



**CITY OF FREEPORT, TEXAS
REQUEST FOR PROPOSALS
FOR LEAD AND COPPER RULE DATA COLLECTION**

**Freeport City Hall
200 West 2nd Street
Freeport, Texas 77541
COMPETITIVE SEALED RFP # 2024-01**

**DEADLINE:
Thursday JANUARY 11, 2024 BY 2:00 P.M.**

**CITY OF FREEPORT
PUBLIC NOTICE
REQUEST FOR PROPOSALS # 2024-01
Lead and Copper Rule Data Collection**

The City of Freeport is Accepting Sealed Proposals for Field Data Collection of Water Service Line Material for 3,500 Meters throughout the City. The Water Service Line Material for both City and Customer Sides of the meters will be identified by visual inspections, scratch test, and magnet test then categorized into one of four categories: 1. Lead 2. Galvanized 3. Non-Lead 4. Lead Status Unknown. Data collection is in response to and will be compliant with the Lead and Copper Rule Revisions (LCRR) completion date of October 2024.

Data obtained from the field test will be collected on a City app using a mobile device with cellular data (i.e.: iPad, Mobile Phone, Tablet, etc.) capable of communicating a geographic based location with GIS. The City will create this app with associated fields based on the latest EPA detailed inventory spreadsheet and assist the contractor in downloading the app. The City will provide training on use of the collection app prior to beginning the field data collection.

The Proposal should also include a cost per meter with total based on the approximate meter count. Invoicing will reflect the actual meter count with data collected.

The deadline for submission of proposals is 2 P.M. Thursday January 11, 2024. It is the responsibility of the submitting entity to ensure that the proposal is received in a timely manner. Proposals received after the deadline will not be considered for award, regardless of whether or not the delay was outside the control of the submitting firm. The City of Freeport reserves the right to negotiate with any and all persons or firms submitting timely bids.

All Proposals submitted for City consideration must include the original and four (4) copies, be clearly marked on the outside of the sealed envelope with the words "City of Freeport, Attention: City Secretary, RFP# – Lead and Copper Rule Data Collection", and must contain the name of the company submitting the Bid.

Bids will be publicly opened and read at the Freeport City Hall located at 200 West Second Street, Freeport, Texas 77541 on Thursday January 11, 2024 at 2:00 p.m.

RFP documents may be downloaded from the City of Freeport's website at freeport.tx.us/page/public-notices or obtained in person at Freeport City Hall, 200 West Second Street, Freeport, Texas.

The City of Freeport is an Affirmative Action/Equal Opportunity Employer.

1st Advertisement: The Facts, Tuesday, December 19, 2023

2nd Advertisement: The Facts, Tuesday, December 26, 2023

For inquiries regarding this RFP, please contact Cathy Ezell, Finance Director by phone, 979-871-0107, or email, cezell@freeport.tx.us The deadline for inquiries is Friday January 5, 2023 at 5:00 P.M.

**CITY OF FREEPORT
REQUEST FOR PROPOSAL # 2024-01
Lead and Copper Rule Data Collection**

INSTRUCTIONS TO BIDDERS

READ THIS ENTIRE DOCUMENT CAREFULLY AND FOLLOW ALL INSTRUCTIONS. YOU ARE RESPONSIBLE FOR FULFILLING ALL REQUIREMENTS STATED HEREIN. THE INSTRUCTIONS AND CONDITIONS APPLY TO ALL RFP'S AND BECOME A PART OF THE TERMS AND CONDITIONS OF ANY RFP'S SUBMITTED AND ANY AGREEMENT ENTERED SUBSEQUENT THERETO, UNLESS EXCEPTION IS TAKEN IN WRITING BY BIDDER WHEN SUBMITTING QUALIFICATIONS.

1. RFP, PREPARATION AND SUBMITTAL

Bidders must utilize the required Forms and must submit the original and four (4) copies of the sealed RFP to the City Secretary prior to the response due date and time as described in the Invitation to Bidders. Failure to submit the additional copy may result in the Bidder being declared unresponsive to specification and may not be further evaluated.

All figures must be written in ink or typed. Figures written in pencil or erasures are not acceptable. However, mistakes may be crossed out, corrections inserted and initialed in ink by the person signing the Forms. No oral, telegraphic, telephonic, e-mailed or facsimile Proposals will be considered. All Proposals must be submitted in a sealed envelope. Bidders must provide all documentation required with the RFP response. Failure to provide this information may result in rejection of Proposals.

2. SUBMISSION

Responses must be received at the City of Freeport- City Hall, City Secretary's Office, 200 West Second Street, Freeport, TX 77541, no later than 2:00 p.m., Thursday, January 11, 2024. In the interest of fairness to all bidders submitting Proposal documents and to allow for the City's timely review, Proposals received after the scheduled receipt time will not be accepted. All Proposals received become the property of the City and will not be returned. Faxed or e-mailed documents will not be accepted. A total of four (4) bound hard copies and one (1) electronic copy must be submitted in a sealed envelope labeled as "RFP for Lead and Copper Rule Data Collection".

The Proposals should include the following information:

Cover Letter (one page maximum)	Phone Number
Firm Name	Email Address
Address	
City, State, Zip	Name of Project Manager
	Signature and Name of Principal with signing authority

SIGNATURES

All Proposal responses are required to be signed by an authorized representative of the Bidder's entity. Proposal responses received unsigned will result in the Proposal being declared unresponsive to specification and may not be further evaluated.

Terms and Agreement Duration: it is anticipated that the duration of the agreement may be for 10 months or extended by the City. The City reserves the right to cancel any professional agreement after giving thirty (30) days written notice for unresolved issues or problems.

There will be no pre-proposal conference. Questions regarding this request should be directed in writing to:

Interim City Secretary Clarisa Molina at cmolina@freeport.ts.us no later than one week before the Proposal due date.

Maintaining integrity of the Proposal process is of paramount importance for the City. To this end, do not contact any members of City Council or City Staff, or other than the City Secretary, regarding the subject matter of this Proposal until selection has been made. All clarifications and interpretations shall be in writing. Any clarification or interpretation that is not in writing shall not legally bind the City. Only information supplied by the City in writing or in this RFP should be used in preparing the Proposal.

This RFP does not commit the City to pay for any direct and/or indirect costs incurred in the preparation of the Proposal and presentation of a response.

The City reserves the right to reject any and all proposals, and to waive all technicalities. The right is reserved to make award as considered to be the most advantageous to the City.

Award: The City reserves the right to negotiate with any and all firms that submit proposals. The engagement process is summarized as follows:

- The City will open and review submissions
- The Review Committee shall rank submissions according to the proposal criteria and prepare a recommendation to the City Council.
- The Review Committee may, at its discretion, request proposing bidders to be interviewed.
- Proposals and rankings will be submitted and recommended to the City Council for consideration at a regularly scheduled City Council meeting after the scoring meeting.
- Performance Bond issued after selection of bidder
- Notice to proceed

3. PROPOSAL ALTERATION/WITHDRAWAL

Proposals cannot be altered or amended after the submission deadline. The signer of the Proposal, guaranteeing authenticity, must initial any interlineations, alteration, or erasure made before RFP opening time. RFP may be withdrawn by written request signed by the firm prior to the time fixed for opening; however, such written request must be received by the City in the normal course of business and prior to the time fixed for RFP opening. Negligence on the part of the Bidder in preparing the RFP represents no right for withdrawal after the RFP is opened. No RFP may be withdrawn for a period of sixty (60) calendar days after opening of the RFP'S.

4. DISQUALIFICATIONS OF BIDDERS

The Firms may be disqualified and their RFP'S and proposals not considered for the following reasons, including, but not limited to:

- Reason for believing collusion exists between bidders.
- The Bidder being an interested party in any litigation against the City.
- Failure to use the required Forms furnished by the City.
- Failure to comply with any of the requirements contained herein.
- Lack of signature by an authorized representative on the signature Form.
- Failure to properly complete the RFP Form.
- Bidder is indebted to the City.
- Communicating with an elected official regarding this RFP or its award.

5. BASIS OF AWARD

It is the intent of the City to award the Contract to the Bidder(s) submitting the most efficient and/or most economical for the City. It shall be based on all factors, which have a bearing on price and performance of the items in the user environment. All RFP's are subject to re-tabulation. Compliance with all RFP requirements, delivery and needs of the using department are considerations in evaluating RFP's

The City of Freeport reserves the right to contact any offeror, or at any time, to clarify, verify or request information with regard to any RFP. Unless stipulated in the attached RFP, the contract will be awarded to the lowest responsible bidder or to the bidder who provides goods and services specified herein at the best value for the City of Freeport in compliance with Section 252.043 of the Texas Local Government Code. The City reserves the right to waive any formality or irregularity, to make awards to more than one offeror, or to reject any or all RFP.

The City anticipates awarding the contract by January 16, 2024. The recommended contractor will be notified prior to Council consideration of award.

The City anticipates awarding this project to one bidder.

6. PROTESTS

All protests regarding the RFP solicitation process must be submitted in writing to the City within five (5) working days following the opening of the RFP's. This includes all protests relating to advertising of RFP notices, deadlines, RFP opening, and all other related procedures under the Texas Local Government Code, as well as any protests relating to alleged improprieties or ambiguities in the specifications.

This limitation does not include protests relating to staff recommendations as to award of this RFP. Protests relating to staff recommendations may be directed to the City Manager within five (5) days of the staff recommendation memo. Unless otherwise provided by law, all staff recommendations will be made available for public review prior to consideration by the City Council.

Submit Insert System for Award Management (SAM) record search for company name and company principal from <https://www.sam.gov/SAM/>

Example:

The screenshot shows a web browser window displaying the SAM.gov search results page. The browser's address bar shows the URL: sam.gov/SAM/pages/public/searchRecords/searchResults.jsf. The page header includes the SAM logo and a navigation menu with options: HOME, SEARCH RECORDS, DATA ACCESS, CHECK STATUS, ABOUT, and HELP. A yellow banner at the top right promotes a new sign-in method: "A NEW WAY TO SIGN IN - If you already have a SAM account, use your SAM email for login.gov." with a "Log In" button and a link to "Login.gov FAQs". A red alert banner states: "ALERT: SAM.gov will be down for scheduled maintenance Saturday, 02/15/2020 from 8:00 AM to 3:00 PM".

The main content area is titled "Search Results" and contains a list of instructions for users. Below this, the current search terms are displayed as "City of Freeport*". A "Clear Search" button is available. The search results are summarized as "Total records: 4" and "Result Page: 1". The results are sorted by "Relevance" and ordered by "Descending".

On the left side, there are filter options under "FILTER RESULTS":

- By Record Status:** Active (checked), Inactive
- By Record Type:** Entity Registration, Exclusion

 An "Apply Filters" button is located at the bottom of the filter section.

The search results are displayed in a table format. The first result is for the entity "FREEPORT, CITY OF" with the following details:

- DUNS: 102914806
- CAGE Code: 617M3
- Has Active Exclusion?: No
- DoDAAC:
- Expiration Date: 06/05/2020
- Debt Subject to Offset?: No
- Purpose of Registration: Federal Assistance Awards Only
- Status: Active

 A "View Details" button is provided for this record.

The second result is also for the entity "FREEPORT, CITY OF" with the following details:

- DUNS: 005598461
- CAGE Code: 5CLE6
- Has Active Exclusion?: No
- DoDAAC:
- Status: Active

 A "View Details" button is provided for this record.

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor 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 vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

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

OFFICE USE ONLY

Date Received

1 Name of vendor 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 on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

Date

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed;
- or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

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

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.

Certification Regarding Lobbying

(To be submitted with each bid or offer exceeding \$100,000)

The undersigned certifies, to the best of his or her knowledge and belief, 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, 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 any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official

Printed Name and Title of Contractor's Authorized Official

Date

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Bid (BID) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/bid control number assigned by the Federal agency). Included prefixes, e.g., "BID-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

Approved by OMB
0348-0046

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

Type of Federal Action: a. contract ____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	Status of Federal Action: a. bid/offer/application ____ b. initial award c. post-award	Report Type: a. initial filing ____ b. material change
Name and Address of Reporting Entity: ____ Prime ____ Subawardee Tier _____, if Known: Congressional District, if known:	If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only	Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)	

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.	

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.

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is **NO** Interested Party.

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____.

Signature of authorized agent of contracting business entity
(Declarant)

ADD ADDITIONAL PAGES AS NECESSARY