



REQUEST FOR PROPOSAL: RFP# CG-EFSS24R ETCOG Financial Strategy Services 2024 RFP

David A. Cleveland, Executive Director, ETCOG
Wendi Horst, Director of Operations

RFP TIMELINE SCHEDULE (dates/times subject to change)

Bid Released	Thursday, March 14, 2024
Questions Due	Wednesday, March 20, 2024
Staff Responses Post	Wednesday, March 27, 2024
Bids Due	Wednesday, April 3, 2024 (11:00 A. M.)

All programs and employers under the auspices of ETCOG is in compliance with
EO (29 CFR 38.25).

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.

BACKGROUND & PURPOSE

The East Texas Council of Governments (ETCOG) is soliciting proposals for Financial Strategy Services. The successful Proposer(s) will assist ETCOG in financing multiple facilities in a timely manner at the lowest possible cost. Currently, ETCOG is in various stages of planning, development, design, and acquisition of multiple facilities to house programs for workforce & economic development, and seniors. In addition, one of these projects features a Bi-Regional Public Safety Training Facility.

PROPOSAL INFORMATION

This Request for Proposals (RFP) is a competitive process which will give a fair opportunity for qualified Firms and Individuals to offer available services for any resulting contract(s) from this RFP procurement throughout the award term as need presents. This competitive RFP process will provide ETCOG the flexibility to select the Firms/Individuals whose proposal(s) are most helpful to meet/exceed ETCOG program needs and to negotiate with responding Firms or Individuals to arrive at a mutually agreeable contracts as needed.

SCOPE OF WORK

The successful proposer(s) will work with ETCOG staff, legal counsel and ETCOG elected officials, as needed, to design and implement financing strategies most appropriate for each project to include grants, lines of credit, leases, lease-purchase, short-term commercial loans, long-term commercial mortgage, and other potential financial instruments such as bonds in conjunction with a governmental partner. Financial Strategy Services include but are not limited to, quantitative analysis, evaluation and presenting of financing options, provision of timely credit market information, assistance of all offering documents to include those required for competitive procurement, advice and assistance with application, evaluation, issuance, sale and delivery of debt instruments, as well as, attending meetings and ongoing services after the delivery of a debt issuance.

PROPOSER QUESTIONS (Required)

In response to this RFP procurement, ETCOG prefers substance over form, to be considered responsive, Proposers are asked to review and respond to the following questions:

- 1) What experience do you have working with the Community Reinvestment Act?
- 2) Summarize your firm's history with particular emphasis on public projects involving public finance and solutions.
- 3) Why should your firm be selected to provide Financial Strategy Services for the above-mentioned projects?
- 4) Describe your approach/strategy to successfully addressing difficult public finance projects. To the extent possible, provide examples of public project successes from past projects you have been involved in.
- 5) Please provide three references that can verify your experience working with public sector entities, East Texas Area (preferred); include a contact name, phone number, and email address for each reference.
- 6) Describe and detail your knowledge, skills, and abilities working with banking institutions, Bridge Loan financing, Lines of Credit, Long-Term Capital Financing Projects, Bond Financing, and any other type of financing that may be available to ETCOG.
- 7) Project Team: Identify the essential personnel who will provide the services and support to ETCOG staff, such as the lead broker, financial analysts, and all other members of the team along with a brief summary of each team member's qualifications.

TERM OF CONTRACT

The initial term of the contract for these services is two (2) years with up to three (3) one-year options to renew.

REQUIRED SUBMISSION DOCUMENTATION

Bid proposals/submissions are to include the following Program/Pricing requirements:

- 1) **Proposer responses:** Submit responses to program questions (p. 2); (return with submission)
- 2) **Proposer Pricing:** Submit Proposer's pricing for services; (return with submission)

Standard RFP required documentation:

- 1) Appendix I & Conflict of Interest form - signed; (return attachment with submission)
- 2) Appendix II - signed; (return attachment with submission)
- 3) Signed 'Affirmation & Signature' (p. 11); (**must** return with submission) and,
- 4) All pages requiring initials, checkmarks, and/or signatures not mentioned, if any.

Attention: It is understood failure to provide the above items with a submitted proposal will diminish award consideration and ETCOG has the right to mark the proposal as non-compliant and treat it as a no-bid at their sole discretion.

Note: Proposals submitted with the required documentation/responses shall be considered for award in conjunction with the Evaluation Criterion, (p. 8).

CURRENT REFERENCES

Provide three (3) examples of successful financing partnerships your firm has initiated in Texas or elsewhere in an entity similar to ETCOG.

1. Name: _____ Phone: _____
Address: _____ St/Zip _____
Contact Name _____ Email: _____
Entity Served: _____
Financial Service Provided/Outcome: _____

2. Name: _____ Phone: _____
Address: _____ St/Zip _____
Contact Name _____ Email: _____
Entity Served: _____
Financial Service Provided/Outcome: _____

3. Name: _____ Phone: _____
Address: _____ St/Zip _____
Contact Name _____ Email: _____
Entity Served: _____
Financial Service Provided/Outcome: _____

HARD COPY BID SUBMISSION

HARDCOPY INSTRUCTIONS: Hardcopy bid submissions must be clearly identified on the outermost return envelope or packaging and must be received by the bid submission date/time of **11:00 A.M., Wednesday, April 3, 2024**, regardless of if by mail, courier/delivery services, or hand delivered, at:

**East Texas Council of Governments (ETCOG)
Attn: Patricia Hudspeth, Strategic Procurement Mgr.
3800 Stone Road, Kilgore, TX 75662**

Write: Company Name, RFP# CG-EFSS24R, April 3, 2024, in bottom left-hand corner of the outermost Return Envelope/Package

NOTE: Emailed, telephone, facsimile, or late bid submissions are not allowed in response to this RFP.

1. Proposers are to submit one (1) hardcopy marked 'Original' along with (4) four additional copies marked 'Copy' and submit one (1) electronic copy of proposal to include all related documentation. Please do not use 3-ring binders.
2. 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, Ariel, or Times New Roman is acceptable and must be legible.
3. 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.
4. ETCOG will not bear liability for any costs incurred in the preparation and submission of submissions in response to this RFP.
5. RFP submission deadline *time* will be determined by the ETCOG lobby clock.
6. 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.
7. Courier or delivery services may not deliver directly to the specified location; therefore, it is strongly recommended:
 - Proposers allow sufficient time for delivery of a hardcopy proposal prior to the published deadline date/time to the location specified.
 - Proposers understand failure to submit a proposal by the designated deadline (p. 1), for whatever reason, may not be grounds for disputing the procurement solicitation process or any resulting contract award.

8. It is the Proposer's sole 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.

DIGITAL BID SUBMISSION

Upload Requirements/Instructions

1. Proposers must **email** Patricia Hudspeth at patricia.hudspeth@etcog.org to request an 'Access Link' by **11:00 A.M., Tuesday, April 2, 2024**, if not sooner, to receive an access code for digital upload purposes.
2. '**Access Link**' requests by phone, voicemail, or past the noted deadline date/time above will not be accepted, **no exceptions**.
3. Once an access link has been acquired, it is the Proposer's sole responsibility to upload their RFP proposal digitally with all required exhibits and materials by the 'Bids Due' deadline (p. 1), if not sooner.

RFP RETRIEVAL

The RFP document, RFP updates, and additional RFP information or amendments will be posted on the ETCOG website and may be retrieved by clicking on the 'ETCOG Financial Strategy Services 2024 RFP' link at <https://www.etcog.org/procurements> or request by email to Patricia Hudspeth at: patricia.hudspeth@etcog.org.

Please note, it's the Proposer's sole responsibility to stay informed of any RFP changes/updates.

COMMUNICATION

There is to be no communication allowed, in any form, between ETCOG and their representatives, other than conducting daily business unrelated to this RFP procurement, during the entirety of the RFP process. Failure to knowingly not comply with this directive will result in rejection of Proposer participation and/or submitted RFP proposal.

QUESTIONS/RESPONSES

Proposer Questions: Proposer questions for this RFP process are due **March 20, 2024**, if not sooner, and must be emailed to Patricia Hudspeth, Facilitator at: patricia.hudspeth@etcog.org and no one else.

Staff Responses: Proposers **must** go online at <http://www.etcog.org/procurements> and click on 'ETCOG Financial Strategy Services 2024 RFP' to retrieve responses to all questions asked, no earlier than **March 27, 2024**.

HUB BEST PRACTICES

ETCOG shall ensure small, minority, disadvantaged, and women's businesses are considered as sources for acquisitions whenever possible.

Proposer is encouraged to make a good faith effort to consider HUBs when subcontracting. Some methods for locating HUBs include:

- utilizing the Texas Comptroller of Public Accounts website <http://www.window.state.tx.us/procurement/cmbi/cmbihub.html>;
- utilizing Web sites or other minority/women directory listings maintained by local Chambers of Commerce; or
- advertising subcontract work in local minority publications; and/or contacting the contracting state agency for assistance in locating available HUBs.

PROPOSAL OPENING

ETCOG reserves the right to a closed RFP process for bid submission review/analysis and award recommendation procedures to the best interest of and best benefit to ETCOG and programs served as well as ensure the best competitive edge for all parties, and in accordance to [Texas Local Government Code](#):

Sec. 252.049. CONFIDENTIALITY OF INFORMATION IN BIDS OR SUBMISSIONS. Bid submissions will be received until the deadline date/time as referenced under 'RFP Timeline Schedule. p. 1', and public attendance is allowed. However, only the names of submitting Proposers will be read and disclosed if received by the deadline date/time.

1. All bid submissions become the property of ETCOG after the RFP deadline/opening date.
2. Responses submitted shall constitute an offer for a period of ninety (90) calendar days or until a preferred selection for award is approved by ETCOG, whichever comes first.
3. All programs and employers under the auspices of ETCOG are following EEO. Auxiliary aids and services are available, upon request, to individuals with disabilities.

PROPOSAL EVALUATION & AWARD

Proposals will be evaluated for overall performance in meeting or exceeding program needs as addressed throughout the RFP documentation in addition to numerically scored criteria of key program requirements indicated in the criteria table below. The number of proposals selected for consideration will be at the sole discretion of ETCOG.

EVALUATION CRITERION

CRITERIA TABLE	POINTS
2. Response to proposer questions	60
3. Pricing	40
TOTAL	100

NOTE: A composite grade will be given for the above table criteria of 0-100 and a minimum of seventy-five (75) overall points required for award consideration.

PROPOSAL REVIEW TERMS

1. Proposal submissions will be reviewed by ETCOG staff to determine if a proposal meets program needs and if requested information and required documentation as identified throughout the RFP document has been returned with a submitted proposal.
2. ETCOG reserves the right during the entirety of the RFP procurement process including the negotiations phase to contact any source regarding, but not limited to, vendor reputation, product/service quality, work history, and/or past performance to evaluate/award the bid submission(s) that best meet ETCOG program needs, and clients served.
3. The evaluation team's preferred proposal will be presented to governing bodies as a recommendation for award so the governing body(s) may make a final award decision.
4. 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.

PROPOSAL AWARD TERMS

1. ETCOG reserves the right to ask questions, request additional information or clarifications, hold individual interviews at any given time throughout the evaluation and negotiation process to determine the proposal which best meets the procurement needs being sought to the best benefit of ETCOG and programs served.
2. ETCOG reserves the right to reject any proposal submitted not using the correct active bid documentation whenever a re-bid of said procurement has been deemed necessary and marked as non-compliant.

3. ETCOG reserves the right to allow corrections of non-material errors or omissions at ETCOG's sole discretion.
4. Submission of a proposal indicates Proposer's acceptance of the evaluation and award process and is in agreement the evaluation team may make subjective judgments in evaluating the proposals to determine best value to best benefit ETCOG and programs served.
5. ETCOG reserves the right to accept or reject any bid proposal received, as well as cancel the RFP in its entirety at any time throughout the bidding process including the negotiations phase if started, without notice or explanation, which may result due to unforeseen irregularities, low response, or program needs not being met by submitted proposals, and/or extend the RFP by up to two (2) additional weeks from original bid submission date if deemed warranted.
6. ETCOG may modify or waive any provisions set forth in this RFP for any reason and all herein mentioned without notice to anyone if deemed in the best interest of ETCOG and programs served.
7. ETCOG reserves the right to negotiate the final terms of any potential contract or service agreement resulting from this RFP to include but not limited to the RFP document, Proposer(s) submitted proposal, and the RFP exhibits and attachments, i.e., 'ETCOG General Terms & Conditions,' 'Essential Clauses and Certifications,' and the PTN-130 pages requiring valid signatures/dates, all acting as binding documents to said contract or service agreement. Signatures and signature dates are required and considered out of compliance if not properly executed in an active competitive bid process pursuant to RFP requirements.
8. ETCOG reserves the right, should contract negotiations fail, to enter negotiations with the next most successful Proposer with a proposal considered best to meet program needs, and may continue in like manner until successful negotiations have been reached. Furthermore, although ETCOG has the right to negotiate with the next highest ranked Proposer, it is not required to do so and may re-procure or cancel the RFP at ETCOG's sole discretion.
9. Execution of any resulting contract or service agreement is required prior to processing any payments to the successful Proposer.
10. Proposer shall indemnify and hold harmless ETCOG, its officers, agents, and employees from any injuries or damages received by any person during any operations connected with an awarded contract, by use of any improper material, equipment, or by any act or omission of the Proposer/contractor or his subcontractor, agents, servants, or employees whenever applicable.
11. Pursuant to protocol to advise of the right to appeal, a protest must be submitted to ETCOG's Executive Director within ten (10) calendar days of the time the basis of the protest became known and said protest(s) limited to: 1) violations of federal law or regulations; 2) violations of State or local law under the jurisdiction of State or local authorities; and 3) violations of ETCOG's protest procedures for failing to review a complaint or protest. The protest must be submitted in writing and must identify the protestor, the solicitation being protested and specifically identify the basis for the protest, providing all pertinent information regarding the solicitation, contract and/or actions of ETCOG.

PATENTS or COPYRIGHTS

Proposer agrees to protect ETCOG from claims involving infringement of patent or copyrights, if so warranted.

PROPOSER 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. Proposers will be prepared to provide satisfactory proof of compliance if requested.

PROPOSAL AWARD NOTIFICATION

1. It is expected an award will be made on April 4, 2024. (date subject to change)
2. Upon award notification all Proposers who responded to this RFP will be contacted.

PAYMENT METHOD

Any resulting contracts are NET30 at the time the invoice is received by a.p@etcog.org in ETCOG Operations/Finance department.

SIGNATURE PAGE

Proposer affirms understanding and acknowledgement of all referenced bid and program requirements contained within the RFP document; Appendix I - ETCOG Terms and Conditions/Conflict of Interest Questionnaire (CIQ) form; Appendix II - Essential Clauses & Certifications; TxDot PTN130 (Attachment A), and any Exhibits (if provided) are explicit to this bidding procurement and Proposer must return any and all such pages requiring action, signatures, or checkmarks from the RFP document, Appendices, and Attachments with any submitted bid proposal. Proposer further understands and acknowledges making a false statement or proclamation of compliance is a material breach and any subsequent award of product/equipment purchase(s), offered services, and/or contract/service agreement is grounds for award cancellation.

SIGNATURE

The undersigned individual hereby certifies and warrants that he/she has been fully authorized to execute this proposal/bid submission on behalf of their firm and to legally bind the firm to all the terms, performances, and provisions as herein set forth.

Company/Provider Name

Signature

Date

Printed Name and Title of Authorized Representative

Email

IMPORTANT: Proposer must return this page fully executed and complete with proper signatures and signature dates for current/active RFP or the submitted proposal will be marked 'Rejected/No Bid' due to non-compliance.