



REQUEST FOR PROPOSAL

**Utility Van & Flatbed Purchase – Harlingen Campus**

**RFP-20-DA-004**

NIGP Class Code(s): 073-10

RESPONSES ARE DUE BEFORE:  
**Friday, December 20<sup>th</sup>, 2019, 2:00 PM CST**

POINT OF CONTACT:  
Doris Archie, CTPM  
Texas State Technical College  
Phone: 254.867.3757  
[doris.turner@tstc.edu](mailto:doris.turner@tstc.edu)

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## SECTION 1: GENERAL INFORMATION

### 1.1 Background of Texas State Technical College

Texas State Technical College (“TSTC” or “College”) a state-supported two-year technical college and is the state’s largest provider of technical education. TSTC was originally established in 1965 as the James Connally Technical Institute (JCTI), a two year college in the Texas A&M University System designed to meet the state’s evolving workforce needs. In 1969, the State of Texas gained ownership of James Connally Air Force Base and renamed the college Texas State Technical Institute (TSTI), which became a separate state agency with its own Board of Regents, appointed by the governor. TSTC has been accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACS-COC) as a Level I institution since 1968. The College is an open enrollment institution with a full-time equivalent enrollment of approximately 12,000. In contrast with Texas’s regionally-focused community colleges, TSTC has a statewide role and mission with a legislative mandate to focus specifically on highly specialized, advanced, and emerging technical and vocational areas leading to certificates or associate degrees.

In 2015, the College was granted single-accreditation status from SACS-COC, the regional body for the accreditation of degree-granting higher education institutions in the Southern states. TSTC central administration is located in Waco, Texas, the site of the flagship campus. The College services students throughout the state of Texas at campuses located in Abilene, Breckenridge, Brownwood, Fort Bend County, Harlingen, Marshall, North Texas (Red Oak), Sweetwater, Waco, and Williamson County.

### 1.2 Purpose of the Request for Proposal

Texas State Technical College (TSTC) is soliciting the purchase of two (2) 2015 or Newer Utility Dry Van 53’ x 102” Air Ride Slide, and one (1) 2015 or Newer Utility Combo Flatbed 53’ x 102”. **TSTC WILL NOT PURCHASE ANY ITEMS THAT HAS BEEN INVOLVED IN AN ACCIDENT.** Respondent must provide all documentation for all items, DOT Inspection, etc. **Award is contingent upon TSTC’s inspection of Items.**

### 1.3 Group Purchasing Authority

Texas law authorizes institutions of higher education (defined by Section 61.003, Education Code) to use the group purchasing procurement method (Texas Education Code 51.9335). Additional Texas institutions of higher education may therefore elect to enter into a contract with the successful Proposer under this RFP. In particular, Proposer should note that Texas State Technical College is comprised of several campuses across the state of Texas described at <https://www.tstc.edu/campuses> . TSTC may routinely evaluate whether a contract resulting from a procurement conducted by one of the campuses might be suitable for use by another, and if so, this could give rise to additional purchase volumes. As a result, in submitting its proposal in response to this RFP, Proposer should consider proposing pricing and other commercial terms that take into account such higher volumes and other expanded opportunities that could result from the eventual inclusion of other institutions in the purchase contemplated by this RFP.

#### 1.4 Submission of Proposal

Pursuant to *Texas Government Code Title 10, Subtitle D, Chapter 2156.121-2158.127*, sealed proposals will be received until the date and time established as the submittal deadline. After the submittal deadline, proposals will be opened and only the names of Respondents that properly submitted a Proposal will be made public. Prices and other proposal details will only be divulged after the contract award, if one is made.

***Proposals must be received before the hour and date specified as the submittal deadline. Any proposal received after the expiration of the submittal deadline will be immediately disqualified from consideration.***

Proposals will not be accepted by telephone, fax, or email. Proposals will only be accepted at the address below:

Doris Archie  
Texas State Technical College  
Patterson Hall, 2<sup>nd</sup> Floor  
103 10<sup>th</sup> Street  
Waco, Texas 76705  
Phone: 254.867.3757  
[doris.archie@tstc.edu](mailto:doris.archie@tstc.edu)

***NOTE: Address above is campus address only, recognized by FEDEX and UPS. If sending via USPS, use following street address: 3801 Campus Drive, Waco, TX 76705.***

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

Proposal must be enclosed in a sealed envelope (box or container) addressed as described above. The envelope must clearly identify the RFP number, submittal deadline, and the name and return address of the Respondent. Proposal and any other information submitted by a Respondent in response to this RFP shall become the property of TSTC and will not be returned.

TSTC will not provide “delivery or hand stamp” receipt of Proposal or proof of delivery of Proposal which are delivered by hand or courier.

Failure to comply with all requirements contained in this RFP may result in the rejection of the Proposal. Proposals that are qualified with conditional clauses, alterations, items not called for in the RFP, or irregularities of any kind are subject to rejection.

By submitting a Proposal in response to this RFP, Respondent acknowledges and accepts the evaluation process and that determination of the “best value” will require subjective judgments by TSTC.

**1.5 Questions and Clarifications**

All questions and clarifications regarding this RFP must be submitted in writing to Brooke Burns, at [doris.archie@tstc.edu](mailto:doris.archie@tstc.edu) no later than **Thursday, December 12, 2019, 10:00 AM CST**. TSTC reserves the right to request clarification of any information contained in a proposal. Any clarifications or interpretations of this RFP that materially affect or change its requirements will be issued by TSTC as an Addendum. All such Addenda will be issued by TSTC before the submittal deadline as part of the RFP and Respondents shall acknowledge receipt of each Addendum to the RFP in proposal submission.

**1.6 Schedule of Events**

Issuance of RFP	Friday, December 6, 2019
Pre-Submittal Conference	Not Applicable
Deadline for Written Questions	Thursday, December 12, 2019 10:00 AM CST
Issuance of Addendum (if necessary)	Friday, December 13, 2019, 5:00 PM CST
Submittal Deadline	Friday, December 20, 2019, 2:00 PM CST
Inspection	TBD
Award/Drafting of Contract/Issuance of Purchase Order (tentative)	TBD

**1.7 Pre-Submittal Conference:** Not Applicable

## **1.8 Historically Underutilized Business Submittal Requirements**

It is the policy of TSTC to promote full and equal opportunities for the contracting and subcontracting of Historically Underutilized Businesses (HUB) in accordance with *Texas Government Code*, Chapter 2161. This Chapter applies to all contracts for the purchase of goods and/or services with an expected value of \$100,000 or more.

A HUB Subcontracting Plan Form must be filled out and returned with the Proposal to be considered responsive. If the Proposal does not include a HUB Subcontracting Plan, it shall be rejected as a material failure to comply with advertised specifications.

Search the State of Texas HUB Database for HUB vendors by the NIGP class and item at: <https://mycpa.cpa.state.tx.us/tpasscmbsearch/index.jsp>

Additional minority and women owned business association resources are available for subcontracting notices at: <http://comptroller.texas.gov/procurement/prog/hub/mwb-links-1/>

Additional information and training regarding how to complete a HUB Sub-Contracting Plan can be found on the CPA Website at the following link: <http://comptroller.texas.gov/procurement/prog/hub/hub-subcontracting-plan/>

## **1.9 Subcontracting Approval**

The Respondent shall perform the Contract with its own resources and those subcontractors identified in the Respondent's HUB Subcontracting Plan. In the event that the Respondent should determine that it is necessary or expedient to execute additional or alternative subcontracts for any of the performances under the Contract, the Respondent shall submit a revised HUB Subcontracting Plan for prior approval before executing any subcontracts.

In any subcontracts entered into by Contractor for the performance of the work, Contractor shall require the Subcontractor, to the extent of the work to be performed by the Subcontractor, to be bound to Contractor by the terms of the contract between Contractor and TSTC and to assume toward Contractor all of the obligations and responsibilities that Contractor, by the contract between Contractor and TSTC, assumes toward TSTC.

The Respondent shall manage all quality and performance, project management, and schedules for subcontractors. The Respondent shall be held solely responsible and accountable for the completion of all work for which the Respondent has subcontracted.

## **1.10 Proposal Requirements**

Proposals cannot be altered after the proposal submittal deadline and must be firm for up to 60 days from the submittal deadline. Proposals cannot be withdrawn after submittal deadline without written approval by TSTC based on a written request to withdraw.

### **1.11 Signature, Certification of Proposer**

Proposals submitted without the required forms and authorized signatures, as specified in Section 3 (Proposal Requirements) and Section 5 (Forms and Attachments) are subject to disqualification at TSTC's sole discretion.

### **1.12 Proposal Evaluation and Award Process**

Proposals will be evaluated in accordance with Section 4.1 of the RFP.

### **1.13 Exceptions to RFP**

Any exceptions to terms, conditions, and requirements of the RFP, including the Service Agreement, must be made in writing and noted in the Proposal. Please refer to Section 5, Form B for the required form.

### **1.14 No Reimbursement for Proposal Costs**

TSTC specifically disclaims the responsibility and/or liability for all costs, expenses, or claims related to or arising out the proposers' participation in this RFP process, including but not limited to costs incurred as a result of preparing, copying, shipping, presenting, and/or clarifying their Proposal and the information relevant to the Proposal. Proposers acknowledge and accept that any costs incurred from proposers' participation in this RFP process shall be at their sole risk and responsibility.

### **1.15 Taxes**

As an institute of higher education and agency of the State of Texas, TSTC is exempt from payment of Texas state and local sales or use taxes on all purchases (*Texas Tax Code, Section 151.309*). Do not include sales tax in Proposal. Tax exemption certificates are available upon request.

### **1.16 Reservation of Rights**

TSTC reserves the right to modify the RFP, divide the Scope of Work into multiple parts, and reject any and all proposals to re-solicit for new proposals or temporarily or permanently abandon the RFP prior to the date on which TSTC's delegated authority executes a contract with the selected Proposer.

### **1.17 Texas Public Information Act**

Proposers acknowledge that TSTC is an agency of the State of Texas, and is therefore required to comply with the Texas Public Information Act (*Texas Government Code, Chapter 552.001, et seq.*) TSTC strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of public information. All information, documentation, and other materials submitted in response to this RFP are considered non-confidential and/or non-proprietary and are subject to public disclosure. If proposals include proprietary data, trade secrets, or information proposers must specifically label such data, secrets, or information as follows: **"PRIVILEGED AND CONFIDENTIAL – PROPRIETARY INFORMATION"**.

### **1.18 Equal Opportunity**

Proposer must be an equal opportunity employer. No person shall be discriminated against in employment because of race, color, religion, gender, national origin, disability, or age.

### **1.19 Accuracy of Information**

The information presented in this RFP is complete and accurate to the best of TSTC's knowledge. If proposers have any questions in regards to this RFP, a written request should be submitted to Point of Contact before the Deadline for Written Questions specified herein.

### **1.20 Contract Award**

Proposals to this RFP are offers to contract with TSTC. Proposals do not become contracts and are not binding until a written contract is executed by TSTC's delegated authority and awarded Proposer. Awarded Proposal will become incorporated by reference in the written contract. TSTC shall reserve the right to award a contract for part or all requirements in the RFP, to award multiple awards, or not award any contract, according to what is in the best interest of the TSTC.

The RFP and submitted responsive documents, or portions of each, and at the College's sole discretion, may become incorporated by reference and a part of this written contract and will be binding on both the College and the Proposer after execution of the contract by both parties.

### **1.21 Ethics Conduct**

Any direct or indirect actions taken to unduly influence competitive purposes, to circumvent equal consideration for competitive bidders, or to disregard ethical and legal trade practices will disqualify proposers from current and future consideration for participation in TSTC purchase orders and contracts.



## **SECTION 2: Specifications**

### **2.1 Overview**

Specifications are attached. **Does not have to be the same brand, however, these are our minimum requirements.**

[Requested Specs.pdf](#)

### **2.2 Change or Addition to Scope of Services**

TSTC, without invalidating the contract, may make changes by altering, adding to, or deduction from the specifications at any time during the term of the RFP.

### SECTION 3: PROPOSAL REQUIREMENTS

The Proposal must be organized in sections and divided by tabs in the following format and contain the following information. Proposers should note that elaborate or unnecessary voluminous proposals are not desired. All forms must be completed, signed, and returned as part of the submitted Proposal.

#### 3.1 Execution of Offer

The Execution of Offer (Form A, Section 5) should be the first page of your Proposal. This form must be signed by a person authorized to sign for the Proposer.

#### 3.2 Proposal Criteria (Each section should be in a separate tab)

- 1) **Proposal Response (Tab 1)** – Proposer to provide with their proposal their specifications of the trailers they are bidding with the RFP submittal. Reference Section 2.1 for minimum specifications.
- 2) **Price Form (Tab 2)** – Proposer are to provide a separate quote for two (2) 2015 or newer utility dry van 53'x102" air ride slide, and one (1) 2015 or newer utility combo flatbed 53'x102" based on the required specifications including delivery and any other fees associated with the transfer of ownership of the trailers. List out any additional fees, miscellaneous costs. Proposal must include the amount of days for delivery of the trailers.
- 3) **Inspection Log (Tab 3)** – Proposer are to provide a copy of the inspection logs (DOT Inspection) of the trailers. TSTC will not purchase trailers that has been involved in an accident.
- 4) **Optional (Tab 4)** – Proposer can submit any other services, warranty, goods, etc. that will make differentiate them from other proposer and will give TSTC a Best Value.

## SECTION 4: EVALUATION

Proposer is encouraged to propose terms and conditions offering the maximum benefit to TSTC in terms of (1) services to TSTC, (2) total overall cost to TSTC, and (3) expertise. Proposers should describe all educational, state and local government discounts, as well as any other applicable discounts that may be available to TSTC.

An evaluation team from TSTC will evaluate the Proposal. The evaluation of Proposal and the selection of a proposer will be based on the information provided by Proposer in submitted Proposal. TSTC may give consideration to additional information if TSTC deems such information relevant.

The criteria to be considered by TSTC in evaluating Proposal and selecting a Contractor will be those factors listed below.

Threshold Criteria Not Scored:

- Ability of TSTC to comply with laws regarding Historically Underutilized Businesses; and
- Ability of TSTC to comply with laws regarding purchases from persons with disabilities

Criteria to be Evaluated		Points
Criteria 1:	Price	25
Criteria 2:	Availability	30
Criteria 3:	Inspection	25
Criteria 4:	Proposal	15

Proposers shall carefully read the information contained in Section 4.1 and submit a complete statement of Proposals to all questions in Section 3.2. Incomplete Proposals will be considered non-responsive and subject to rejection.

### 4.1 CRITERIA

TSTC may select the Proposal that offers the “best value” for the institution based on the published selection criteria and on its ranking evaluation. TSTC may first attempt to negotiate a contract with the selected proposer. TSTC may discuss with the selected proposer options for a scope or time modification and any price change associated with the modification. If TSTC is unable to reach a contract with the selected proposer, TSTC may formally end negotiations with that proposer and proceed to the next “best value” proposer in the order of the selection ranking until a contract is reached or all Proposals are rejected. TSTC is not obligated to select the Proposer offering the most attractive economic terms if that Proposer is not the most advantageous to TSTC overall, as determined by TSTC.

## **Best Value Criteria**

- The quality, availability, and adaptability of the supplies, materials, equipment, or contractual services to the particular use required.
- The number and scope of conditions attached to the RFP.
- The ability, capacity, and skill of the proposer to perform the contract or provide the service required.
- Whether the proposer can perform the contract or provide the service promptly, or within the time required, without delay or interference.
- The character, responsibility, integrity, reputation, and experience of the proposer.
- The quality of performance of previous contracts or services;
- Any previous or existing noncompliance by the proposer with specification requirements relating to time of submission of specified data such as photos of equipment, samples, models, drawings, certificates, or other information; the sufficiency of the financial resources and ability of the proposer to perform the contract or provide the service;
- The ability of the proposer to provide future maintenance, repair parts, and service for the use of the contract.
- The purchase price:
- Any relevant criteria specifically listed in the RFP or request for proposals.

## SECTION 5: FORMS AND ATTACHMENTS

TSTC Requires that the Respondent complete and return the following forms as part of their proposal.

- FORM A: EXECUTION OF OFFER  
<https://drive.google.com/open?id=1PM5yVbfmH4pL8FNB9R1KrVJBjgbV7myS>
- FORM B: DEVIATION/COMPLIANCE SIGNATURE FORM  
<https://drive.google.com/open?id=1TIRvkqzxOBF1k4sSBTmpiZWvUCcykEV3>
- FORM C: NON-COLLUSION STATEMENT  
<https://drive.google.com/open?id=18I0R6qMHGIPOVSPYEkqzrMlwcSmfLPj>
- FORM D: REFERENCES  
[https://drive.google.com/open?id=1M23X7yDEMcCu0KItQ3nPnEn48Xf\\_OAXF](https://drive.google.com/open?id=1M23X7yDEMcCu0KItQ3nPnEn48Xf_OAXF)
- FORM E: INTERLOCAL AGREEMENT CLAUSE  
<https://drive.google.com/open?id=1f0S5xD1RZuEuqnt0xtJRvbQfyHi50cEV>
- FORM F: HUB SUBCONTRACTING PLAN  
<https://drive.google.com/open?id=14EVM1uueTuO7c2nRlyEdRAdt-E6Q556X>
- FORM G: CONFLICT OF INTEREST  
[https://drive.google.com/open?id=1orj5MukNpL31jYr9OvLb7LI5-6ce\\_dmp](https://drive.google.com/open?id=1orj5MukNpL31jYr9OvLb7LI5-6ce_dmp)
- FORM H: NO BID RESPONSE (OPTIONAL)  
[https://drive.google.com/a/tstc.edu/file/d/1sgQ9qAgkg-z\\_4KRhUo6\\_cHOsrobScWPW/view?usp=sharing](https://drive.google.com/a/tstc.edu/file/d/1sgQ9qAgkg-z_4KRhUo6_cHOsrobScWPW/view?usp=sharing)