



Procurement and Travel Services

1902 N. Loop 499
Harlingen, TX 78550
Phone: 956-364-4554

Invitation For Bid
IFB No.: 16-PS-024
Welding Equipment
Fort Bend Campus

Bid Opening Date: June 15, 2016, 2:00 p.m. CST

To facilitate your firm’s participation in TSTC’s bid process, we ask that you fill in the requested information below as acknowledgment that you have received the bid noted above. By doing this, we will also be able to provide notification to you of any addenda to this solicitation. A ‘No Bid’ response on this form will not preclude receipt of future invitations.

SECTION 1 – CONTACT INFORMATION

Vendor Name _____
Contact Person _____ Email _____
Phone _____ Fax _____
Address _____
(City, State, Zip) _____

SECTION 2 – INTEREST

Select One:

- Yes, our company does have an interest in responding OR
- We hereby submit a “NO BID” because:
 - 1. We are not interested in selling through the bid process.
 - 2. We are unable to prepare the bid in time to meet the bid due date.
 - 3. We do not wish to bid under the TSTC Terms and Conditions
Objections: _____
 - 4. We do not feel we can be competitive.
 - 5. We cannot submit bid because of: _____
 - 6. We do not wish to sell to a state agency.
 - 7. We do not sell the goods or services as stated on the bid document.
 - 8. Other: _____

SECTION 3 – ADDITIONAL INFORMATION

We wish to:

- Remain on the CMBL list
- Be deleted from the CMBL list

Please indicate if you are:

- HUB Non - HUB
- Interested in becoming a HUB

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GENERAL INFORMATION

INSTRUCTIONS

1. Review the entire document including terms and conditions
2. Submit page 1 and pricing sheet (pages 4 and 5)

DESCRIPTION

Texas State Technical College is seeking bids from qualified vendors for different welding equipment.

SUBMISSION OF BIDS

Bids will be accepted until **Wednesday, June 15, 2016 at 2:00 p.m.** CST. Bid must be time-stamped by TSTC before the hour and date specified. Bids that are received late will be returned to the respondent unopened. Bid opening will be at 2:30 p.m.

Bid will not be received by telephone, fax, or email. Bids will only be received at the location described below:

Patricia G. Saldivar, CTPM
Texas State Technical College
Administration/Industrial Technology Building I
Financial Services
1902 North Loop 499
Harlingen, Texas 78550

Submit one (1) original and one (1) identical electronic copy of the Bid and all of its contents. The original Bid should contain the mark "original" on the Bid Cover Page. The electronic copy shall be submitted in a USB/Flash Drive or in a CD in the same envelope as the hard-copy original Bid.

Bid must be enclosed in a sealed envelope (box or container) addressed as described above. The envelope must clearly identify the IFB number, submittal due date, and the name and return address of the respondent. Bid and any other information submitted by respondents in response to this IFB shall become the property of the TSTC.

Bid prices must be firm for TSTC acceptance for 60 days from the submittal due date and the IFB document Submission shall be irrevocable from the close of the call until acceptance by TSTC or the passage of a period of 60 days, whichever shall occur first.

QUESTIONS and ADDENDUMS

All questions regarding this IFB must be submitted in writing to Patricia G. Saldivar, Director of Strategic Sourcing - Procurement and Travel Services at patricia.saldivar@tstc.edu no later than Wednesday, June 8, 2016 at 10:00 a.m. Any clarifications or interpretations of this IFB that materially affect or change its requirements will be issued by TSTC as an addendum. All such addenda are issued by TSTC before the Bid are due as part of the IFB and respondents shall acknowledge receipt of each addendum to the IFB in the Pricing Sheet.

BEST VALUE

In accordance with Education Code, 51.9335, in determining what the best value TSTC will consider the following:

- 1) Purchase price

- 2) Reputation of the vendor and of the vendor's goods or services
- 3) The quality of the vendor's goods and services
- 4) The extent to which the goods or services meets the institution's needs
- 5) The vendor's past relationship with the institution
- 6) The impact on the ability of the institution to comply with laws and rules relating to historically underutilized businesses and to the procurement of goods and services from persons with disabilities
- 7) The total long-term cost to the institution of acquiring the vendor's goods and services; and/or
- 8) Any other relevant factor that a private business entity would consider in selecting a vendor

MULTIPLE AWARDS

One or more vendors can be selected for each or all of the items. The selection will be made based on best value option for the College.

DELIVERY

Delivery location is 26706 Southwest Freeway, Rosenberg, Texas 77471.

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PRICING SHEET

The Respondent must complete, sign and return this Pricing Sheet as part of their submittal response. The Respondent's company official(s) who are authorized to commit to such a submittal must sign submittals. Failure to sign and return this form will subject the submittal to disqualification. The undersigned, having carefully examined the scope of services and related documents, as prepared by Texas State Technical College as well as all other conditions affecting the cost and/or execution of the work, proposes to complete the work in accordance with said documents, of which this Bid is a part, for the following sum:

Item	Description	Model Number	Qty	Unit Price	Extend. Price	Estimated Lead-time
1	Miller XMT 450 CC/CV	907481	20			
2	Miller Dynasty 280DX Power Source	907551	20			
3	Miller Dynasty RFC-14HD Foot Contractor Kit	301309	20			
4	Miller Dimension 650 cc/cv Power	907617	2			
5	Miller XMT 350VS Arc Reach Power Source	907224002	4			
6	Miller 12VS AR Feeder w/S series MIG gun (300 amp)	951589	4			
7	Miller Power Supply Orbimat 165	OT871.000.001	1			
8	Miller Welding Head Orbiweld	OT827.000.002	1			
9	Miller Clamping Shell Pair OW 76S (2 pcs) 3.00'OD	OT827.002.236	1			
10	Miller Clamping Shell Pair OW 76S (2 pcs) 2.50'OD	OT827.002.226	1			
11	Miller Clamping Shell Pair OW 76S (2 pcs) 2.00'OD	OT827.002.213	1			
12	Miller Clamping Shell Pair OW 76S (2 pcs) 1.50'OD	OT827.002.193	1			
13	Miller Clamping Shell Pair OW 76S (2 pcs) 1.00'OD	OT827.002.173	1			
14	Miller Pre Ground Tungsten 10 pack	OTTUNG	1			
	Shipping		1			
	Discounts		1			
TOTAL				\$		

These specifications are being advertised under Section 2155.067, Texas Government Code Title 10. Only bids on items conforming exactly to these specifications will be considered in determining the award. "Conforming exactly to these specifications" includes bidding only the **brand name** (s) specified on this IFB.

ACKNOWLEDGEMENT OF ADDENDA

Respondent acknowledges receipt of the following addenda to the captioned IFB (initial if applicable):
Failure to properly acknowledge addenda may result in disqualification.

Addendum # _____	Issued _____	Initials: _____
Addendum # _____	Issued _____	Initials: _____
Addendum # _____	Issued _____	Initials: _____

Respectfully Submitted,

Respondent's Name: _____

TERMS AND CONDITIONS

ITEMS BELOW APPLY TO AND BECOME A PART OF TERMS AND CONDITIONS OF BID, ANY EXCEPTIONS THERE TO MUST BE IN WRITING.

A. BIDDING REQUIREMENTS

1. Bidder must comply with all rules, regulations and statutes relating to purchasing in the State of Texas in addition to the requirements of this form.
2. Bidders must price per unit shown. Unit prices shall govern in the event of extension errors.
3. Bid should be submitted on this form. Bid must be time stamped at ordering agency on or before the hour and date specified for the Bid opening.
4. Late and/or unsigned bids will not be considered under any circumstances. Person signing bid must have the authority to bind the firm in a contract.
5. Bid prices are requested to be firm for TSTC acceptance for 30 days from bid opening date. "Discount from list" bids are not acceptable unless requested. Cash discounts are not considered in determining an award. Cash discounts offered will be taken if earned.
6. Bid should give Payee ID Number, full firm name and address of proposer on the face of this form. Enter in the space provided, if not shown. Additionally, firm name should appear on each continuation page of a bid, in the block provided in the upper right hand corner. The Payee ID Number is the taxpayer number assigned and used by the Comptroller of Public Accounts of Texas. If this number is not known, complete the following:
Federal Employer's Identification Number _____
If Sole owner, enter Social Security Number _____
7. Bid cannot be altered or amended after opening time. Alterations made before opening time should be initialed by proposer or his authorized agent. No bid can be withdrawn after opening time without approval by TSTC based on an acceptable written reason.
8. Purchases made for State use are exempt from the State Sales tax and Federal Excise tax. Do not include tax in bid. Excise Tax Exemption Certificates are available upon request.
9. TSTC reserves the right to accept or reject all or any part of any kind, waive minor technicalities and award the bid to best serve the interests of TSTC.
10. Consistent and continued tie bidding could cause rejection of bid by TSTC and/or investigation for antitrust violations.
11. TSTC shall not be responsible for failure of electronic equipment or operator error. Late illegible, incomplete, or otherwise non-responsive bids will not be considered.

B. TIE BIDS

Awards will be made in accordance with Rule §20.36(b)(3) in Title 34 of the Texas Administrative Code and Rule §20.38 (preferences).

C. AWARD OF CONTRACT

A response to this IFB is an offer to contract based upon the terms, conditions and specifications contained herein. Bids do not become contracts until they are accepted through an open market purchase order. The contract shall be governed, construed and interpreted under the laws of the State of Texas. The factors listed in Texas Government Code, Title 10, Subtitle D, Section 2155.074, 2155.144, 2156.007, and 2157.003 shall also be considered in making an award. Any legal actions must be filed in McLennan County, Texas.

D. PAYMENT

Vendor shall submit an itemized invoice showing TSTC's purchase order number. TSTC will incur no penalty for late payment if payment is made in 30 or fewer days from receipt of goods or services and an uncontested invoice.

E. PATENTS OR COPYRIGHTS

The vendor agrees to protect TSTC from claims involving infringement of patents or copyrights.

F. VENDOR ASSIGNMENTS

Vendor hereby assigns to ordering agency any and all claims for overcharges associated with this contract arising under the antitrust laws of the United States 15 U.S.C.A. Section 1, et seq. (1973), and the antitrust laws of the State of Texas, TEX. Bus. & Comm. Code Ann. Sec. 15.01, et seq. (1967). Inquiries pertaining to IFBs must give the requisition number, codes, and opening date.

G. BIDDER AFFIRMATION

Signing this bid with a false statement is a material breach of contract and shall void the submitted bid or any resulting contracts, and the vendor shall be removed from all bidlists.

1. The proposer has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted bid.
2. Neither the proposer nor the firm, corporation, partnership, or institution represented by the proposer, or anyone acting for such firm, corporation or institution has violated the antitrust laws of this State or the Federal Antitrust Laws, nor communicated directly or indirectly the bid made to any competitor or any other person engaged in such line of business.
3. Pursuant to Section 2155.004 Government Code the proposer has not received compensation for participation in the preparation of the specifications for this bid.
4. Pursuant to Section 231.006(d), Family Code (relating to child support), the proposer certifies that the individual or business entity named in this bid is not in ineligible to receive this specified payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.
5. Under Section 2155.004 Government Code the proposer certifies that the individual or business entity named in this bid is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and/or payment withheld if this certification is inaccurate.
6. The Contractor shall defend, indemnify, and hold harmless TSTC, all of its officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or commissions of contractor or any agent, employee, subcontractor, or supplier of contractor in the execution or performance of this contract.
7. Under §2155.004, Gov't Code, the bidder certifies that the individual or business entity named in this bid or any contract resulting from this IFB is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate. §2155.004 prohibits a person or entity from receiving a state contract if they received compensation for participating in preparing the solicitation or specifications for the contract.

8. Proposer agrees that any payments due under this bid will be applied towards any debt, including but not limited to delinquent taxes and child support that is owed to the State of Texas.
9. Proposer certifies that they are in compliance with section 669.003 of the Government Code, relating to contracting with executive head of a State agency. **If section 669.003 applies, proposer will complete the following information in order for the bid to be evaluated:**

Name of Former executive: _____

Name of State agency: _____

Date of separation from State agency: _____

Date of Employment with proposer: _____

10. In accordance with §2155.4441, Gov't Code, bidder agrees that during the performance of a contract for services it shall purchase products and materials produced in Texas when they are available at a price and time comparable to products and materials produced outside this state.
11. Pursuant to Section 231.006(c), Family Code, bid must include names and Social Security Numbers of each person with at least 25% ownership of the business entity submitting the bid. Attach name & social security numbers for each person. This information must be provided prior to contract award.
12. Bidder certifies that the bidding entity and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state or local governmental entity and that bidder is in compliance with the State of Texas statutes and rules relating to procurement and that bidder is not listed on the federal government's terrorism watch list as described in Executive Order 13224. Entities ineligible for federal procurement are listed at <http://www.epls.gov>
13. Bidder represents and warrants that payment to the bidder and the bidder's receipt of appropriated or other funds under any contract resulting from this IFB are not prohibited by §556.005 or §556.008, Gov't Code, relating to the prohibition of using state funds for lobbying activities.

H. NOTE TO PROPOSER:

Any terms and conditions attached to a bid will not be considered unless specifically referred to on this bid form and may result in disqualification of the bid. The dispute resolution process provided for in chapter 2260 of the Texas Government Code must be used by the ordering agency and the contractor to attempt to resolve all disputes arising under this contract.

I. TEXAS PUBLIC INFORMATION ACT:

Notwithstanding any provisions of this IFB to the contrary, bidder understands that TSTC will comply with the Texas Public Information Act (Chapter 552, Gov't Code) as interpreted by judicial opinions and opinions of the Attorney General of the State of Texas. Information, documentation, and other material in connection with this solicitation or any resulting contract may be subject to public disclosure pursuant to the Texas Public Information Act. Any part of the solicitation response that is of a confidential or proprietary nature must be clearly and prominently marked as such by the bidder.

J. CONFLICT OF INTEREST:

Under §2155.003, Gov't Code, a TSTC employee may not have an interest in, or in any manner be connected with a contract or bid for a purchase of goods or services by an agency of the state; or in any manner, including by rebate or gift, accept or receive from a person to whom a contract may be awarded, directly or indirectly, anything of value or a promise, obligation, or contract for future reward or compensation. Any individual who interacts with public purchasers in any capacity is required to adhere to the guidelines established in Section 1.2 of the State of Texas Procurement Manual, which outlines the ethical standards required of public purchasers, employees, and bidders who interact with public purchasers in the conduct of state business, and with any opinions of or rules adopted by the Texas Ethics Commission. Entities who are interested in seeking business opportunities with the State must be mindful of these restrictions when interacting with public purchasers of TSTC or purchasers of other state agencies.