



**COUNTY OF EL PASO**  
800 E. Overland, Suite PU300  
El Paso, Texas 79901  
(915) 546-2048 (915) 546-8180 Fax

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### **Notice to Interested Parties**

Sealed Request for Qualifications will be received at the County Purchasing Department, 800 E. Overland, Suite 300, El Paso, Texas 79901 before 2:00 p.m., **Monday, October 6, 2008**. Responses will be opened at the County Purchasing Office the same date for **RFQ State Legislative Lobbyist Services for the County of El Paso**.

**Qualifications must be in a sealed envelope and marked:**  
**"Qualifications to be opened October 6, 2008**  
**RFQ State Legislative Lobbyist Services for the County of El Paso**  
**RFQ Number 08-142"**

**Any questions or additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, September 23, 2008, at 12:00 p.m. Questions can be faxed to (915)-546-8180.**

Said contract shall be let to the best qualified, and the **COMMISSIONER'S COURT RESERVES THE RIGHT TO REJECT ANY AND ALL RESPONSES AND WAIVE TECHNICALITIES**. Only responses that conform to specifications will be considered. Faxed responses will not be accepted.

In order to remain active on the El Paso County Vendor list, each vendor receiving this request for qualifications must respond in some form. Vendors submitting qualifications must meet or exceed all requirements herein. Vendors not responding to the request must submit their reason in writing to the El Paso County Purchasing Department.

**PITI VASQUEZ**  
County Purchasing Agent

## SIGNATURE PAGE

<b>Description – RFQ # 08-142</b> <b>RFQ State Legislative Lobbyist Services for the County of El Paso</b> Vendor must meet or exceed specifications
<b>Please submit one (1) original copy and Five (5) duplicate copies of your statements of qualifications.</b>

\_\_\_\_\_  
Company

\_\_\_\_\_  
Address

\_\_\_\_\_  
Federal Tax Identification No.

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
CIQ Document Number

\_\_\_\_\_  
CIQ Sent Date

\_\_\_\_\_  
Representative Name & Title

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
E-mail

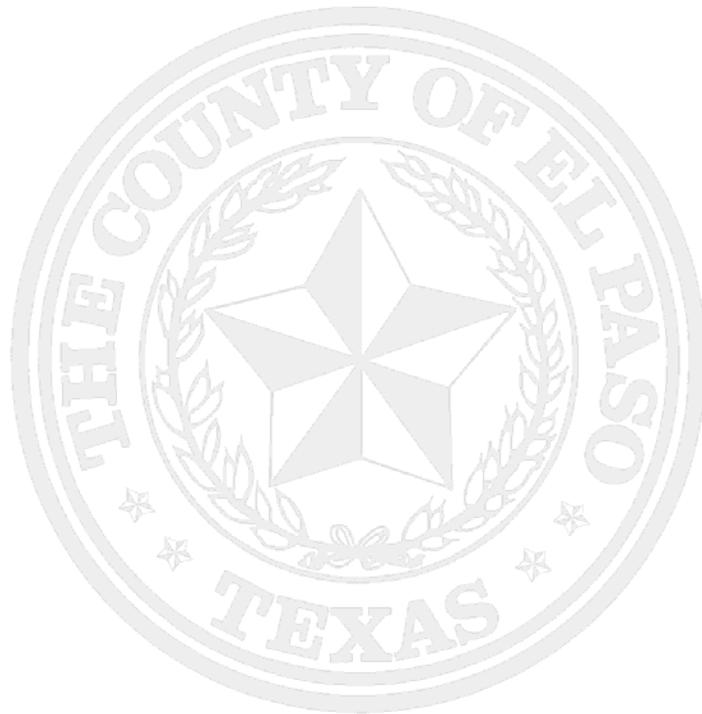
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**\*\* THIS MUST BE THE FIRST PAGE ON RFQ RESPONSE \*\***

# **RFQ State Legislative Lobbyist Services for the County of El Paso**

## **RFQ #08-142**



**Opening Date  
Monday, October 6, 2008**

*County of El Paso*

**Request for Qualifications**

**For**

**State of Texas Legislature Lobbyist Services**

**RFQ # 08-142**

## Notice to Interested Parties

Sealed Request for Qualifications will be received at the County Purchasing Department, 800 E. San Antonio, Suite 300, El Paso, Texas 79901 before 2:00 PM, **October 6, 2008**, to be opened at the County Purchasing Office the same date for RFQ for State of Texas Legislature Lobbyist Services.

**Qualifications must be in a sealed envelope and marked:**

*“Qualifications to be opened October 6, 2008*

*RFQ for State of Texas Legislature Lobbyist Services*

*RFQ # 08-142”*

**Any additional information required by interested vendors must be submitted in writing to the attention of the County Purchasing Agent before Tuesday, September 23, 2008, at 12:00 noon.**

Award will be made based on a review of qualifications. **COMMISSIONER COURT RESERVES THE RIGHT TO REJECT ANY AND ALL SUBMITTALS AND WAIVE TECHNICALITIES.** Only responses that conform to specifications will be considered. Faxed responses will not be accepted.

PITI VASQUEZ  
County Purchasing Agent

RFQ #08-142, RFQ for State of Texas Legislature Lobbyist Services  
Visit us at: [www.co.el-paso.tx.us](http://www.co.el-paso.tx.us)

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## NATURE OF WORK

This is responsible professional work in providing a range of lobbying services including performing research, establishing legislative contacts, and providing associated staff services for the County of El Paso.

A lobbyist in this class functions as the County's representative in establishing and maintaining key contacts in state governments and in public and private organizations. Work involves the responsibility for representing the County at the Texas State Legislature, performing research, compiling statistical data and reports, and providing the Commissioners Court with information which may assist them in making policy decisions. Lobbying assignments are received from the Commissioners Court; however, the lobbyist exercises considerable independence in the application of research methods and techniques. During those periods when the Texas Legislature is not in Regular Session or any Special Session, the County Lobbyist will also receive Commissioners Court agenda, budget research, constituent complaint, or other assignments as described as directed by Commissioners Court. Work is reviewed through reports and observation of results obtained.

ESSENTIAL FUNCTIONS (Any one position may not perform all the duties listed, nor do the listed examples include all the duties that may be performed in positions allocated to this class.)

Lobbyist shall represent the interests of the County before the appropriate state agencies, legislative committees, members of the Texas House of Representatives and the Texas Senate, the Office of the Lieutenant Governor, and the Office of the Governor.

Lobbyist shall secure sponsorship of legislation and shall monitor and advocate the enactment of legislation as identified by the El Paso County Commissioners Court.

Lobbyist shall monitor all legislation regarding the duties and responsibilities of county government and its officers and employees.

Lobbyist shall advocate the defeat of legislation identified by the El Paso County Commissioners Court to be against the interests of the County.

Lobbyist shall monitor state departments, agencies, and legislative activities on a day by day basis as necessary and as requested by the El Paso County Commissioners Court.

Lobbyist shall perform additional legislative services on behalf of the County including:

- Preparation of a legislative package
- Drafting and assisting in the drafting of proposed legislation and amendments
- Attending and testifying at hearings, scheduling witnesses
- Advocacy on behalf of legislative agenda adopted by Commissioners Court, including preparation, communication, and coordination with El Paso delegation and other members of the Legislature
- Assistance in prioritizing legislative efforts of the County of El Paso
- Regular reporting on the lobbying efforts for passage or defeat of legislation
- Tracking legislation throughout the session
- Providing a final report

Lobbyist shall communicate with Commissioners Court as needed throughout the session for the purpose of updating the Court on current activities and developments regarding the legislative initiatives and general matters affecting the County of El Paso.

Lobbyist shall meet with the commissioners, in El Paso, at least seven times during the legislative period as defined in the Lobbyist contract and upon request as required by the Court.

Shall consult with the Commissioners Court and administrative department heads concerning problems and needs of all areas of County government in order to provide informed representation in the Legislature and thereby assist in securing legislation favorable to the County; maintains effective working relationship with the County Judge and County Commissioners.

Consults with the Commissioners Court to determine a need to propose state legislation and follows through to secure support and passage of appropriate legislation.

Appears before the Legislature; establishes and maintains close contacts among legislative committees, individual legislators, public officials, trade and industrial associations, and business organizations in order to influence members and to assure full communication of ideas, interests, and purposes.

Performs research concerning proposed legislation and ordinances; analyzes tax laws and related data; prepares articles, speeches and reports on administrative and legislative problems and practices; explains or recommends action to Commissioners Court or Legislature; informs Commissioners Court regarding state and federal governmental trends, attitudes, and programs.

Evaluates County policy and budget issues of interest to the Commissioners Court, conducts research to clarify issues, identifies alternatives, develops recommendations, and prepares verbal and written reports as required.

Performs other related duties as assigned or as the situation dictates within the scope of this classification.

## REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of the principles and practices of public administration, particularly of the organization and functions of constituent units of county government.

Knowledge of public administration research and report presentation methods and techniques.

Knowledge of legal, budgeting, and accounting procedures and processes.

Ability to establish and maintain effective working relationships with administrative officers, lobbyists, the public and legislative representatives.

Ability to work independently, choosing creative techniques and methods of obtaining results within legal and ethical limitations.

Ability to conduct original research and routine investigations, make sound administrative analyses relating to policy and management problems, and prepare and present oral and written reports and recommendations to groups and individuals.

EDUCATION AND EXPERIENCE (The knowledge, abilities, skills, and/or personal characteristics in this section may be acquired through, but are not limited to, the following combination of education and/or experience.)

Degree in business administration, public administration, or related field and

Experience in communicating with individuals and groups other than immediate co-workers, performing investigative research for legislative or administrative use, policy making and administration, presenting and working toward the acceptance of significant concepts, programs, or products, and experience in legal, budgeting, and accounting procedures and processes OR

Any equivalent combination of education and experience.

Must lobbyist/firm must have six (6) years proven lobbying experience and must have been registered with the State of Texas for lobbying services for that time period.

Must have demonstrated knowledge and expertise of El Paso County, its demographics and border issues that affect the County.

Should have demonstrated knowledge and expertise in energy issues and green legislation and initiatives.

## SPECIAL QUALIFICATIONS

Ability to coordinate transportation between Austin and El Paso, Texas.

## **Instructions**

### **Statements of Qualifications**

All Statements of Qualifications should include:

- A transmittal letter from the responding firm indicating the firm's interest in representing the County of El Paso and if applicable a list of the personnel that will be assigned to the elements of the contract.
- A brief history of the firm; when it was established, the principles of the firm, and members of the firm that will be providing lobbyist services.
- A brief description of the responding firm's understanding of its role as the County's lobbyist, and its approach to providing lobbyist services for the County of El Paso.
- Qualifications of all personnel that will be representing the County, and the amount of time they will be representing the County, and the role each individual will provide.
- A list of past clients, and any similar government entities represented, primarily local governments.
- List any specialties, affiliations, or expertise in certain areas that responding firm would be best suited for lobbying or firm would prefer to be contracted to represent the County.
- Lobbyist firm must respond to Statement Regarding Legal Actions Taken Against Applicant.
- Firm may respond to entire lobbying services or for specific issues and agendas.
- Successful lobbying firm must perform all lobbying services for the County of El Paso, and may not assign or convey all or part of this contract for the duration of the contract period.

**Please submit one original and five (5) copies no later than 2:00 PM (local time) on October 6, 2008 to:**

**El Paso County Purchasing Department  
County of El Paso  
800 East Overland Avenue Suite 300  
El Paso, TX 79901**

Request for Qualifications will be evaluated based on the responding firm's knowledge, experience, approach, and expertise on all relevant border, economic, environmental issues and any other issues that will affect the County of El Paso.

Respondents may be required to interview or give a brief presentation before the court of evaluation committee if desired by the court.

Court will award the contract to the firm or firms that will provide the best legislative services to the County of El Paso and contract may be awarded for the entire lobbyist service or by legislative issue.

Telephone, electronic or facsimile submittals will not be considered. Qualifications received after the time and date of closing will not be considered.

In order to remain active on the El Paso County Vendor list, each vendor receiving this request for qualifications must respond in some form. Vendors submitting qualifications must meet or exceed all requirements herein. Vendors not responding to the request must submit their reason in writing to El Paso County Purchasing Department.

STATEMENT REGARDING LEGAL ACTIONS TAKEN AGAINST APPLICANT

Each applicant will certify that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or sentenced to a denial of Federal or State benefits.

AGREE\_\_\_\_\_

DISAGREE\_\_\_\_\_

2. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or entered into a settlement agreement, consent decree, or similar arrangement regarding the above; or currently under investigation for any of the above.

AGREE\_\_\_\_\_

DISAGREE\_\_\_\_\_

3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any offenses; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

AGREE\_\_\_\_\_

DISAGREE\_\_\_\_\_

If you disagree with any of the above Statements, provide a written explanation as to why you are unable to certify to the Statement.

## COUNTY OF EL PASO, TEXAS

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### **CERTIFICATIONS REGARDING LOBBYING, DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS; FEDERAL DEBT STATUS, AND NONDISCRIMINATION STATUS AND IMPLEMENTING REGULATIONS\***

Instructions for the certifications:

#### General Requirements

The County of El Paso, Texas is required to obtain from all applicants of federal funds or pass-through certifications regarding federal debt status, debarment and suspension, and a drug free workplace. Institutional applicants are required to certify that they will comply with the nondiscrimination statutes and implementing regulations.

Applicants should refer to the regulations cited below to determine the certifications to which they are required to attest. Signature of the form provides for compliance with certification requirements under 21 CFR part 1405, "New Restrictions on Lobbying," 21 CFR part 1414, Government wide Debarment and Suspension (Non-procurement), Certification Regarding Federal Debt Status (OMB Circular A-129), and Certification Regarding the Nondiscrimination Statutes and Implementing Regulations. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the County of El Paso determines to award the covered cooperative agreement

#### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented in 21 CFR part 1405, for persons entering into a cooperative agreement over \$100,000, as defined at 21 CFR Part 1405, the applicant certifies that;

(a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement,

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Standard Form -LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award document for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

## 1. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension and implemented at 21 CFR Part 1404, for prospective participants in primary covered transactions

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or and a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State, or local) transaction or contract under a public transaction violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to the application.

## 2. DRUG-FREE WORKPLACE

As required by the Drug Free Workplace Act of 1988, and implemented at 21 CFR Part 1404 Subpart F.

A. The applicant certifies that it will or will continue to provide a drug free workplace by:

(a). Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violations of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The applicant's policy of maintaining a drug free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a)

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee must

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such convictions. Employers of convicted employees must provide notice including position title, to: The County of El Paso, Texas, 500 East San Antonio Street, Suite 406, El Paso, Texas 79901. Notice shall include the identification number of each affected grant

(f) Taking one of the following actions within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal State, or local health, law enforcement, or other appropriate agency

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

### 3. CERTIFICATION REGARDING FEDERAL DEBT STATUS (OMB Circular A-129)

The Applicant certifies to the best of its knowledge and belief, that it is not delinquent in the repayment of any federal debt.

### 4. CERTIFICATION REGARDING THE NONDISCRIMINATION STATUTES AND IMPLEMENTING REGULATIONS

The applicant certifies that it will comply with the following nondiscrimination statutes and their implementing regulations: (a) title VI of the Civil right Act of 1964 (42 U.S.C. 2000D et seq.) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity for which the applicant received federal financial assistance; (b) Section 504 of the rehabilitation Act of 1973, as amended (29

U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance; (c) title IX of the Education Amendments of 1972m as amended (20 U.S.C. 1981 et seq.) which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance; and (d) the Age Discrimination Act of 1975, and amended (42 U.S.C. 6101 ec seq.) which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance, except that actions which reasonably take age into account as a factor necessary for the normal operation or achievement of any statutory objective of the project or activity shall not violate this statute.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

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Business Name

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Date

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Name of Authorized Representative

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Signature of Authorized Representative

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\*All four (4) pages of this document must be included in all responses.

# COUNTY OF EL PASO PURCHASING DEPARTMENT

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COUNTY COURTHOUSE, 800 E. Overland,  
ROOM PU300, EL PASO, TEXAS 79901  
(915) 546-2048, FAX: (915) 546-8180

PITI VASQUEZ, PURCHASING AGENT  
JOSE LOPEZ, JR. ASST. PURCHASING AGENT  
LUCY BALDERAMA, INVENTORY BID TECHNICIAN

## BIDDING CONDITIONS

This is the only approved instruction for use on your invitation to bid. Items below apply to and become a part of the terms and conditions of the bid.

1. BY SUBMITTING A REQUEST FOR QUALIFICATIONS, EACH BIDDER AGREES TO WAIVE ANY AND ALL CLAIMS IT HAS OR MAY HAVE AGAINST THE COUNTY OF EL PASO, AND ITS OFFICERS, AGENTS AND EMPLOYEES, ARISING OUT OF OR IN CONNECTION WITH: THE DOCUMENTS, PROCEDURES, ADMINISTRATION, EVALUATION, OR RECOMMENDATION OF ANY RFQ; THE WAIVER BY EL PASO COUNTY OF ANY REQUIREMENTS UNDER THE RFQ DOCUMENTS OR THE CONTRACT DOCUMENTS; THE ACCEPTANCE OR REJECTION OF ANY BIDS; AND THE AWARD OF THE CONTRACT.
2. Request for Qualifications must be in the Purchasing Department **BEFORE** the hour and date specified. Faxed bids will not be accepted.
3. Late RFQ's properly identified will be returned to the submitter unopened. Late RFQ's will not be considered under any circumstances.
4. RFQ's must give full firm name and address of bidder. Failure to manually sign bid will disqualify it. Person signing should show title or authority to bind his firm in a contract.
5. No substitutions or cancellations permitted without written approval of County Purchasing Agent.
6. This Request for Qualifications inquiry only and implies no obligation of the part of the County of El Paso.
7. The County of El Paso is an Equal Opportunity Employer.
8. RFQ sent via express mail or overnight delivery service must have the proposal number and title clearly marked on the outside of the express mail or overnight delivery service envelope or package. Failure to clearly identify your RFQ may be cause for disqualification.
9. PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2253.021, A PRIME CONTRACTOR WHO IS AWARDED A PUBLIC WORKS CONSTRUCTION CONTRACT SHALL, PRIOR TO BEGINNING THE WORK, EXECUTE TO THE COUNTY:
  - 1) A PERFORMANCE BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$100,000; AND
  - 2) A PAYMENT BOND, IN THE FULL AMOUNT OF THE CONTRACT, IF THE CONTRACT IS IN EXCESS OF \$25,000.

10. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 262.032(b), ANY SUCCESSFUL BIDDER WHO IS AWARDED ANY CONTRACT IN EXCESS OF \$50,000 MAY BE REQUIRED TO EXECUTE A PERFORMANCE BOND TO THE COUNTY. SAID BOND SHALL BE IN THE FULL AMOUNT OF THE CONTRACT AND MUST BE FURNISHED WITHIN 30 DAYS AFTER THE DATE A PURCHASE ORDER IS ISSUED OR THE CONTRACT IS SIGNED AND PRIOR TO COMMENCEMENT OF THE ACTUAL WORK. ANY PERFORMANCE BOND REQUIRED PURSUANT TO THIS SECTION SHALL BE NOTED IN THE ATTACHED DETAILED BID SPECIFICATIONS OR SCOPE OF WORK. THIS SECTION DOES NOT APPLY TO A PERFORMANCE BOND REQUIRED BY CHAPTER 2253, TEXAS GOVERNMENT CODE.
  
11. "Beginning January 1, 2006, in order to implement HB 914 (adding new Local Government Code Chapter 176), ALL VENDORS MUST SUBMIT A CONFLICT OF INTEREST QUESTIONNAIRE (Form CIQ) disclosing its affiliations and business relationships with the County's Officers (County Judge and Commissioners Court) as well as the County employees and contractors who make recommendations for the expenditure of County funds. The names of the County Officers and of the County employees and contractors making recommendations to the County Officers on this contract are listed in the Specifications.

THE CONFLICT OF INTEREST QUESTIONNAIRE MUST BE FILED WITH THE COUNTY CLERK AND A COPY OR PROOF OF FILING MUST BE ATTACHED TO THE BIDDER'S RESPONSE SUBMITTED TO THE PURCHASING DEPARTMENT.

Bidders should be aware that this bidding condition is not intended to cover or to advise you about all situations in which Local Government Code Chapter 176 would require you to file a Form CIQ. You should consult your private attorney with regard to the application of this law and your compliance requirements. Failure to comply is punishable as a Class C misdemeanor.

## **NOTICE:**

ALL COMMUNICATIONS BY A VENDOR TO THE COUNTY, ITS OFFICIALS, AND DEPARTMENT HEADS REGARDING THIS PROCUREMENT SHALL BE DONE THROUGH THE EL PASO COUNTY PURCHASING DEPARTMENT. **THE EL PASO COUNTY CODE OF ETHICS PROHIBITS ALL PRIVATE COMMUNICATION BETWEEN VENDORS AND CERTAIN COUNTY OFFICIALS AND EMPLOYEES AS DESCRIBED BELOW:**

No vendor, its representative, agent, or employee shall engage in private communication with a member of the El Paso County Commissioners Court or county department heads regarding any procurement of goods or services by the County from the date that the bid, RFP, or RFQ is released. No private communication regarding the purchase shall be permitted until the procurement process is complete and a purchase order is granted or a contract is entered into. Members of the commissioners court are required to make a reasonable effort to inform themselves regarding potential procurements and have a duty to inquire of vendors, their representatives or employees, the nature of any private communication being sought prior to engaging in any communication. "Private Communication" means communication with any vendor outside of a posted meeting of the governing body, a regular meeting of a standing or appointed committee, or a negotiation with a vendor which has been specifically authorized by the governing body.

# Health Insurance Benefits Provided By Bidder

## Consideration of Health Insurance Benefits\*

1. Do you or your subcontractor(s) currently offer health insurance benefits to your employees?

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If so, please describe those health insurance benefits that you or your subcontractor(s) currently provide/offer to your employees.

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2. What percentage, if any, of your of your subcontractor's employees are currently enrolled in the health insurance benefits program?

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**El Paso County may consider provision of health insurance benefits as part of the overall "best value" determination.** Failure to provide health insurance benefits will not disqualify you from participating in this bid selection process.

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Business Name

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Date

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Name of Authorized Representative

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Signature of Authorized Representative

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\* This page must be included in all responses.



**COUNTY OF EL PASO**  
County Purchasing Department  
800 E. Overland, Suite PU300  
El Paso, Texas 79901  
(915) 546-2048  
(915) 546-8180 Fax

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RE: RFQ #08-142, RFQ State Legislative Lobbyist Services for the County of El Paso

Dear Vendor:

As of January 1, 2006, the Texas Local Government Code Chapter 176 requires all vendors and potential vendors who contract or seek to contract for the sale or purchase of property, goods, or services with any local government entity to complete and submit a Conflicts of Interest Questionnaire. A copy of the requirements regarding vendors is attached. Also attached is a copy of the Questionnaire which needs to be filed and was prepared and approved for statewide use by the Texas Ethics Commission.

In filing out the Questionnaire, the following are the County Officers that will award the bid and the employees which will make a recommendation to the Commissioners Court:

County Officers: County Judge Anthony Cobos  
Commissioner Luis C. Sariñana  
Commissioner Veronica Escobar  
Commissioner Miguel Teran  
Commissioner Dan Haggerty

County Employees: Piti Vasquez, Purchasing Agent  
Jose Lopez, Jr., Assistant Purchasing Agent  
Peter Gutierrez, Buyer II  
Linda Gonzalez, Inventory Bid Technician  
Lucy Balderama, Inventory Bid Technician

Please note that the state law requires that the Questionnaire be filed with the **COUNTY CLERK** no later than **the 7<sup>th</sup> business day after submitting an application, response to an RFP, RFQ or bid** or any other writing related to a potential agreement with the County. Failure to file the questionnaire within the time provided by the statute is a Class C misdemeanor

# CONFLICT OF INTEREST QUESTIONNAIRE

# FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

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

## OFFICE USE ONLY

Date Received

**1 Name of person who has a business relationship with local governmental entity.**

**2**  **Check this box if you are filing an update to a previously filed questionnaire.**

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3 Name of local government officer with whom filer has employment or business relationship.**

\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes       No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes       No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes       No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**

\_\_\_\_\_  
Signature of person doing business with the governmental entity

\_\_\_\_\_  
Date

**Tex. Local Gov't Code § 176.006 (2005)**

§ 176.006. Disclosure Requirements for Vendors and Other Persons; Questionnaire

(a) A person described by Section 176.002(a) shall file a completed conflict of interest questionnaire with the appropriate records administrator not later than the seventh business day after the date that the person:

(1) begins contract discussions or negotiations with the local governmental entity; or

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

(b) The commission shall adopt a conflict of interest questionnaire for use under this section that requires disclosure of a person's affiliations or business relationships that might cause a conflict of interest with a local governmental entity.

(c) The questionnaire adopted under Subsection (b) must require, for the local governmental entity with respect to which the questionnaire is filed, that the person filing the questionnaire:

(1) describe each affiliation or business relationship the person has with each local government officer of the local governmental entity;

(2) identify each affiliation or business relationship described by Subdivision (1) with respect to which the local government officer receives, or is likely to receive, taxable income from the person filing the questionnaire;

(3) identify each affiliation or business relationship described by Subdivision (1) with respect to which the person filing the questionnaire receives, or is likely to receive, taxable income that:

(A) is received from, or at the direction of, a local government officer of the local governmental entity; and

(B) is not received from the local governmental entity;

(4) describe each affiliation or business relationship with a corporation or other business entity with respect to which a local government officer of the local governmental entity:

(A) serves as an officer or director; or

(B) holds an ownership interest of 10 percent or more;

(5) describe each affiliation or business relationship with an employee or contractor of the local governmental entity who makes recommendations to a local government officer of the local governmental entity with respect to the expenditure of money;

(6) describe each affiliation or business relationship with a person who:

(A) is a local government officer; and

(B) appoints or employs a local government officer of the local governmental entity that is the subject of the questionnaire; and

(7) describe any other affiliation or business relationship that might cause a conflict of interest.

(d) A person described by Subsection (a) shall file an updated completed questionnaire with the appropriate records administrator not later than:

(1) September 1 of each year in which an activity described by Subsection (a) is pending; and

(2) the seventh business day after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

(e) A person is not required to file an updated completed questionnaire under Subsection (d)(1) in a year if the person has filed a questionnaire under Subsection (c) or (d)(2) on or after June 1, but before September 1, of that year.

(f) A person commits an offense if the person violates this section. An offense under this subsection is a Class C misdemeanor.

(g) It is a defense to prosecution under Subsection (f) that the person filed the required questionnaire not later than the seventh business day after the date the person received notice of the violation.

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**Tex. Local Gov't Code § 176.001 (2005)**

§ 176.001. Definitions

In this chapter:

(1) "Commission" means the Texas Ethics Commission.

(2) "Family member" means a person related to another person within the first degree by consanguinity or affinity, as described by Subchapter B, Chapter 573, Government Code.

(3) "Local governmental entity" means a county, municipality, school district, junior college district, or other political subdivision of this state or a local government corporation, board, commission, district, or authority to which a member is appointed by the commissioners court of a county, the mayor of a municipality, or the governing body of a municipality. The term does not include an association, corporation, or organization of governmental entities organized to provide to its members education, assistance, products, or services or to represent its members before the legislative, administrative, or judicial branches of the state or federal government.

(4) "Local government officer" means:

(A) a member of the governing body of a local governmental entity; or

(B) a director, superintendent, administrator, president, or other person designated as the executive officer of the local governmental entity.

(5) "Records administrator" means the director, county clerk, municipal secretary, superintendent, or other person responsible for maintaining the records of the local governmental entity.

# COUNTY OF EL PASO, TEXAS

## Solicitation Check List

### RFQ State Legislative Lobbyist Services for the County of El Paso RFQ #08-142

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THIS CHECKLIST IS PROVIDED FOR YOUR CONVENIENCE

\_\_\_\_\_ Responses should be delivered to the County Purchasing Department by 2:00 p.m., Monday, October 6, 2008. Did you visit our website ([www.epcounty.com](http://www.epcounty.com)) for any addendums?

\_\_\_\_\_ Did you sign the Signature Page?

\_\_\_\_\_ Did you sign the "Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Federal Debt Status, and Nondiscrimination Status And Implementing Regulations" document?

\_\_\_\_\_ Did you sign the "Consideration of Insurance Benefits" form?

\_\_\_\_\_ **Did you file a copy of the completed Conflict of Interest Questionnaire (Form CIQ) with the El Paso County Clerk (in person or by mail to 500 E. San Antonio, Suite 105, El Paso, TX 79901 or by fax to 915-546-2012 attention Joann) and write the confirmation number given as proof of filing on your bidding schedule? Please include the completed and signed form with your response whether a relationship exists or not? See Instructions (CIQ)**

\_\_\_\_\_ Did you provide one original and five (5) copies of your response?

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County of El Paso Purchasing Department  
800 E. Overland, Room 300  
El Paso, Texas 79901  
(915) 546-2048 / Fax: (915) 546-8180

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## **Instructions: Conflict of Interest Form (CIQ)**

- Please complete CIQ Form whether or not a conflict exists.
- On #4, on the CIQ form, please type/print name of company, your name, & phone number above your signature, and fax it to the County Clerks at 915-546-2012. The County Clerk will file and send you back the CIQ document number.
- It is the vendor's responsibility to submit the CIQ document number provided by the County Clerk's to the Purchasing Department. Do not forget to place the RFP, RFQ, RFI, or BID number somewhere on your CIQ form so we may know what bid you are referencing. If you do not receive your CIQ document number in a timely manner, please contact the County Clerk's office at 546-2000, ext. 3143.
- It would be in your best interest, to submit your CIQ document number with your bid/proposal. (See Bidding Schedule)
- Please note that the state law requires that the Questionnaire be filed with the COUNTY CLERK no later than the 7th business day after submitting an application, response to an RFP, RFQ or bid or any other writing related to a potential agreement with the County. Failure to file the questionnaire within the time provided by the statute is a Class C misdemeanor
- If you have any questions, please call Lucy Balderama at 915-543-3887.