

NOTICE TO BIDDERS

The Commissioner's Court of Jim Wells County has authorized procurement for AC-10 oil for the 2020 TxDOT County Transportation Infrastructure Fund from multiple vendors. Send sealed bids to the attention of Linda Reynolds, Executive Administrative Assistant to the County Judge, (361) 668-5706 x 1, 200 N. Almond Street, Ste. 101 Alice, Texas 78332, on or before 10:00 a.m. on Thursday, April 8th, 2021.

The date and time of the bid opening and the phrase "Jim Wells County AC-10 Bid" shall be clearly marked on the outside of the sealed envelope containing the bid. The bids will be publicly opened and read aloud in the County Commissioner's Courtroom at 10:00 a.m. on Thursday, April 8th, 2021 at 200 N. Almond Street, Alice, Texas 78332. The winning bid will be awarded at a later date during Commissioners Court regular or specially called meeting after the bids have been evaluated.

Prices will be proposed for material-with-delivery. Bidders should use unit pricing.

Jim Wells County will select material based on price per gallon, bidder's delivery availability, and proximity to ongoing and future Jim Wells County road work. In determining the lowest and best bid for a contract for the purchase of road construction material, the County may consider the company plant location of the bidders.

The Commissioners Court may award contracts for the purchase of road construction material to more than one bidder if each of the selected bidders submits the lowest and best bid for a particular location or type of material (Local Government Code Sec 262.027). Bids must be submitted on the bid form in the unit given on the form. Payment will be made in accordance with Chapter 2251, Texas Government Code.

Please contact County Commissioner Margie H. Gonzales at (361) 368-5763, County Commissioner Ventura Garcia at (361) 668-5704, County Commissioner Renee Kirchoff Chapa at (361) 384-2747, or County Commissioner Wicho Gonzalez at (361) 348-3213, with any questions. Jim Wells County reserves the right to reject any or all bids or to waive any informalities in the bidding.

All contractors/subcontractors that are debarred, suspended or otherwise excluded from or ineligible for participation on federal assistance programs may not undertake any activity in part or in full under this project.

Bids may be held for a period not to exceed 30 days from the date of the bid opening for the purpose of reviewing the bids and investigating the bidders' qualifications prior to the contract award. HUBs are encouraged to submit.

To be published once a week for two consecutive weeks in a local newspaper that is of general circulation with the date of the first publication to be no fewer than 15 days prior to the date set for the public opening of the bids and the reading of the bids aloud. Bids are to be awarded at a later date following evaluation of each bid.

*Ad's First Publication Date: Wednesday, March 17th, 2021
Ad's Second Publication Date: Wednesday, March 24th, 2021
Open Date: Thursday, April 8th, 2021*

Jim Wells County

Materials Bid Packet Checklist

Checklist for CTIF_02_126

Title: Bid Packet Checklist for TxDOT County Transportation Infrastructure Fund (CTIF) AC-10 Oil Bids

Opening Date: April 8, 2021

Bidder Name and Address:

Contact: _____

Phone: _____

Mobile Phone: _____

Email: _____

Pre-Award Submittal:

All of the following items must be submitted as part of your bid packet in order for your bid to be considered responsive and responsible. All forms must be submitted and signed even if you do not think they apply to you or your company (e.g., the Child Support Certification Form).

- 1. Bid Form _____
- 2. Non-Collusion Affidavit of Prime Bidder _____
- 3. Child Support Statement Certification _____
- 4. Conflict of Interest Questionnaire _____

Post-Award Submittal:

If you are awarded this contract, then please be aware that you must submit the following items.

- 1. Texas Ethics Commission 1295 Disclosure Form

Signature

Print Name

Date

Note: this form is for the bidder's use. While submission of this Bid Packet Checklist to Jim Wells County is strongly recommended, failure to submit this Checklist does not disqualify a bidder from the competitive bid process.

Jim Wells County

TxDOT Transportation Infrastructure Fund
Contract #CTIF_02_126

Jim Wells County is seeking bids for the following materials:

- Asphaltic Cement (AC-10)

Complete all forms and return SEALED bid to:

Jim Wells County Commissioner’s Court
P.O. Box 1459 or 200 N. Almond Street, Ste. 101 Alice, Texas 78332

Name of company and reference to Jim Wells County CTIF 2020 Oil Bid must be listed on outside of bid envelope.

Sealed bids will be accepted until 10:00 a.m. on Thursday, April 8th, 2021. The bids will be publicly opened and read aloud in the Commissioner’s Courtroom at 10:00 a.m. on Thursday, April 8th, 2021 at 200 N. Almond Street, Alice, Texas 78332. Bid(s) will be awarded at a later date during Commissioners Court regular or specially called meeting after the bids have been evaluated.

Please contact County Commissioner Margie H. Gonzales at (361) 3668-5763, County Commissioner Ventura Garcia at (361) 668-5704, County Commissioner Renee Kirchoff Chapa at (361) 384-2747, or County Commissioner Wicho Gonzalez at (361) 348-3213, with any questions.

*** Jim Wells County reserves the right to accept or reject any and all bids. ***

By submitting this bid I agree that, if awarded, this material bid form will serve as a true and binding contract beginning on April 8th, 2021 and ending on April 7th, 2022.

Either party may terminate this agreement upon thirty (30) days written notice to the other party.

Attested by: _____

Company Representative

Attested by: _____

(After bid award)

Jim Wells County Representative

Company Name

Address

Address

E-mail

E-mail

Phone #

Phone #

Fax#

Fax #

Company Signature

County Signature

Jim Wells County

TxDOT Transportation Infrastructure Fund

Contract # CTIF_02_126

Material Bid Form

Company: _____

Contact Name: _____

Material: Price proposed is for the cost of material and delivery. Asphaltic cement (AC-10) will be paid for by the gallon. Jim Wells County will select material based on price per gallon, bidder's delivery availability, and proximity to ongoing and future Jim Wells county road work.

The Commissioners Court may award contracts for the purchase of road construction material to more than one bidder if each of the selected bidders submits the lowest and best bid for a particular location or type of material (Local Government Code Sec 262.027). Bids must be submitted on the bid form in the price given on the form.

Company Plant Locations:

Material	Cost (\$/gallon) for delivery to various locations throughout Jim Wells County:
AC-10	

CHILD SUPPORT STATEMENT CERTIFICATION

Under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.

According to state law, a child support obligor who is more than 30 days delinquent in paying child support and a business entity in which the obligor is a sole proprietor, partner, shareholder, or owner with an ownership interest of at least 25 percent is not eligible to:

1. receive payments from state funds under a contract to provide property, materials, or services; or
2. receive a state-funded grant or loan.

Each participant hereby certifies that the business entity and its principals, partners, shareholders, or co-owners are not more than 30 days delinquent in paying child support.

Name of Contractor: _____ SSN: _____

Signature: _____

Title: _____

Name of Contractor: _____ SSN: _____

Signature: _____

Title: _____

TxDOT may collect social security numbers from awarded vendors during review of the TIF program. Except as provided by Section 231.302(d), Family Code, a social security number is confidential and may be disclosed only for the purposes of responding to a request for information from an agency operating under the provisions of Parts A and D of Title IV of the federal Social Security Act (42 USC Section 601-617 and 651-669).

Add names, signatures, and titles of additional partners if applicable.

Please note that failure to submit this form will result in your bid being unresponsive, and thus ineligible for award.

INSTRUCTIONS FOR CONFLICTS OF INTEREST QUESTIONNAIRE [Form CIQ]

H.B. 914, passed during the 2005 Texas legislative session, as amended by H.B. 1491 passed in 2007, requires certain persons who wish to conduct business or be considered for business with a local governmental entity to file a “conflict of interest questionnaire.” The Texas Ethics Commission (TEC) created the conflict of interest questionnaire (FORM CIQ). These laws are codified in Chap. 176 of the Texas Local Government Code.

What vendors/persons are subject to Chapter 176?

The word “person” includes a partnership, corporation or other corporate body, including those performing professional services. Such partnerships or corporations act through individuals, but it is the partnership or corporation that would be seeking to do business with the local governmental entity.

Any “person” who contracts or seeks to contract for the sale or purchase of property, goods, or services with a local governmental entity

An agent of a person who contracts or seeks to contract for the sale or purchase of property, goods, or services with a local governmental entity.

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

- (1) has an employment or other business relationship with an officer of that local governmental entity, or a family member of the officer that results in taxable income exceeding \$2,500 during the 12 month period preceding the date a contract is executed or a contract is being considered; or
- (2) has given an officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value of more than \$250 in the 12 month period preceding the date a contract is executed or a contract is being considered

What triggers the requirement to file a “conflict of interest questionnaire”?

When a person begins (1) contract discussions or negotiations with the local governmental entity or (2) submits an application, response to request for proposals or bids, correspondence, or another writing related to a potential agreement, Form CIQ must be completed. Whether the person initiates the discussion or the local governmental entity initiates the discussions, Form CIQ must be completed. Even if the vendor has no affiliation or business relationship with an officer or employee of the local governmental entity, Form CIQ must be completed and submitted

To what type of contracts does the bill apply?

Any written contract and any implied contract, such as purchase orders, procurement card purchases, utility purchases, or any exchange of money or other consideration for some service or property. The monetary amount or value of the contract/purchase does not matter.

When must a vendor file the conflict of interest questionnaire?

No later than seven days after the date the person: (a) begins contract discussions or negotiations with the local governmental entity, or (b) submits an application or response to a request for proposals or bids, correspondence, or another writing related to a potential agreement with a local governmental entity, or (c) becomes aware of an employment relationship with a local government officer or family member of the officer, or (d) becomes aware of a qualifying gift..

What has to be revealed?

Section 176.006 requires disclosure of a person’s employment or business relationships. This includes each employment or business relationship with a corporation or other business entity with respect to which a local government officer services as an officer or director or holds an ownership interest of 10% or more.

How do I go about filling out the Conflict of Interest Questionnaire form?

Each number below corresponds with the number on FORM CIQ 2:

1. Fill in the full name of the person who is trying to do business with the local governmental entity. If the person is a corporation, partnership, etc., then it is the name of that corporation, partnership, etc., that is required on Form CIQ.
2. Check box if the form is an update to a form previously completed. Updates are required by the 7th business day after an event that makes a statement in a previously filed questionnaire incomplete or inaccurate. Updates are also required by September 1 of each year in which the person submits a proposal, bid or response to the local governmental entity or begins contract discussions or negotiations with the local governmental entity.
3. Complete this Section by listing the name of the local government officer with whom there is an affiliation to or business relationship and you checked the “Yes” box in Section 3 A, B, or C.
If there is more than one local government officer with whom there is an affiliation or business relationship, more than one page two may be needed to provide information on each local government officer.
 - A. State whether the local government officer named on the form receives or is likely to receive taxable income, other than investment income, from the vendor filing the questionnaire.
 - B. State whether the filer receives or is likely to receive taxable income, other than investment income, from or at the direction of the local government officer named on the form AND the taxable income is not received from the local governmental entity.
 - C. State whether the filer is employed by a corporation or other business entity with which the local government officer serves as an officer or director or holds an ownership interest of 10% or more.
 - D. Describe each employment or business relationship with the local government officer named on the form.
4. Signature box. Person completing form must date and sign the form. If the form is being completed for a corporation, partnerships, etc., the person signing should be someone who is authorized to act on behalf of the corporation, partnership, etc.

A signature is required in box #4 regardless of any other entry on the form.

A copy of Chapter 176 of the Texas Local Government Code can be found at:

<http://www.statutes.legis.state.tx.us/SOTWDocs/LG/htm/LG.176.htm>

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 doing business with local governmental entity.

RFB / RFP / Contract #

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 governmental entity

Date Signed

NONCOLLUSION AFFIDAVIT OF PRIME BIDDER

State of _____)

County of _____)

_____, being first duly sworn, deposes and says that:

(1) He is _____ (Title) of _____ (Company Name), the Bidder that has submitted the attached Bid;

(2) He is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;

(3) Such Bid is genuine and is not a collusive or sham Bid;

(4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with another Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix an overhead, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the _____ (Local Public Agency) or any person interested in the proposed Contract; and

(5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) _____

Title

Subscribed and sworn to me this _____ day of _____.

By: _____

Notary Public

My commission expires _____

**TEXAS ETHICS COMMISSION
FORM 1295 FILING INSTRUCTIONS**

ADDITIONAL CONDITION OF AWARD: DISCLOSURE OF INTERESTED PARTY FORM

Effective January 1, 2016, pursuant to Texas Government Code, Section 2252.908 (the “Interested Party Disclosure Act”), the County may not award a contract to a bidder unless the bidder submits a Certificate of Interested Parties Form 1295 (the “Disclosure Form”) to the County as prescribed by the Texas Ethics Commission (“TEC”).

In the event that the bidder’s bid is the best bid received, the County or its consultant will promptly notify the bidder. That notification will serve as the conditional verbal acceptance of the bid. Upon this acceptance, the winning bidder must **promptly**, i.e. not later than two weeks from the date of bid award, file the materials described below.

PROCESS FOR COMPLETING THE DISCLOSURE FORM:

The Disclosure Form must be filed electronically on the Texas Ethics Commission website. If you do not already have an account, then you must create one. You are filer type CERT-BUS.

Reference should be made to the following information in order to complete the Disclosure Form:

- a) item 1 – Name of business entity filing form, and the city, state, and country of the business entity’s place of business
- b) item 2 – Name of County (Jim Wells County)
- c) item 3 – Contract identification number (“CTIF_02_126”), and description of the goods or services assigned to this contract by the County (Jim Wells County CTIF 2020 AC-10 Bid”).

After completing the form online, **print, sign, and send a copy** (scanned and emailed is fine) of the Disclosure Form and Certification of Filing generated by the TEC’s website.

The following link will take you to the electronic portal for filing:
<https://www.ethics.state.tx.us/TECCertInt/pages/login/certLogin.jsf>

Also, a detailed instruction video may be found here:
https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

Neither the County nor its consultants have the ability to verify the information included in a Disclosure Form, and neither have an obligation nor undertake responsibility for advising any business entity with respect to the proper completion of the Disclosure Form.

SAMPLE 1295 FORM

CERTIFICATE OF INTERESTED PARTIES		FORM 1295																																							
Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.		OFFICE USE ONLY																																							
1 Name of business entity filing form, and the city, state and country of the business entity's place of business.		Must file online at www.ethics.state.tx.us/File																																							
2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed. Enter name of county here.																																									
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract. Enter Contract Number (CTIF_O2_XXX) and description of goods or services ("CTIF Road Materials," "CTIF Road Construction") here.																																									
4	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2" style="width: 35%;">Name of Interested Party</th> <th rowspan="2" style="width: 25%;">City, State, Country (place of business)</th> <th colspan="2" style="width: 40%;">Nature of Interest (check applicable)</th> </tr> <tr> <th style="width: 15%;">Controlling</th> <th style="width: 25%;">Intermediary</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)		Controlling	Intermediary																																		
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5 Check only if there is NO Interested Party. <input type="checkbox"/>																																									
6 UNSWORN DECLARATION My name is _____, and my date of birth is _____. My address is _____, _____, _____, _____, _____. (street) (city) (state) (zip code) (country) I declare under penalty of perjury that the foregoing is true and correct. Executed in _____ County, State of _____, on the _____ day of _____, 20_____. (month) (year) File this form online. Then print, sign, and send a copy of this form to the county. <div style="text-align: right; margin-right: 100px;"> _____ Signature of authorized agent of contracting business entity (Declarant) </div>																																									
ADD ADDITIONAL PAGES AS NECESSARY																																									