

# CITY OF KINGSVILLE, TEXAS INTERNET & DATA SERVICES REQUEST FOR PROPOSALS 19-09

# DEADLINE: TUESDAY, JULY 30, 2019

RFP's Due: Tuesday July 30, 2019 2:00 PM ATTN: Charlie Sosa 400 W. King Ave. Kingsville, TX 78363

> OR P.O. Box 1458 Kingsville, TX. 78364

## CITY OF KINGSVILE PUBLIC NOTICE REQUEST FOR PROPOSALS 19-09 INTERNET AND DATA SERVICES

The City of Kingsville is soliciting a Request for Proposals ("RFP") 19-09 for <u>the provision of internet</u> <u>and data services</u>. The City is in need of fiber high-speed online connections at twelve internet sites.

<u>The deadline for submission of proposals is 2:00 P.M. Tuesday, July 30, 2019</u>. 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 Kingsville reserves the right to negotiate with any and all persons or firms submitting timely proposals.

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 <u>"City of Kingsville, Attention: Purchasing</u> Manager, <u>RFP 19-09 – Internet and Data Services</u>, and must contain the name of the company submitting the RFP.

Proposals will be publicly opened and read at the Community Room, at Kingsville City Hall located at 400 West King Avenue, Texas 78363 on Tuesday, July 30, 2019, at 2:00 P.M.

RFP documents may be downloaded from the Purchasing Page of the City of Kingsville's website at <u>http://www.cityofkingsville.com/departments/purchasing/rfpbid-openings-fy-2019</u>or obtained in person at the Purchasing Manager's Office, Kingsville City Hall located at 400 West King Avenue, Texas 78363.

Firms may submit proposals for any or all activities. Multiple contracts may be awarded as a result of this solicitation. The City of Kingsville will, in its sole discretion, determine the number of contracts awarded, and may decide not to award any contracts. Proposals shall be valid for a period of sixty (60) days from the date they are opened.

The City of Kingsville is an Affirmative Action/Equal Opportunity Employer. Section 3 Residents, Minority Business Enterprises, Small Business Enterprises, Women Business Enterprises, and labor surplus area firms are encouraged to submit proposals.

1<sup>st</sup> Advertisement: Kingsville Record, Thursday, July 4, 2019

2<sup>nd</sup> Advertisement: Kingsville Record, Thursday, July 18, 2019

For inquiries regarding this RFP, please contact Charlie Sosa, City of Kingsville, Purchasing Manager by phone, 361-595-8025, or email, <u>csosa@cityofkingsville.com</u> The deadline for inquiries is Tuesday, July 23, 2019 at 2:00 P.M.

### CITY OF KINGSVILLE REQUEST FOR PROPOSALS 19-09 INTERNET AND DATA SERVICES

I. <u>Scope of Work</u>: The City of Kingsville is seeking the high-speed online for the following internet and data sites:

Internet Sites (Fiber High Speed Online Connections)

- 1. 400 West King, Kingsville, Texas, City Hall 1000Mbps DIA\*w/5 lps
- 2. 400 West King, Kingsville, Texas, City Hall 650 Mbps ELP\*
- 3. 3421 North Farm Market 1355, Kingsville, Health Department 50 Mbps ELP\*
- 4. 202 West Lee, Kingsville, Texas, Community Appearance 50 Mbps ELP\*
- 5. 200 East Kleberg Kingsville, Texas, Municipal Building 100 Mbps ELP\*
- 119 North 10<sup>th</sup> Street, Kingsville, Texas, Fire Station #1 100 Mbps ELP\*
- 7. 515 North Armstrong, Kingsville, Texas, Fire Station #2 50 Mbps ELP\*
- 8. 501 East Escondido Rd., Kingsville, Texas, Parks and Rec. 100 Mbps ELP\*
- 9. 1501 North Hwy. 77, Kingsville, Texas, Tourism 50 Mbps ELP\*
- 10. 2801 East Santa Gertrudis, Kingsville, Texas, North WWTP 50 Mbps ELP\*
- 11. 2522 East Escondido Rd., Kingsville, Texas, Golf Course 50 Mbps ELP\*
- 12. 1300 East Corral, Kingsville, Texas, Public Works Building 50 Mbps ELP\*
  - \*or Equivalent
  - \*EPL is Ethernet Private Line, DIA Dedicated Internet Access

If the smaller circuits have a minimum bandwidth requirement, it can be bumped up to the minimum speed. If required, construction costs shall be included in cost proposal for these circuits.

When build-outs are occurring, service at each location must be provided / maintained to avoid downtime of disruption to the City daily operations.

Contracts awarded as the result of this solicitation supersede and replace all existing contracts for similar service at each location within this solicitation.

- II. <u>Contract Term</u>: The initial term of this Contract is for a period of one (1) year, with City having the option to renew the Contract for four (4) additional one-year terms, at the City's sole discretion. Consequently, the total term of the Contract may be for a period of five (5) years. The phrase "Term" in this Contract shall mean the then-current Term of the Contract, whether an initial term or a renewal term.
- III. <u>Statement of Qualifications:</u> The City is seeking to contract with well-qualified suppliers that provide internet and services. Please provide information that demonstrates the following:
  - <u>Experience</u>: Vendor's overall experience and reputation; experience with Local government agencies within the past 5 years.
  - Work Performance: Quality of Vendor's services; Availability of infrastructure solutions.
  - <u>Capacity to Perform</u>: Demonstrated ability to perform; financial capability for size and scope of services requested.
- IV. <u>Proposed Cost of Services</u> Please provide your cost proposal to accomplish the scope of work by activity outlined above and for any additional services required using the Cost of Services page included in Exhibit B: Required RFP Forms. The proposal must include all costs that are necessary to successfully complete these activities. Please note that the lowest/best bid will not be used as the sole basis for entering into this contract; rather, award will be made to the firm(s) providing the best value to the City, cost and other factors considered.
- V. <u>Evaluation Criteria</u> The proposal received will be evaluated and ranked according to the following criteria and using the rating sheet enclosed as Exhibit A:

	Maximum Criter	<u>ria Points</u>	
Experience	40		
Work Perform	mance	15	
Capacity to F	15		
Proposed Co	ost	30	
	Total		

- VI. <u>Submission Requirements:</u> In addition to the Statement of Qualifications and Proposed Cost, the following documents are required:
  - A statement of conflicts of interest (if any) the proposing entity or key employees may have regarding these services, and a plan for mitigating the conflict(s). Please note that City may in its sole discretion determine if a conflict disqualifies a firm, and/or if a conflict mitigation plan is acceptable.
  - **System for Award Management**. Consultant/Firm, and its Principals, may not be debarred or suspended nor otherwise on the Excluded Parties List System (EPLS) in the System for Award Management (SAM). Include verification that the company as well as the company's principals are not listed (are not debarred) through the System for Award Management (www.SAM.gov). Enclose a print out of the search results that includes the record date.
  - **Form CIQ**, enclosed in Exhibit B. Texas Local Government Code chapter 176 requires that any vendor or person who enters or seeks to enter into a contract with a local government entity disclose in the Questionnaire Form CIQ the vendor or person's employment, affiliation, business relationship, family relationship or provision of gifts that might cause a conflict of interest with a local government entity. Questionnaire form CIQ is included in the RFP and must be submitted with the response.
  - **Certification Regarding Lobbying,** enclosed in Exhibit B. Certification for Contracts, Grants, Loans, and Cooperative Agreements is included in the RFP and must be submitted with the response.
  - Form 1295, enclosed in Exhibit B. Effective January 1, 2016, all contracts and contract amendments, extensions, or renewals executed by the City Commission will require the completion of Form 1295 "Certificate of Interested Parties" pursuant to Government Code § 2252.908. Form 1295 must be completed by awarded vendor at time of signed contract submission. Form 1295 is included in this RFP for your information.
- VII. <u>Contracting with small and minority businesses, women's business enterprises, and labor surplus area</u> <u>firms.</u> Small and minority businesses, women's business enterprises, and labor surplus area firms are encouraged to participate in this RFP. If the awarded vendor is a prime contractor and may use subcontractors, the following affirmative steps are required of the prime contractor:
  - 1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - 2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - 3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
  - 4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  - 5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
- VIII. <u>Deadline for Submission Proposals must be received no later than deadline for submission of proposals</u> is 2:00 P.M. Tuesday July 30, 2019. 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.

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 Kingsville, Attention: Purchasing Manager, <u>RFP 19-09 – Internet and Data Services</u>, and must contain the name of the company submitting the RFP. Please delivery proposals to Purchasing Manager Charlie Sosa, 400 West King Avenue, Kingsville, Texas 78363.

Any questions or requests for clarification must be submitted in writing to csosa@cityofkingsville.com by Tuesday, July 30, 2019 at 2:00 P.M. The City may, if appropriate, circulate the question and answer to all firms submitted proposals.

# Exhibit A

## **City of Kingsville Example Rating Sheet**

Name of Respondent

Date of Rating

Evaluator's Name

<u>Experience</u> -- Rate the Respondent of the Request for Proposal (RFP) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent.

<u>Experience</u>

#### Experience with Local government agencies within the past 5,10, 1. years. 40 Subtotal, Experience Work Performance Factors Max.Pts. Score 1. Quality of Vendor's services 5 2. Availability of Infrastructure Solutions 10 15 Subtotal, Performance **Capacity to Perform** Factors Max.Pts. <u>Score</u> 1. Demonstrated ability to perform 10 2. Financial capability for size and scope of services requested 5 Subtotal, Capacity to Perform 15 Proposed Cost Factors Max.Pts. Score **Overall Cost of Program** 30 Pricing as determined by the proposal submitted Pricing may also be based upon usage and coverage 30 TOTAL SCORE Factors Max.Pts. Score □ Experience 30 □ Work Performance 15 15 Capacity to Perform 40 Proposed Cost 100 **Total Score**

Exhibit B: Required RFP Forms

# **Cost of Services:**

Vendors must submit a cost proposal including the proposed monthly cost for each site and any initial costs associated with establishing service, including construction costs.

Internet Sites (Fiber High Speed Online Connections)

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- 11. 2522 East Escondido Rd., Kingsville, Texas, Golf Course 50 Mbps ELP\*
- 12. 1300 East Corral, Kingsville, Texas, Public Works Building 50 Mbps ELP\*

Insert System for Award Management (SAM) record search for company name and company principal.

CONFLICT OF INTEREST QUESTIONNAIRE	FORM CIQ				
For vendor doing business with local governmental entity					
This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.	OFFICE USE ONLY				
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).	Date Received				
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. <i>See</i> 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.					
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.)					
<sup>3</sup> Name of local government officer about whom the information is being disclosed.					
Name of Officer					
Describe each employment or other business relationship with the local government offi					
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				
Form provided by Texas Ethics Commission www.ethics.state.tx.us	Revised 11/30/2015				

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# 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

 $(\overline{I})$  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.

Form provided by Texas Ethics Commission

# 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 sub awardee 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 Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g.,

"RFP-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

	0348	d by OMB 3-0046	19-1-	
Complete this form	to disclose lobbying the reverse for public	ng activities pursu	ant to 31 U.S.C. 1352	
Type of Federal Action:a. contractb. grantc.c.cooperative agreementd.loane.loan guaranteef.loan insurance		offer/application al award	Report Type: a. initial filing b. material change	
Name and Address of Reporting E Prime Sub awarde Tier, if k	ee Known:	Name and Addre		
Congressional District, if kno	wn:	Congressional District, if known:		
Federal Department/Agency:		7. Federal Program Name/Description: CFDA Number, <i>if applicable</i> :		
Federal Action Number, if known:		9. Award Amount, if known:		
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>		<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):		
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		Print Name: Title:	Date:	

than \$10,000 and not more than \$100,000 for each such failure.	
Federal Use Only	Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

# (To be completed by awarded vendor)

CERTIFICATE OF INTER	RESTED PARTIES		FORM 1295
Complete Nos. 1 - 4 and 6 if there Complete Nos. 1, 2, 3, 5, and 6 if			FFICE USE ONLY
<ol> <li>Name of business entity filing form, an entity's place of business.</li> </ol>	business	USIFILE	
2 Name of governmental entity or state a which the form is being filed.	ict for	L.USI	
3 Provide the identification number used and provide a description of the servic	d by the governmental entity or sta es, goods, or other property to be	te agency to track of provided upd the c	identify the contract, ontract.
4	City, State, Country	Nature of Interest (check applicable	
Name of Interested Party	City, State, Country (place of business)	Controlling	Intermediary
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5 Check only if there in Interested	l Party.		
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My address (street) deere under penalty of perjury that the foreg	(city)	(state) (zip	code) (country)
Executed in County, Sta	ite of , on the d	av of	20
		(month)	(year)
	Signature of author	ized agent of contracting (Declarant)	business entity
ADD	ADDITIONAL PAGES AS NE	CESSARY	
orm provided by Texas Ethics Commission	www.ethics.state.tx.us		Revised 12/22/201

# Exhibit C: CONTRACT

Please include proposed service contract(s) and construction contracts (if necessary).