East Texas Council of Governments 3800
Stone Rd. Kilgore, TX 75662

East Texas Council of Governments (ETCOG) acting as Administrative Entity and Grant Recipient for Workforce Solutions of East Texas Board (WSETB), is soliciting:

REQUEST FOR PROPOSAL (RFP)

Anderson-Cherokee County Real Property Procurement 2021

RFP# CG-WACRPP21R

David A. Cleveland, Executive Director
Due Date: January 5, 2022
Time Due: 11:00 A.M.
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BID PARTICIPATION FORM

Request for Proposal: Anderson-Cherokee County Real Property Procurement 2021 RFP

Please advise if you plan to participate in this ‘Request for Proposal’ (RFP) process by filling out this form and returning now to: patricia.hudspeth@etcog.org as an ‘intent to bid’ acknowledgement.

The Request for Proposal (RFP) document was acquired by:

☐ Email  ☐ ETCOG Website  ☐ WSETB Website  ☐ Other

☐ Yes, the entity intends to participate and submit an RFP proposal.

☐ No, the entity will not be participating in this RFP process for the following reason(s):

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

☐ However, please keep the entity active to receive future bidding opportunities.

PROPOSER INFORMATION:

Date: __________________________

Entity Name: ______________________________

Contact Name: ______________________________

Address: ______________________________

City: __________________________ State: ___________ Zip: __________________

Contact Phone: __________________________ Fax: __________________________

Contact Email __________________________


INTRODUCTION:

East Texas Council of Governments
East Texas Council of Governments (ETCOG) is a voluntary association of counties, cities, school districts and special districts within a fourteen-county East Texas region. ETCOG assists local governments in planning for common needs, cooperating for mutual benefit and coordinating sound regional development. Either directly or through contractors, ETCOG provides programs and services for East Texas seniors, employers, and job seekers. ETCOG also builds the 9-1-1 emergency call delivery system, provides peace officer training and homeland security planning services; and delivers rural transportation services, business finance programs, grant writing services and environmental grant funding for the region.

Workforce Solutions East Texas Board
It is the mission of the Workforce Solutions East Texas Board (WSETB) to improve the quality of life in this area through economic development by providing a first-class workforce for present and future businesses. The Board works in partnership with chief elected officials of the region and is the primary source of local workforce policy. The Workforce Solutions East Texas Board is one of 28 local Workforce Solutions Boards located throughout the state. The board serves Henderson, Van Zandt, Rains, Wood, Upshur, Camp, Marion, Harrison, Panola, Gregg, Rusk, Cherokee, Anderson, and Smith counties. The East Texas Council of Governments (ETCOG) serves as the administrating agency of the Workforce Solutions East Texas Board.

SECTION I: GENERAL INFORMATION

Pursuant to Texas State bid law and TWC grant regulations, ETCOG is required to solicit commercial properties for lease or purchase through a competitive bid process in order to determine and assess commercial properties available for lease or purchase on the open market that meet the needs and requirements of WSETB operations.

This Request for Proposal process satisfies both competitive bid law requirements and grant regulations to help ensure ETCOG to select properties that best meet WSETB needs in serving the community in which they are located as well as the surrounding East Texas Region which they also serve as a whole.

Pursuant to ETCOG General Terms & Conditions (Appendix I), ETCOG reserves the right to not award and/or end this RFP process at any time, without any prior notice, written or otherwise, to anyone. ETCOG will not be held responsible or liable for any time and/or effort spent on Proposer RFP preparation or submission. Proposers participate solely of their own free will.

ETCOG is represented by Venue Properties, Inc., a commercial real estate broker in the State of Texas, and as acting broker for ETCOG, may not submit any real properties for consideration or award.
SECTION II: RFP OBJECTIVE

ETCOG, as Administrative Entity and Grant Recipient for WSETB, is soliciting competitive bids for the following: **Option 1)** lease; **Option 2)** lease to purchase; or **Option 3)** purchase of existing commercial property to include: Eastern Anderson County (Greater Palestine area and east), and all of Cherokee County. The property will be used for the implementation of Federal and State funded programs serving targeted populations and communities in the surrounding East Texas Region. All real property options submitted will be evaluated and considered for award to bring the best value to ETCOG and WSETB programs and clients served. In regard to existing building options, all offers will be considered, but preference will be given to existing buildings in close proximity to the specified 4,800 – 7,500 square feet dimensions.

**SCOPE AND SPECIFICATIONS:**

**Option 1)** Lease existing commercial building adequate for office space use (4,800 – 7,500 square feet) *preferred*

**Option 2)** Lease to purchase existing commercial building adequate for office space use (4,800 – 7,500 square feet)

**Option 3)** Purchase of existing commercial building adequate for office space use (4,800 – 7,500 square feet)

Please reference Attachment C (p. 23), as an outline for detailed bid specifications for Options 1, 2 or 3. Additionally, proposers submitting bids for Options 1 or 2 must also complete Exhibit I, Landlord-Tenant responsibilities.

**REAL PROPERTY LEASE TERMS:** Should the procurement result in **Option 1 Lease of Existing Building** or **Option 2, Lease/Purchase of Existing Building**, the ‘lease term’ shall be for a period of two (2) years (subject to minimal change) with three (3) lease renewal option of one (1) additional year. Lease to commence when Occupancy Permit is issued or upon building being ready for move-in, with ETCOG and WSETB having final approval of build-out or renovation work, and if no permit required. Based on current lease obligations, expected lease commencement date will be on or around May 1, 2022.

**Note:** Real property lease terms may be negotiable contingent upon build-out costs and other factors before final signing of agreement by all parties. ETCOG will agree upon terms determined most beneficial to WSETB needs and requirements in serving its clients at the best value possible.

**BROKERAGE FEE STRUCTURE BREAKDOWN:** (Attachment B, p. 22)
Landlord or Seller will pay Venue Properties, Inc a real estate commission equal to five (5)% of gross sales price or if a lease, all base rents, and expense reimbursements to be paid over the initial term of the lease for a non-co-brokered transaction. If co-brokered, fee is four (4)% to Venue Properties, Inc and two (2)% to co-broker.
SECTION III. RFP TIMELINE SCHEDULE (dates are subject to change)

<table>
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<td>RFP Advertisement/Bid Release</td>
<td>Monday, December 6, 2021</td>
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<tr>
<td>Deadline for Submission of Questions</td>
<td>Monday, December 13, 2021</td>
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<td>Response to Questions Posted</td>
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<td>Wednesday, December 15, 2021</td>
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<td>RFP Submissions Due</td>
<td>Wednesday, January 5, 2022  (CST)</td>
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<td>Property Inspections</td>
<td>January 6 to January 14, 2022</td>
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<td>WSETB Appointed Evaluation Team</td>
<td>TBD</td>
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<tr>
<td>Workforce Centers Committee (WCC)</td>
<td>TBD</td>
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<tr>
<td>WSETB Award Approval:</td>
<td>TBD</td>
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<tr>
<td>ETCOG Executive Committee:</td>
<td>Thursday, February 3, 2022</td>
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<td>Authorization by the CEO Board:</td>
<td>TBD</td>
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PRE-BID CONFERENCE: A Pre-Bid Conference will not be held.

SECTION IV. SUBMISSION INFORMATION

SUBMISSION INSTRUCTIONS:

a. Proposers shall submit one (1) original hardcopy of the proposal marked ‘Original’ along with four (4) copies marked ‘Copy’ and must include one (1) electronic copy of proposal to include all required exhibits, i.e., schematics, floor plans, (etc.).

b. Pages should be numbered and contain an organized, paginated table of contents corresponding to the section and pages of the proposal. At least an eleven (11pt) point font of Calibri, Arial, or Times New Roman is acceptable and must be legible.

c. RFP submissions must be clearly identified on the outermost return envelope/packaging and received by 11:00 A.M., January 5, 2022, regardless if by mail, courier/delivery services, or hand delivered, at:

East Texas Council of Governments (ETCOG)
Attn: Trish Hudspeth, CTPM
Strategic Procurement Office
3800 Stone Road, Kilgore, TX 75662

Write: Company Name, RFP# CG-WPRPP21R, January 5, 2022, 11:00 AM in bottom left-hand corner of the outermost Return Envelope/Package

d. It is the Proposer’s sole responsibility to prepare, submit, and deliver or arrange delivery of the RFP proposal(s) with all required exhibits and materials to the designated location on or before the published submittal deadline.

e. ETCOG will not bear liability for any costs incurred in the preparation and submission of submissions in response to this RFP.
f. RFP submission deadline time will be determined by the ETCOG lobby clock.

g. If submitting more than one property to be considered, each property submission should be placed in a separate envelope and clearly identified with the RFP number, submittal deadline/opening date and time, as referenced on previous page.

h. Courier or delivery services may not deliver directly to the specified location; therefore, it is strongly recommended:

- Proposers allow sufficient time for delivery of proposal prior to the published deadline to the location specified in Section IV. Submission Information, Submission Instructions, c., p. 7.
- Proposers understand that failure to submit a proposal by designated deadline, for whatever reason, may not be grounds for disputing the procurement solicitation process or any resulting contract award.

i. It is the Proposer’s responsibility to ensure any addenda or additional materials pertinent to their proposal be included in or with their RFP submission. ETCOG will not be held liable for missing addenda or materials at the time of the RFP Opening, and said addenda or additional materials will not be accepted past the RFP submission deadline date and time.

RFP RETRIEVAL

The RFP document, RFP updates, and additional RFP information or amendments will be posted on the ETCOG and WSETB websites and may be retrieved by clicking on ‘Anderson-Cherokee County Real Property Procurement’ at https://www.etcog.org/procurements. In addition, Proposers may request an RFP copy via email to Trish Hudspeth at: patricia.hudspeth@etcog.org.

QUESTION/RESPONSES

➢ Questions: Pursuant to Section III. Submission Information, RFP Timeline, p. 7, all Deadline Questions are due December 13, 2021. Proposer questions, requests, or inquiries for additional information regarding this RFP process must be emailed to Trish Hudspeth, at patricia.hudspeth@etcog.org. Verbal communication is prohibited, as well as any communication between ETCOG and WSETB staff or their representatives, other than conducting business unrelated to this RFP, during the entirety of the RFP process. Failure to follow this directive may result in rejection of Proposer participation or a submitted RFP proposal.

➢ Responses: Proposers must go online at https://www.etcog.org/procurements and click on ‘Anderson-Cherokee County Real Property Procurement 2021 RFP’ to retrieve responses to any and all questions asked no earlier than December 15, 2021.

Please Note: Proposers who email questions will not receive a personal response to their question(s) but must retrieve question responses online which is to the benefit
of all Proposers. Therefore, it is the sole responsibility of Proposers to review the ETCOG website periodically for RFP responses to questions, RFP amendments or updates.

SEALED PROPOSAL PROCESS
Upon issuance of this RFP, besides written inquiries as described above, other employees and representatives of ETCOG will not answer questions or otherwise discuss the contents of the RFP with any proposer or their representatives. Failure to observe this restriction may result in disqualification of any subsequent response. This restriction does not preclude discussions between affected parties for the purpose of conducting business unrelated to this proposal.

Furthermore, ETCOG reserves the right to a closed RFP process for proposal review/analysis and award recommendation procedures to the best interest of and best benefit to ETCOG as well as ensure the best competitive edge for all parties, and in accordance with Texas Local Government Code:

Sec. 252.049. CONFIDENTIALITY OF INFORMATION IN BIDS OR PROPOSALS. (a) Trade secrets and confidential information in competitive sealed bids are not open for public inspection. (b) If provided in a request for proposals, proposals shall be opened in a manner that avoids disclosure of the contents to competing offerors and keeps the proposals secret during negotiations. All proposals are open for public inspection after the contract is awarded, but trade secrets and confidential information in the proposals are not open for public inspection. (Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.)

In addition, and in accordance with Government Code, Chapter 552. Public Information:
Sec. 552.104. EXCEPTION: INFORMATION RELATED TO COMPETITION OR BIDDING. (a) Information is excepted from the requirements of Section 552.021 if it is information that, if released, would give advantage to a competitor or bidder. (b) The requirement of Section 552.022 that a category of information listed under Section 552.022(a) is public information and not excepted from required disclosure under this chapter unless expressly confidential under law does not apply to information that is excepted from required disclosure under this section. (Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 2001, 77th Leg., ch. 1272, Sec. 7.01, eff. June 15, 2001.)

SECTION V. PROPOSAL OPENING
Proposals will be received until the deadline date and time designated for receipt. Public attendance is allowed; however, RFP procedure will be adhered to in accordance with non-disclosure mandates. Submitted proposals shall be opened in a manner that does not disclose the contents before a decision is awarded. Only the names of the respondents who submitted proposals will be made public. Prices and terms will not be divulged until after the decision award. ETCOG considers all information, documentation, and other related submission materials to be confidential and/or proprietary before a decision is awarded.

- Emailed, telephone, and facsimile proposals will not be accepted in response to this RFP.
- All submitted proposals become the property of ETCOG after the RFP submittal deadline/opening date.
• Responses submitted shall constitute an offer for a period of ninety (90) calendar days or until a preferred selection for award is approved by the CEO Board, whichever comes first.

• Proposer certifies that owner is not currently delinquent in the payment of any taxes or certain debts owed.

• All programs and employers under the auspices of ETCOG are in compliance with EEO. Auxiliary aids and services are available, upon request, to individuals with disabilities.

SECTION VI. SUBMISSION CONTENT REQUIRED

Proposals submitted without the following information may be rejected. ETCOG reserves the right, in its sole judgment and sole discretion, to waive minor technicalities in the best interest of the state. Proposals must contain the following information including all Attachments. Failure to do so may result in disqualification.

1. COMPANY INFORMATION: (including, but not limited to the following)
   a. Company description
   b. Ownership (if partnership, identify each partner)
   c. Physical address (if partnership, include address of each partner)
   d. Mailing address (if partnership, include address of each partner)
   e. Other company locations
   f. Telephone and facsimile number
   g. E-Mail address of company's primary contact
   h. Financial report, including latest annual report and latest quarterly report.
   i. All litigation that your company has been involved in within the last three (3) years. If the firm has been in existence less than three (3) years, identify litigation involving owners and management.

2. EXPERIENCE and FINANCIAL CONDITION:
   a. Provide a summary of qualifications including commercial development experience and commercial property management experience;
   b. Provide a summary of real properties currently owned and/or managed; and
   c. Provide resumes of key management personnel.

3. REFERENCES: Include a minimum of three (3) references from current tenants including names, company information and telephone numbers.

4. CONDITION of EXISTING BUILDING: Provide a description of the condition of building facility by describing:

   EXISTING BUILDING:
   a. The original user versus current user;
   b. Age of facility offered;
   c. General conditions of building;
   d. Security for parking and building;
e. Property’s accessibility to public transportation.
f. Description of Texas Accessibility Standards (TAS) and Americans with Disabilities Act (ADA) compliance;
g. Description of any asbestos, mold, or other hazardous abatement in the past five (5) years;
h. If requested by ETCOG, a copy of all utility bills for the past year.

5. **PROPOSER SUBMISSION SHEET INSTRUCTIONS** *(Attachment A)*: Proposers shall provide a Space Cost or property cost for each property in response to this RFP. This appropriate Option form is to be completed and returned with the proposal. It is to be signed by an authorized agent of your company. Failure to do so will result in disqualification of the proposal. Proposers are not allowed to make any modifications to the format of the ‘Real Property Proposal Sheet’, ‘Attachment A’, (p. 19), to allow for best possible evaluation of real property submitted for consideration.

6. **OWNERSHIP/CONTROL**: The Board will NOT accept any proposal without a specified legal description AND legally enforceable documentation proving ownership or control of the property offered. Only ONE location may be submitted per proposal.

A. If the property is currently owned by the proposer, the proposal must include the following to support ownership:

1. A legible copy of recorded deed showing the name(s) of the owner(s) and legal description. The name(s) of the owner(s) must match the name(s) of the proposer(s). The recorded deed must include the legal description of the property offered.

2. If the legal description in the deed does not describe the property offered (because of re-subdivision or other reasons), the proposer shall attach a current legal description of the specific property and a plat map clearly identifying the specific property.

B. If the property is not currently owned by the proposer, the proposal must include the following to prove control:

1. A legible copy of the fully executed document demonstrating control of the property offered, which may be demonstrated by a contract for sale or exclusive option or other legally enforceable agreement acceptable to ETCOG, between the seller and proposer. Any documentation submitted to prove control of the property must contain clear language specifying the legal description and period of control, which must NOT terminate during the evaluation process prior to a decision Award.

2. A copy of a recorded deed showing the name of the owner(s) must exactly match the name of the seller(s). The recorded deed must include the legal description of the property conveyed.
3. If the legal description in the deed does not describe the property, the proposer shall attach a plat map clearly identifying the specific property offered.

4. Proof of legal authority to act on behalf of an owner must be submitted.

C. A property proposal submitted by an agent MUST include a copy of the legally enforceable document, acceptable to ETCOG, identifying the principal, scope, and duration of the agency.

D. No property substitution will be allowed.

E. All owners or potential owners of the property must be disclosed.

Site Plan: Proposer must provide one (1) original and one (1) copy of proposal along with one (1) electronic copy of the proposed site plan. The site plan must show the footprint of the building and the parking lot, as well as the proposed accessible route(s) into the property and between the building and parking lot, as applicable.

Location: Proposer must provide one (1) original paper copy of the proposal, along with one (1) electronic copy of a city map indicating location of the building/site offered.

SECTION VII. PROPOSAL EVALUATION CRITERIA

In determining ‘best value’ ETCOG and the WSETB appointed evaluation team, hereafter known as ‘WSETB evaluation team’, will assess information requested and contained in submitted proposal pertaining to, but not limited to the following evaluation criteria:

➢ The overall cost of each real property options;
➢ Price per sq. ft. as compared to standard pricing for the area
➢ Proposed Price Increases for Future Years of Occupancy for existing building;
➢ The square footage or acreage offered;
➢ The condition of existing building;
➢ Location of existing building;
➢ Utility costs of existing building options;
➢ Access to public transportation for all options;
➢ Sufficient level of broadband service delivered to the proposed facility
➢ Parking space allotment and availability for all options;
➢ Crime statistics and security for all options;
➢ Telephone and data service availability/accessibility for all options;
➢ Condition and configuration of internal wiring for existing building options;
➢ Testing’s for asbestos, mold, or other hazardous abatement
➢ Indicators of proposer’s performance under the agreement, i.e., proposer’s financial resources, proposer’s experience, (etc.) for all options
➢ References
➢ Compliance with the architectural barriers law, Article 9102 for all options; and
➢ Other relevant factors, regulations, certifications, and costs for all options

SECTION VIII. EVALUATION PROCEDURES AND TERMS

➢ An evaluation team will be established to evaluate the proposals. The committee may include employees of ETCOG and WSETB appointed members.

➢ The intent of ETCOG and the WSETB evaluation team is to award a lease or purchase to the proposer whose proposal is considered to be the best value to WSETB.

➢ Submission of proposals confers no legal rights upon any proposer.

➢ ETCOG reserves the right for any contract resulting from this RFP to be contingent upon the continued availability of funding.

➢ ETCOG and the WSETB evaluation team reserves the right to reject any or all proposals submitted, or to make an award to whom the ETCOG and the WSETB evaluation teams’ opinion offers the best value.

➢ ETCOG and the WSETB evaluation team also reserves the right to cancel the RFP process and pursue alternate methods for providing the space requirements.

➢ ETCOG and WSETB evaluation team reserves the right to discern ‘errors and omissions’ for non-material issues and discoveries during the review process.

➢ ETCOG reserves the right to conduct studies and other investigations as necessary to evaluate any proposal.

➢ ETCOG reserves the right to waive any minor technicality noted in the submission process.

➢ ETCOG reserves the right to request further documentation or information and to discuss a submitted proposal with any proposer in order to answer questions or to clarify any aspects of the submitted proposal.

➢ ETCOG may develop a "short list" of qualified proposals and may determine that the proposer(s) should submit a Best and Final Offer (BAFO). Each "short listed" proposer will be given a reasonable opportunity for discussion and revision of their proposal.

➢ ETCOG reserves the right to negotiate proposals received as well as to vary or waive any provisions set forth in this request for proposals in the best interests of the WSETB.

➢ ETCOG reserves the right to negotiate the final terms of any potential agreement or contract as a result of this RFP with Proposers, to include but not limited to, any essential clauses or certifications in this RFP.
➢ When space offered is to be constructed, ETCOG may require additional information or documentation before a decision is awarded.

➢ This RFP does not commit or obligate ETCOG to allow any costs incurred in the preparation of a response or in advance of the execution of a contract.

➢ Conflict of interest is a serious issue. Proposers may not hire ETCOG management or support staff, or policy board members that were involved in the evaluation and/or selection process under this proposal. Proposers must sign and submit Conflict of Interest form (Attachment F).

➢ Proposal must have original signature of the person having the authority to bind the organization to a contract or it may be rejected for non-compliance.

SECTION IX: SELECTION AND AWARD PROCESS

➢ Proposals shall be scored by a WSETB evaluation team, using the criteria shown in Section VII. Proposal Evaluation Criteria, pg. 12. The WSETB evaluation team will determine if discussion and/or BAFO, is in the best interest of WSETB. The WSETB evaluation team may determine that discussions are necessary to clarify or verify a written proposal. WSETB may, at its discretion, elect to have respondents provide oral presentations of their proposals. A request for a BAFO will be made at the sole discretion of the WSETB evaluation team and will be requested in writing.

➢ The WSETB evaluation team will evaluate the finalists and make a recommendation for award, and in the event an award does not occur, the process may continue until a successful proposal is recommended for award or the process is terminated.

➢ A proposal presented in response to this RFP is subject to negotiation concerning any issue(s) deemed relevant to ETCOG and the WSETB evaluation team and reserves the right to negotiate any issue with any party.

➢ Any contact by Proposer with ETCOG, WSETB, or Workforce staff regarding this RFP, other than those submitted in writing, will result in disqualification of the proposal.

➢ The Award Notice will be sent to the successful proposer. Execution of the Contract is required prior to processing any payments to the proposer.

➢ All Award Notices are subject to final approval by the CEO Board. If the CEO Board does not ratify the agreement, it may be terminated without liability upon thirty (30) calendar days from the date of CEO Board action to the proposer.

➢ Submission of a proposal indicates proposer’s acceptance of the evaluation process and recognition that ETCOG and the WSETB evaluation team may make subjective judgments in evaluating the proposals to determine best value.
SECTION X. PROPOSAL TERMS

The RFP itself and any and all required sections/pages submitted with proposal may, in partial or in whole, be part of any agreement resulting from this RFP process.

AWARD of REAL PROPERTY:

➢ A response to this solicitation is an offer to lease; lease to purchase or purchase existing commercial building based on the terms, conditions and specifications contained in the solicitation. Responses are not to become agreements unless and until they are accepted by ETCOG, the execution of a standard lease by all parties and issuance of a lease.

➢ The lease is void if sold or assigned to another company without written approval of the ETCOG. Written notification of changes to company name, address, telephone number, etc. shall be provided to ETCOG as soon as possible, but not later than thirty (30) calendar days from the date of change.

PAYMENT: Payment will be made in accordance with the standard lease terms or purchase agreement.

PATENTS or COPYRIGHTS: Proposer agrees to protect ETCOG and the WSETB from claims involving infringement of patent or copyrights, if warranted.

COMPLIANCE: Proposer shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any court or administrative bodies or tribunals in any matter affecting the performance of the agreement including, if applicable, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and licensing laws and regulations. When required, proposer shall furnish the Board with satisfactory proof of its compliance.
SECTION XI. SIGNATURE PAGE

Acknowledgement of Essential Clauses and Certifications – The Essential Clauses and Certifications are a material representation of fact upon which reliance is placed when entering into any contract or agreement resulting from this RFP. The return of these required documents signed with original signatures by an authorized representative of Proposer are prerequisites for finalizing the award and must be returned with the proposal. Failure to do so may deem a proposal null and void, at the sole discretion of ETCOG and programs served.

Where the undersigned Proposer is unable to certify to any of the statements above, a valid and just explanation must be attached, or proposal will be rejected.

Affirmation of ETCOG Essential Clauses and Certifications - The undersigned certifies the indicated statements and essential clauses are true and correct and further understands that making a false statement and/or proclamation of compliance is a material breach of any subsequent award or service agreement and is grounds for award cancellation.

PROPOSER SIGNATURE

The undersigned hereby certifies the information contained in this proposal and any attachment is true and correct and an accurate representation of the proposed services to be provided and of the administration, management and financial capabilities and systems of this organization.

And further hereby certifies and warrants that he/she has been fully authorized to execute this proposal on behalf of their firm and to legally bind the firm to all the RFP terms, performances, certifications, and provisions as herein set forth to be part of any resulting contract or service agreement.

___________________________________________  __________
Company/Provider Name:                     Date

___________________________________________  __________
Signature                                  Email

___________________________________________  __________
Typed Name and Title of Authorized Representative
EXHIBIT I

LANDLORD – TENANT RESPONSIBILITIES

(Proposers must complete and return this form with real property submissions for Option 1: Lease of Existing Building and Option 2: Lease/Purchase Lease of Existing Building)

This is Landlord’s “Letter of Intent” to secure a lease and not a binding document.

UTILITIES:

A. The party designated below will pay for the following utility charges to the leased premises and any connection charges for the utilities. (Check all that apply.)

<table>
<thead>
<tr>
<th>Utility</th>
<th>N/A</th>
<th>Landlord</th>
<th>Tenant</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Water</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Sewer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Electric</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Gas</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) Telephone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(6) Internet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(7) Cable</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(8) Trash</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(9)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(10) All other utilities</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. The party responsible for the charges under Utilities: Section A will pay the charges directly to the utility service provider.

MAINTENANCE AND REPAIRS:

A. Cleaning: Tenant must keep the leased premises clean and sanitary and promptly dispose of all garbage in appropriate receptacles. □ Landlord □ Tenant will provide, at its expense, janitorial services to the leased premises that are customary and ordinary for the property type.

B. Repair and Maintenance Responsibility: The party designated below, at its expense, is responsible to maintain and repair the following specified items in the leased premises (if any). (Check all that apply.)

<table>
<thead>
<tr>
<th>Item</th>
<th>N/A</th>
<th>Landlord</th>
<th>Tenant</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Foundation, exterior walls, roof, and other structural components</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Glass and windows</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Fire protection equipment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Fire sprinkler systems</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) Exterior &amp; overhead doors, including closure devices, molding, locks, and hardware</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>6</td>
<td>Grounds maintenance, including landscaping and irrigation systems</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Interior doors, including closure devices, frames, molding, locks, and hardware</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Parking areas and walks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Plumbing systems, drainage systems and sump pumps</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Electrical systems, mechanical systems</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Ballast and lamp replacement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Heating, Ventilation and Air Conditioning (HVAC) systems</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>HVAC system replacement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Signs and lighting</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) Pylon</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) Facia</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) Monument</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(d) Door/Suite</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(e) Other: _____</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Extermination and pest control, excluding wood-destroying insects</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Fences and Gates</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Storage yards and storage buildings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Wood-destroying insect treatment and repairs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Cranes and related systems</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>____</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>____</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>All other items and systems</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ATTACHMENT A
REAL PROPERTY PROPOSAL SHEET

A bid sheet for each property offered is required. Properties not meeting the basic real property requirements of square footage or minimum acres will not be considered.

PROPOSER NAME: ____________________________________________________________

Please check all boxes that apply to the real property(s) being submitted for consideration and provide required details for each applicable option wherever designated:

☐ Option One: Lease Existing Building - Lease existing commercial building adequate for office space use (4,800 – 7,500 square feet) Preferred
☐ Option Two: Lease to Purchase Existing Building - Lease to purchase existing commercial building adequate for office space use (4,800 – 7,500 square feet)
☐ Option Three: Purchase Existing Building - Purchase of existing commercial building adequate for office space use (4,800 – 7,500 square feet)

REAL PROPERTY DETAILS:

Property Name: ______________________________________________________________

Property Address: ____________________________________________________________

Owner Name: ________________________________________________________________

Landlord Name (if applicable):

REQUIRED: Proposer must sign at the bottom of the ‘Real Property Proposal Sheet’ for each property offered and by signing below, Proposer's firm agrees to lease or sell the real property(s) submitted for consideration as described and at the cost indicated and agrees to abide by all the terms and conditions as specified in this document and in any agreement resulting from an award based on this Request for Proposal. Any exceptions taken to the terms and conditions as set forth in this document must be identified in detail and accompany this offering. Any exceptions not identified in detail at the time this proposal as presented will not be considered.

NOTE: Proposer must attach a detailed description of the proposed property for consideration in accordance with Section VI., Submission Content Required, p. 10, requirements for any options offered. In addition, Exhibit I: Landlord-Tenant Responsibilities (p. 17), must be provided if real property is for Option One or Option Two below.
A. **OPTION ONE and OPTION TWO Details**: (Fill-in the following information, required)

<table>
<thead>
<tr>
<th>Square Footage of Space</th>
<th>Annual Base Rent</th>
<th>Annual Base Rent per Square Foot</th>
<th>Monthly Base Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>SF $</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Triple/NNN:</th>
<th>Annual</th>
<th>Monthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insurance Escrow</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Tax Escrow Payment</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Common Area Maintenance (CAM) Fee:</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

Specify Common Areas:

________________________________________________________________________

________________________________________________________________________

Parking spaces allotted to Tenant and Tenant clients/visitors:

________________________________________________________________________

Property Crime Statistics (*provide below or attach report*):

________________________________________________________________________

________________________________________________________________________

**OPTION TWO: Purchase Details**

Terms for Lease to Purchase of Existing Building

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Please indicate if the lease space may be expanded, and if so, by how much: ___________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
### B. **OPTION THREE Details:** Purchase of Existing Building

<table>
<thead>
<tr>
<th>Square Footage of Space</th>
<th>List Price</th>
<th>Price per Square Foot</th>
</tr>
</thead>
<tbody>
<tr>
<td>SF</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

**Property Crime Statistics**  
________________________________________________________________________  
________________________________________________________________________  
________________________________________________________________________  

**Additional Purchase Details:**  
________________________________________________________________________  
________________________________________________________________________  
________________________________________________________________________  

**SIGNATURE:** The undersigned understands and agrees to the above terms of any option and is authorized to obligate firm by signature to the terms of the above brokerage fee options.

______________________________  
Owner or Authorized Agent (signature)

______________________________  
Owner or Authorized Agent (printed)

______________________________  
Date

**NOTE:** Please feel free to attach the marketing brochure or a webpage hardcopy of submitted properties as additional reference of property details, but not to take the place of the above proposal sheet which is required to validate the proposal sheet for each property offered.
ATTACHMENT B
BROKERAGE FEE STRUCTURE BREAKDOWN

The Landlord or Seller of any real property awarded as a result of this RFP process will pay ETCOG’s representative commercial brokerage firm a real estate commission equal to five (5)% of gross sales price or if a lease, all base rents, and expense reimbursements to be paid over the initial term of the lease for a non-co-brokered transaction. If co-brokered, fee is four (4)% to ETCOG’s brokerage firm and two (2)% to co-broker of any awarded real property transaction. ETCOG’s representative commercial brokerage firm is Venue Properties.

**Option One and Option Two:** Lease or Lease Purchase of Existing Building

**Brokerage Fee Calculation to Venue Properties, Inc. (Non Co-Broker) – paid by Landlord**

<table>
<thead>
<tr>
<th>Monthly Base Rent</th>
<th>Monthly NNN</th>
<th>Total Monthly Rent</th>
<th>Term</th>
<th>Commission Rate</th>
<th>Total Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>+ $</td>
<td>= $</td>
<td>x 24</td>
<td>5%</td>
<td></td>
</tr>
</tbody>
</table>

**Brokerage Fee Calculation to Venue Properties, Inc. (Co-Broker) – paid by Landlord**

<table>
<thead>
<tr>
<th>Monthly Base Rent</th>
<th>Monthly NNN</th>
<th>Total Monthly Rent</th>
<th>Term</th>
<th>Commission Rate</th>
<th>Total Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>+ $</td>
<td>= $</td>
<td>x 24</td>
<td>4%</td>
<td></td>
</tr>
</tbody>
</table>

**Option Three and Option Four:** Purchase of Existing Building

**Brokerage Fee Calculation to Venue Properties, Inc. (Non Co-Broker) – paid by Seller**

<table>
<thead>
<tr>
<th>Monthly Base Rent</th>
<th>Monthly NNN</th>
<th>Total Monthly Rent</th>
<th>Term</th>
<th>Commission Rate</th>
<th>Total Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>+ $</td>
<td>= $</td>
<td>x 24</td>
<td>5%</td>
<td></td>
</tr>
</tbody>
</table>

**Brokerage Fee Calculation to Venue Properties, Inc. (Co-Broker) – paid by Seller**

<table>
<thead>
<tr>
<th>Monthly Base Rent</th>
<th>Monthly NNN</th>
<th>Total Monthly Rent</th>
<th>Term</th>
<th>Commission Rate</th>
<th>Total Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>+ $</td>
<td>= $</td>
<td>x 24</td>
<td>4%</td>
<td></td>
</tr>
</tbody>
</table>

**Signature:** The undersigned understands and agrees to the above terms of any option and is authorized to obligate firm by signature to the terms of the above brokerage fee options.

Owner or Authorized Agent (signature) __________________________

Owner or Authorized Agent (printed) __________________________

Date __________________________
ATTACHMENT C

SUMMARY OF DESIRED USE FOR PROPERTY USAGE
Space Requirement: 4,800 – 7,500 square feet for OPTIONS 1,2 AND 3

- 3 training rooms capable of holding 20 people each
- 1 staff area capable of 10 cubicles
- 1 enclosed office for site manager
- 1 open area for public resource area capable of holding 12 computer stations
- 1 set of ADA compliant restrooms
- 1 storage and file room
- 1 closest for janitorial supplies
- 1 breakroom area
- 1 closet or designated area for IT equipment

NOTICE: The above area dimensions are ‘good faith’ estimates based on verbal communication(s) with end-users concerning space requirements for operation of their service programs. Further, it is understood by all parties, that area and space configurations are subject to change during the actual development and implementation stage.
ATTACHMENT D
TEXAS CORPORATE FRANCHISE TAX CERTIFICATION

Pursuant to Article 2.45, Texas Business Corporation Act, State agencies may not award grants to for profit corporations that are delinquent in making state franchise tax payments. The following certification that the corporation entering into this grant award is current in its franchise taxes must be signed by the individual authorized on Form 2031, Corporate Board of Directors Resolution, to sign the grant award for the corporation.

The undersigned authorized representative of the corporation being awarded a grant herein certifies that the following indicated statement is true and correct and that the undersigned understands making a false statement is a material breach of the grant award and is grounds for grant award cancellation.

_____ Not applicable, the contractor is not a corporation.

Indicate the certification that applies to your corporation:

_____ The Corporation is a for-profit corporation and certifies that it is not delinquent in its franchise tax payments to the State of Texas.

_____ The Corporation is a non-profit corporation or is otherwise not subject to payment of franchise taxes to the State of Texas.

STATE ASSESSMENT CERTIFICATION

The authorized representative of the corporation contracting herein by executing this contract certifies that the following indicated statement is true and correct and that the undersigned understands making a false statement is a material breach of contract and is grounds for contract cancellation.

The corporation certifies that:

_____ The Corporation is current in Unemployment Insurance Taxes, Payday and Child Labor Law monetary obligations, and Proprietary School fees and assessments payable to the State of Texas.

_____ The Corporation has no outstanding Unemployment Insurance overpayment balance payable to the State of Texas.

_____________________________________________ 
Name of Organization

_____________________________________________ 
Printed Name and Title of Authorized Representative

_____________________________________________ 
Signature of Authorized Representative