
Quality of the vendor's good or services	15
Extent to which the good or services meet the district's needs	10
Vendor's past relationship with the district	10
Impact of district's compliance with laws and rules relating to Historically Underutilized Businesses	5
Total long-term cost to the district	5
Other relevant factors specifically listed in the RFP	10
Total Points	100

Section 7 - Proposal Preparation Instructions:

7.0 SUBMISSION OF PROPOSALS

PAISD Purchasing Department must receive all proposals at the address below no later than **NO LATER THAN 9:00 a.m. on Thursday, January 14, 2010**. Two copies of the proposal shall be delivered to PAISD on or before the due date. **The proposal must follow the format as indicated in this section.** All proposals must be addressed to:

**Port Arthur Independent School District
Purchasing Department
733 5th Street
P.O. Box 1388
Port Arthur, Texas 77641**

All proposals must be in an envelope clearly marked **NETWORK CABLING**. No proposal that is received by PAISD after the due date and time will be considered for award. Any late proposals will be returned unopened to the vendor upon request only. **Faxed proposals will not be accepted.**

7.1 WITHDRAWAL OF OFFERS

Responses to the RFP may be withdrawn by written notice received prior to the due date and time specified for receipt of the proposal.

7.2 CONFIDENTIAL INFORMATION

Vendors to the RFP are advised that material contained in their proposals are subject to the Public Information Act and may be viewed and/or copied by any member of the public, including news agencies and competitors.

7.3. PAISD reserves the right to reject any or all proposals received, or to award a contract on the basis of initial offers received without discussions or clarifications. Therefore, the proposal should contain the vendor's best price and technical response based on the RFP.

7.4 Following an evaluation of the best offers, PAISD will select the offer that is most advantageous to PAISD, considering price or cost and the evaluation factors in the RFP.

7.5 PAISD also reserves the right to conduct clarifications to resolve minor issues.

Section 8 - Proposal Preparation Instructions:

8.0 PAISD OBLIGATIONS

PAISD accepts no obligations for costs incurred by vendors responding to this RFP or on being awarded the contract. PAISD reserves the right to select a proposal without discussion with the vendors. It is understood that proposals shall become part of PAISD's official files. Retention of these proposals does not obligate PAISD to any action. PAISD reserves the right to reject any and all proposals received.

8.1 TAXES

PAISD is exempt from state, federal, and local taxes, and will not be responsible for any taxes levied on the company as a result of the contract resulting from this RFP.

8.2 EQUAL OPPORTUNITY

It is the public policy (CHE LOCAL) of PAISD, at all levels of procurement, to promote equal opportunity in employment and in contracting opportunities, and to promote and encourage the participation of Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs), small and other disadvantaged business entities in employment and contracting opportunities involving the State as fully as possible. The term "minority business enterprise" means a business at least 51 percent of which is owned, controlled and managed by minority group members. PAISD, therefore, is committed to pursue such avenues in its employment and contracting activities which will further the goals of this policy.

Similarly, a demonstrated commitment consistent with the goals of this policy by those with whom the PAISD does business, including those vendors responding to the solicitation, is highly desirable by PAISD.

Specifications

All cabling installations will be performed within industry standards utilizing Category 6 rated copper cabling, single-mode fiber, and multi-mode fiber cabling materials and installation techniques.

Proposal Response Pricing

As product models change during the agreement term or any term extension, proposal responses are to include a description of the proposal price that can be tracked and verified during the term of the agreement. Should the response be a discount from National Education Price List (NEP), Manufacturer's Suggested Retail Price (MSRP), Cost-Plus, current catalog pricing, promotional pricing, volume discounts or quantity price breaks, the response is to describe the pricing formula clearly. Pricing audits will be performed during the contract term in order to determine pricing validity.

Warranty

Provide warranty coverage terms and conditions for all items listed in the supplier's proposal response.

Return Policy

Provide product return process for all items listed in the supplier's proposal response.

Requirements

SCOPE OF WORK:

1. Provide pricing for Category-6 rated network cabling materials which include per hour costs and common material costs.
2. Labor pricing should be on the same quote as materials and reflect total man-hours required to complete the job.
3. Provide additional costs, if any for updating master as-built drawing and supporting documents for new cable installation, changes to existing cabling installation if required, and Quality Control/Assurance reporting.
4. The following list is a representation of a typical PAISD cabling project's parts. Please quote on, or in, one document using the following guidelines:
 - a) The following list of PAISD approved common materials on a per unit basis
 - b) The associated labor per part unit
 - c) A column for each line item totaling the cost associated per line item
 - d) A subtotal of the costs for all parts at the bottom of the quote
 - e) A subtotal of the costs for all labor associated with each line item at the bottom of the quote
 - f) Add line items for miscellaneous and/or management cost, documentation, certification, & QC/QA, in addition to the subtotal for parts and labor, below the subtotals for parts and labor.
 - g) A grand total displaying the entire cost for the job
 - h) These criteria or guidelines have applied to all E-Rate related jobs within PAISD during the past two years:

Data Cabling			
Quantity	Unit(s)	Part Number	Description
75300	Feet	Belden 7882A	Cat 6 Data cable Green
1600	Feet	Corning-C 012X88-A9033-A3	12-F Hybrid MIC Plenum Armored
742	Each	Panduit CJ688TPGR	1 port Mod Jack IDC 8W8P UTP Data Jack
278	Each	Panduit CHB2MEI-X	Blank Insert 2 Units
224	Each	Panduit CHF2MEI-X	2-Port Module Inserts
6	Each	CPI 55053-503	Relay Rack 84"H x 19"W
24	Each	CPI 11308-001	Cable Runway J-Bolt Kit
12	Each	CPI 11421-712	Cable Runway Support Kit
6	Each	CPI 10250-712	Cable Runway Ladder Rack
2	Each	CPI 10642-001	Cable Runway Endcaps
6	Each	CPI 10595-712	Cable Runway Mounting Plate
138	Each	Panduit CBEWH	Single Gang Flush Mount FacePlate
84	Each	Panduit CBEWH-2G	Double Gang Flush Mount FacePlate
18	Each	Panduit NCMH2	Horizontal Cable Management
11	Each	Panduit WMPV45	Vertical Cable Management
13	Each	Panduit CPP48WBL	48-Port Blank Panel
4	Each	Corning-C CCH-01U	12/48F Rack Mount Enclosure
1	Each	Corning-C CCH-02U	24/96F Rack Mount Enclosure
7	Each	Corning-C CCH-CP12-59	6-Port Panel SC Dup SM Loaded
7	Each	Corning-C CCH-CP12-E7	12-F CCH Panel W/6 SC Duplex
48	Each	Corning-C 950-050-41-X	SC UniCam Connector 50/125
48	Each	Corning-C 95-250-08	SC Connector SM Cer Epoxy OC 3.0mm
371	Each	Panduit UTPSP6GR	Cbl Assy. Mod 24-4pr. Cat6 6ft. Patch Cord
371	Each	Panduit UTPSP12GR	Cbl Assy. Mod 24-4pr. Cat6 12ft. Patch Cord
7	Each	JAR F2LCSC50/12510G	SC to LC 5m Fiber Patch Cord – 50 micron
7	Each	JAR F2SCSC50/12510G	SC to SC 5m Fiber Patch Cord – 50 micron
6	Each	CPI 10610-019	Ground Bar

Voice Cabling			
Quantity	Unit(s)	Part Number	Description
13400	Feet	Belden 1585A	Cat 5E White
70	Each	Panduit CJ5E88TWH	1-Port Mod Jack IDC 8W8P UTP Voice Jack
1600	Feet	CMP-02524SAP-3	24-25 pr. UTP-CMP SOL BC Cat3
5	Each	BackBoard 183B1	BackBoard Full Field Assy. (BLUE)
5	Each	BackBoard 187B1	BackBoard Full Field Assy. (Mushroom)
8	Each	Siemon S66M1-50	50 pr. Block IDC 66

Video and Hi/Low Voltage Cabling			
Quantity	Unit(s)	Part Number	Description
630	Feet	Belden YQ48294	25-5C Stranded TC DuoFoil
84	Each	Panduit CHSVGA15HDWH/N	VGA Female Insert
84	Each	Panduit CJRYWH	RCA 110 PunchDown Jack Yellow/Ivory
84	Each	Panduit CJRRWH	RCA 110 PunchDown Jack Red/Ivory
84	Each	Panduit CJRWWH	RCA 110 PunchDown Jack White/Ivory
84	Each	Panduit CJSVWH	S-Video 110 Style Punchdown Jack
50	Each	Panduit CMFBAEI	1-Port F Type Insert
86	Each	Gilbert GF6AHS/USA	F-Male .360 Crimp for RG6
6	Each	Gilbert GF22AHS460	F-Male .100/.475 Hex Crimp
9800	Feet	Belden 1152A	RG6 18 SOL BC FFEP DuoFoil+
1600	Feet	Belden 1153A	RG11 14 SOL BCCS FFEP DuoFoil+

5. Please provide an additional quote for the specified quantity of manhours and associated cost if you were not associating a labor cost to each line item unit for the project as listed in Item 4 above.

Labor Alone			
Quantity	Unit(s)	Part Number	Description
1300	1 hour	ManHours of Labor	ManHours of Labor

6. Please quote the following list of PAISD approved common materials on a per unit basis for any non E-Rate related jobs within PAISD:

Standardized Cabling Parts			
Quantity	Unit(s)	Part Number	Description
1	Feet	Belden 7882A	Cat 6 Data cable Green
1	Feet	Corning-C 012X88-A9033-A3	12-F Hybrid MIC Plenum Armored
1	Each	Panduit CJ688TPGR	1 port Mod Jack IDC 8W8P UTP Data Jack
1	Each	Panduit CHB2MEI-X	Blank Insert 2 Units
1	Each	Panduit CHF2MEI-X	2-Port Module Inserts
1	Each	CPI 55053-503	Relay Rack 84"H x 19"W
1	Each	CPI 11308-001	Cable Runway J-Bolt Kit
1	Each	CPI 11421-712	Cable Runway Support Kit
1	Each	CPI 10250-712	Cable Runway Ladder Rack
1	Each	CPI 10642-001	Cable Runway Endcaps
1	Each	CPI 10595-712	Cable Runway Mounting Plate
1	Each	Panduit CBEWH	Single Gang Flush Mount FacePlate
1	Each	Panduit CBEWH-2G	Double Gang Flush Mount FacePlate
1	Each	Panduit NCMH2	Horizontal Cable Management
1	Each	Panduit WMPV45	Vertical Cable Management
1	Each	Panduit CPP48WBL	48-Port Blank Panel
1	Each	Corning-C CCH-01U	12/48F Rack Mount Enclosure
1	Each	Corning-C CCH-02U	24/96F Rack Mount Enclosure
1	Each	Corning-C CCH-CP12-59	6-Port Panel SC Dup SM Loaded
1	Each	Corning-C CCH-CP12-E7	12-F CCH Panel W/6 SC Duplex
1	Each	Corning-C 950-050-41-X	SC UniCam Connector 50/125
1	Each	Corning-C 95-250-08	SC Connector SM Cer Epoxy OC 3.0mm
1	Each	Panduit UTPSP6GR	Cbl Assy. Mod 24-4pr. Cat6 6ft. Patch Cord
1	Each	Panduit UTPSP12GR	Cbl Assy. Mod 24-4pr. Cat6 12ft. Patch Cord
1	Each	Panduit C3BL6	Vertical Cable Management
1	Each	Panduit CBX4EI-A	Surface Mount Box-4
1	Each	Panduit CJ5E88T-BU	Mini-Jack TX-5e™
1	Each	Panduit CPP24WBL	24 Port Patch Panel
1	Each	Panduit CPP48WBL	48 Port Patch Panel
1	Each	Panduit WMPHF2	Wire Management Panel
1	Each	Pyramid PLM100T	1" Interduct-Plenum w/Tape
1	Each	JAR F2LCSC50/12510G	SC to LC 5m Fiber Patch Cord – 50 micron
1	Each	JAR F2SCSC50/12510G	SC to SC 5m Fiber Patch Cord – 50 micron
1	Feet	AmeriFlex EF16	@' Seal-Tite
1	Each	Tripp-Lite IBAR-12	Rack Mount Surge Protector 15 Amp
1	Each	CPI 10610-019	Ground Bar
1	Each	CPI 11632-518	38"H x 19"H Wall Mount Rack
1	Each	ManHour	Manhour(s) of Labor (Labor Rate)

EVALUATION PROCESS

PAISD will award the contract to the responsible service provider who best meets the needs of PAISD. To determine this service provider, PAISD will apply the best value concept. Criteria will include, but is not limited to:

1. The ability, capacity, and skill of the service provider to provide the service and support as described.
2. The service provider's familiarity with PAISD requirements and attendance at the pre-RFP conference.
3. The service provider's character, integrity, reputation, judgment, experience, and efficiency.
4. Performance on previous purchases or contracts with PAISD.
5. A proposal that is functional, but is also flexible enough to offer alternatives and future opportunities.
6. A solution that can interface and integrate with existing systems and equipment.
7. A solution that can be supported and maintained without excessive cost to the district.

DEFAULT CONDITIONS

If the contracted service provider breaches any provision, becomes insolvent, enters voluntary or involuntary bankruptcy or receivership proceedings, or makes an assignment for the benefit of creditors, PAISD will have the right (without limiting any other rights or remedies that it may have in the contract or by law) to terminate this contract with five days written notice to the service provider.

PAISD will then be relieved of all obligations, except to pay the value of the service provider's prior performance (at not exceeding the contract rate). The service provider will be liable to PAISD for all cost exceeding the contract price that PAISD incurs in completing or procuring the service as described in this document. PAISD's right to acquire strict performance of any obligation in this contract will not be affected by any previous waiver, forbearance or course of dealing.

UPGRADING SERVICES

The contracted service provider will inform PAISD of upgrade-able services in a timely manner and within reason, provide this upgraded service to PAISD without penalty. The District reserves the right to negotiate with the awarded service provider for modifications, upgraded service offerings, or performance enhancements not specifically set forth within this RFP document or included in the service providers original proposal prior to final contract ratification.

PAYMENT AND FUNDING

A portion of the payment for this contract will come from the USF Fund. The service provider is to acknowledge that approval and payment for this contract is pending E-Rate funding. PAISD is eligible for a certain percentage of discount, to be verified by the SLD. PAISD is responsible for the percentage of contractual obligation not discounted by the SLD. PAISD standard payment terms are net 30 and those terms apply to this contract.

SERVICE PROVIDER INVOICING

The contracted service provider will adjust their billing policy and process to conform to the USF Fund and the E-Rate payment plan. The contracted service provider will invoice a percentage of the service and support provided, directly to PAISD. This percentage will be provided by PAISD to the service provider at such time as it becomes available. The service provider will invoice the SLD or the USF Fund Administration Designee the remaining percentage of the contracted amount. This invoice may be produced on a monthly or quarterly period. The contracted service provider will show the full amount of the invoice and then show the appropriate percentage due from PAISD and from the USF Fund.

ABOUT THE SCHOOLS AND LIBRARIES DIVISION

The Universal Service Fund is administered by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC). This not-for-profit corporation was appointed by the Federal Communications Commission (FCC) to ensure that the benefits of telecommunications services reach students and communities across the country. Service providers responding to this RFP must be currently registered with the SLD and provide valid Service Provider Identification (SPIN) in the proposal response. For more information, visit the Schools and Libraries Division Website at: www.sl.universalservice.org

PORT ARTHUR ISD– PURCHASING DEPARTMENT

Notice to Vendors: Conflict of Interest Questionnaire Required by Chapter 176 of the Texas Local Government Code

Effective January 1, 2006, any person or entity who contracts or seeks to contract with PAISD for the sale or purchase of property, goods, or services as well as agents of such persons, (hereafter referred to as Vendors) are required to file a Conflict of Interest Questionnaire with the District. Each covered person or entity who seeks to or who contracts with PAISD is responsible for complying with any applicable disclosure requirements.

The Conflict of Interest Questionnaire must be filed:

- No later than the seventh business day after the date that the Vendor begins contract discussions or negotiations with the government entity, or submits to the entity an application, response to a request for proposal or bid, correspondence, or other writing related to a potential agreement with the entity.
- The Vendor also shall file an updated questionnaire no later than September 1 of each year in which a covered transaction is pending, *and* the seventh business day after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

Note: A Vendor is not required to file an updated questionnaire if the person had filed an updated statement on or after June 1, but before September 1 of the year.

The Conflict of Interest Questionnaire may be downloaded from the Texas Ethics Commission's website at http://www.ethics.state.tx.us/whatsnew/conflict_forms.htm.

Completed forms should be sent to:

Port Arthur Independent School District
Att'n: Purchasing Department
P. O. Box 1388
Port Arthur, Texas 77641-8888

The Local Government Officers of the Port Arthur Independent School District are:

Board of Trustees: Kenneth Marks, President
 Theodore Victor, Vice President
 Kenneth Lofton, Secretary
 Willie Mae Elmore
 Gregory Flores
 Mary Jean George
 Lloyd Marie Johnson

Superintendent: Johnny E. Brown, Ph.D.



PAISD L/M/WBE SPECIFICATIONS FORM SPECIAL INSTRUCTIONS FOR BIDDERS

APPLICATION OF POLICY

If the total dollar value of the contract is \$25,000.00 or more, the L/M/WBE goals are applicable. If the total dollar value of the contract is less than \$25,000.00, the L/M/WBE goals are not applicable.

POLICY STATEMENT

It is the policy of PAISD to ensure the full and equitable participation by L/M/WBE firms in the procurement of all goods and services to PAISD on a contractual basis. The objective of the Policy is to increase the use of L/M/WBE firms to a level comparable to the availability of qualified L/M/WBE firms, which provide goods and services directly or indirectly to PAISD.

L/M/WBE PROJECT

PAISD L/M/WBE minimum goal on this project is 25% of the base bid value of the contract.

COMPLIANCE TO BID SPECIFICATIONS

For PAISD contracts of \$10,000.00 or more, bidders are required to comply with the intent of the PAISD's L/M/WBE PLAN by either of the following:

1. Meet or exceed the above stated minimum L/M/WBE 25 % or
2. Good Faith Effort documentation.

SUBMITTAL OF REQUIRED DOCUMENTATION

The applicable documents must be received by the Managing Department, within the following times allocated, in order for the entire bid to be considered responsive to the specifications.

- | | |
|--------------------------------|---|
| 1. L/M/WBE Affidavit Statement | received with the bid documents on bid opening date |
| 2. L/M/WBE Utilization Form | received with the bid documents on bid opening date |
| 3. Good Faith Effort Form | received with the bid documents on bid opening date |

FAILURE TO COMPLY WITH PAISD's L/M/WBE PLAN WILL RESULT IN THE BID BEING CONSIDERED NON-RESPONSIVE.



PAISD L/M/WBE SPECIFICATIONS FORM AFFIDAVIT STATEMENT

Project Name: _____

Project No.: _____ PAISD _____ %

FAILURE TO SUBMIT THIS COMPLETED AFFIDAVIT STATEMENT WITH THE BID AT TIME OF BID OPENING WILL RESULT IN THIS BID BEING CONSIDERED NON-RESPONSIVE.

The undersigned bidder hereby certifies that they will comply with PAISD's L/M/WBE Plan and the specifications of this bid in the following manner:

[Check all applicable categories]

1. ___ THE L/M/WBE PARTICIPATION WILL MEET OR EXCEED THE STATED 25%, WILL COMPLETE THE L/M/WBE UTILIZATION FORM.
2. ___ THE L/M/WBE PARTICIPATION WILL BE LESS THAN THE STATED 25%, WILL COMPLETE THE UTILIZATION FORM AND GOOD FAITH EFFORT FORM.
3. ___ NO L/M/WBE PARTICIPATION, WILL COMPLETE GOOD FAITH EFFORT FORM.

Authorized Signature

Printed Signature

Title

Contact Name and Title (if different)

Company Name

_____-_____-_____/_____-_____-_____
Contact Telephone Fax

Address

Email Address

City/State/Zip Code

Date



PAISD L/M/WBE SPECIFICATIONS FORM L/M/WBE UTILIZATION

PRIME COMPANY NAME _____

BID DATE _____

PROJECT NAME _____

PROJECT NUMBER _____

PAISD'S L/M/WBE PROJECT: _____%

L/M/WBE PERCENTAGE ACHIEVED: _____%

The undersigned bidder agrees to enter into a formal agreement with the L/M/WBE firms for work listed in this schedule, conditioned upon execution of a contract with PAISD. The willful misrepresentation of facts is grounds for consideration of disqualification and will result in the bid being considered non-responsive.

Company Name, Contact Name, Address, Telephone Number, Fax Number	L/M/WBE	Cert. (*) Agency	Scope of Work	Specify Tier (**)	Dollar Amount

(*) Acceptable certifying agencies please specify

(**) Only first and second tier acceptable

THIS FORM MUST BE RECEIVED WITH THE BID DOCUMENTS ON BID OPENING DATE.

PAISD L/M/WBE SPECIFICATIONS FORM L/M/WBE UTILIZATION

Company Name, Contact Name, Address, Telephone, Fax and Email Address	L/M/WBE	Cert. (*) Agency	Scope of Work	Specify Tier (**)	Dollar Amount

The bidder further agrees to provide, directly to PAISD upon request, complete and accurate information regarding actual work performed by all Subcontractors, including L/M/WBE arrangements submitted with this bid. The bidder also agrees to allow an audit and/or examination of any books, records, and files held by their company that will substantiate the actual work performed by the L/M/WBE on this contract, by an authorized officer or employee of PAISD. Any willful misrepresentation will be grounds for terminating the contract or debarment from PAISD work for a period of not less than three (3) years and for initiating action under federal, state or local laws concerning false statements.

All L/M/WBE FIRMS MUST BE CERTIFIED or QUALIFIED BEFORE CONTRACT AWARD.

Authorized Signature

Company Name

Title

Date



PAISD L/M/WBE SPECIFICATIONS FORM GOOD FAITH EFFORT

In making a determination that a good faith effort has been made, PAISD requires the Bidder to complete these forms and submit supporting documentation explaining specifically how the Bidder has made a good faith effort to obtain L/M/WBE participation.

Prime Company Name Bid Date

Project Name Project Number

If you have failed to secure L/M/WBE participation, and you have subcontracting and/or supplier opportunities, or if your L/M/WBE participation is less than PAISD's project goal, you must complete this form.

If the Bidder's method of compliance with the L/M/WBE goal is based upon demonstration of a "good faith effort," the Bidder will have the burden of correctly and accurately preparing and submitting the documentation required by PAISD. Compliance with each item, 1 through 8 below, will satisfy the Good Faith Effort requirement absent proof of fraud, misrepresentation, or intentional discrimination by the Bidder.

Failure to complete this form in its entirety with supporting documentation and failure to include it with your bid will result in the bid being considered non-responsive.

1. Please list each and every subcontracting and/or supplier opportunity that will be used in the completion of this project, regardless of whether it is to be provided by a L/M/WBE or non-L/M/WBE. (Use additional sheets, if necessary)

List of: Subcontracting Opportunities

Supplier Opportunities

2. Did you obtain a current list of L/M/WBE firms from the PAISD Contracting Office? This list is considered in compliance if it is less than two months old from the date of bid opening.

- Yes
- No

Note: If an SIC list of L/M/WBE firms is five or less, the Bidder must contact the entire list to be in compliance with questions 4 and 5. If an SIC list of L/M/WBE firms is more than five, the Bidder must contact at least two-thirds of the list but not less than five to be in compliance with questions 4 and 5.

3. Did you attend the Pre-Bid Conference scheduled by the PAISD?

- Yes Date of Pre-Bid ___/___/___
- No
- N/A (Pre-Bid not scheduled by PAISD)

4. Did you request bids from L/M/WBE firms in attendance at the Pre-Bid Conference?

- Yes L/M/WBE Company Contacted Person
- No _____
- N/A (No L/M/WBE firms at Pre-Bid) _____
- _____
- _____

5. Did you solicit bids from L/M/WBE firms, within the subcontracting and/or supplier areas previously listed, on a timely basis by mail?

- Yes If yes, attach L/M/WBE mail listing and dated copy of letter mailed.
- No

6. Did you solicit bids from L/M/WBE firms, within the subcontracting and/or suppliers areas previously listed, on a timely basis by telephone?

- Yes If yes, attach list to include name of L/M/WBE firm, person contacted, phone number, and date of contact.
- No

7. Did you solicit bids from L/M/WBE firms, within the subcontracting and/or suppliers areas previously listed, on a timely basis by advertisement in local newspaper(s)?

- Yes If yes, attach copy(s) of advertisement, with date(s).
- No

Note: "On a timely basis" is considered ten (10) days prior to bid opening.



ADDITIONAL INFORMATION:

Please provide additional information you feel will further explain your good and honest effort to obtain L/M/WBE participation on this project.

The Bidder further agrees to provide directly to PAISD upon request, complete and accurate information regarding actual work performed on this contract, the payment thereof, and any proposed changes to the original arrangements submitted with this bid. The Bidder also agrees to allow an audit and/or examination of any books, records, and files held by their company that will substantiate the actual work performed on this contract, by an authorized officer or employee of PAISD.

Any willful misrepresentation will be grounds for terminating the contract or debarment from PAISD work for a period of not less than three (3) years and for initiating action under federal, state, or local laws concerning false statements.

The undersigned certifies that the information provided is true and complete and the L/M/WBE firm(s) listed was/were contacted in good faith. It is understood that any L/M/WBE firms listed will be contacted and the reasons for not using them can be verified.

Authorized Signature

Printed Signature

Title

Contact Name and Title (if different)

Company Name

_____-_____-_____/_____-_____-_____
Contact Telephone Fax

Address

Email Address

City/State/Zip

Date



PAISD JOINT VENTURE ELIGIBILITY FORM

All questions must be answered; use "NA" if applicable.

Name of Project: _____

A joint venture form must be completed on each project
RFP/Bid/Purchasing Number: _____

1. Joint Venture Information:

Joint Venture Name:			
Joint Venture Address: <i>(If applicable)</i>			
Telephone: ___ - ___ - ____	Fax: ___ - ___ - ____	E-mail Address:	
Cell: ___ - ___ - ____			
Identify the firms that comprise the joint venture: <i>Please attach extra sheets if additional space is required to provide detailed explanations of work to be performed by each firm comprising the joint venture</i>			
L/M/WBE Firm Name:		Non-L/M/WBE Firm Name:	
Business Address:		Business Address:	
City, State, Zip:		City, State, Zip:	
Telephone ___ - ___ - ____	Fax ___ - ___ - ____	E-mail Address	
Cell ___ - ___ - ____		Telephone ____ - ____ - ____	Fax ____ - ____ - ____
Certification Status:		E-mail Address	
Name of Certifying Agency:			

2. Scope of work performed by the Joint Venture:

Describe the scope of work of the L/M/WBE:	Describe the scope of work of the Non-L/M/WBE:



3. What is the percentage of L/M/WBE participation on this joint venture that you wish to be counted toward meeting the project baseline? _____

4. Attach a copy of the joint venture agreement.

5. List components of ownership of joint venture: *(Do not complete if this information is described in joint venture agreement)*

Profit and loss sharing:	
Capital contributions, including equipment:	
Other applicable ownership interests:	

6. Identify by name, race, sex and firm, those individuals (with titles) who are responsible for the day-to-day management and decision making of the joint venture:

Financial decisions (to include Account Payables and Receivables):	
Management decisions: a. Estimating	
b. Marketing and Sales	
c. Hiring and Firing of Management Personnel	
d. Purchasing of Major Equipment and/or Supplies	
Supervision of Field Operations	

PAISD Office will review your joint venture submission and will have final approval of the L/M/WBE percentage applied toward the baseline for the project listed on this form.

NOTE:

From and after the date of project award, if any of the participants, the individually defined scopes of work or the dollar amounts/percentages changes from the originally approved information, then the participants must inform PAISD Office immediately for approval. Any unjustified change or deletion shall be a material breach of contract and may result in debarment in accord with the procedures outlined in PAISD Ordinance.



AFFIDAVIT

The undersigned affirms that the foregoing statements are true and correct and include all material information necessary to identify and explain the terms and operation of the joint venture. Furthermore, the undersigned shall agree to provide to the joint venture the stated scope of work, decision-making responsibilities and payments herein.

PAISD also reserves the right to request any additional information deemed necessary to determine if the joint venture is eligible. Failure to cooperate and/or provide requested information within the time specified is grounds for termination of the eligibility process.

The undersigned agree to permit audits, interviews with owners and examination of the books, records and files of the joint venture by any authorized representatives of PAISD. Failure to comply with this provision shall result in the termination of any contract, which may be awarded under the provisions of this joint venture's eligibility and may initiate action under Federal, State and/or Local laws/ordinances concerning false statements or willful misrepresentation of facts.

Name of L/M/WBE Firm	Name of Non-L/M/WBE Firm
Printed Name of Owner	Printed Name of Owner
Signature of Owner	Signature of Owner
Printed Name of Owner	Printed Name of Owner
Signature of Owner	Signature of Owner
Title	Title
Date	Date

Notarization

State of _____ County of _____

On this _____ day of _____, 20____, before me appeared

_____ and _____

to me personally known and who, being duly sworn, did execute the foregoing affidavit and did state that they were properly authorized to execute this affidavit and did so as their free act and deed.

Notary Public _____
Print Name

Notary Public _____
Signature

(Seal)

Commission Expires _____



PAISD SCHEDULE OF SUBCONTRACTORS FORM

Bidder/Contractor: _____ ◀ L/M/WBE ◀ NON-L/M/WBE

Description: _____ Contract/Solicitation Number: _____

Check the applicable: ◀ **Subcontracting/Vendor Opportunities** ◀ **Sole Source** ◀ **Direct Purchase**

Note: If contract is a sole source and/or direct purchase, please enter the Dollar Amount of Work to be completed and proceed to the Contractor's Certification, then sign and date this form.

As part of the procedures for the submission of Proposals, all Bidders/Contractors are required to identify **ALL** participating Subcontractors/Suppliers. Please identify such areas for above project, if applicable. Use additional sheets if necessary.

Name of Company Performing Work	Certification or Qualification Status (check the applicable)		Description of Commodity, Material, or Service	Dollar Amount
	L/M/WBE	Non-L/M/WBE		
				\$
				\$
				\$
				\$
				\$
Dollar Amount of Work to be Completed by Non- L/M/WBE Subcontractors				\$
Dollar Amount of Work to be Completed by L/M/WBE Subcontractors				\$
Total (The Total Amount shall equal the amount proposed on Summary or Proposal Page)				\$

It is understood and agreed that, if awarded a Contract by PAISD, the Contractor will not make additions, deletions, or substitutions to this certified list without the consent of PAISD. Request for *Approval of Change to Original Certified List of Subcontractors* may be requested through the submittal of the PAISD Approval of Changes to Original Schedule of Subcontractors form. PAISD may audit any and/or all records and of the contract /vendor and conduct interviews of owners, principals, employees and applicable subcontractors participating on the contract.

The above information is true and complete to the best of my knowledge and belief. I further understand and agree that if awarded the Contract, this certification shall be attached thereto and become a part thereof. Failure to provide accurate information or exercise positive, good faith efforts (as defined by PAISD L/M/WBE Program) in support of PAISD minority women business intent and objective may result in being considered non-responsive to PAISD requirements. PAISD reserves the right to recommend an audit on the submitted L/M/WBE information as deemed necessary.

Print Name and Title: _____

Signature: _____ Date: _____



**PAISD REQUEST FOR APPROVAL OF CHANGE TO ORIGINAL
SCHEDULE OF SUBCONTRACTORS FORM
(L/M/WBE Modification or Substitution)**

Contractor/Company, _____, project _____, requests approval of the following addition(s) and/or deletion(s) on the **SCHEDULE OF SUBCONTRACTORS** as originally submitted as part of the bid on the above-named project.

CHECK (X) BLOCK FOR EACH TRANSACTION

CHANGE

ADD	DELETE	COMPANY NAME	TRADE	L/M/WBE STATUS	DOLLAR AMOUNT	INTENT TO PERFORM

JUSTIFICATION

CERTIFICATION OF AFFIDAVIT

The above information is true and complete to the best of my knowledge and belief. I further understand and agree that this certification will become a part of my contract with the PAISD.

(Please Print or Type)

Name and Title of Signer: _____ / _____
Print Name Title

Signature: _____ Date: _____