



INVITATION FOR BID (IFB): BID# EF-EPLR24IB ETCOG Parking Lot Renovations 2024 IFB

David A. Cleveland, Executive Director, ETCOG

Brandy Brannon, Asst. Exec. Director

BID TIMELINE SCHEDULE (dates/times subject to change)

Bid Released	Friday, April 5, 2024
Questions Due	Thursday, April 11, 2024
Staff Responses Post	Wednesday, April 17, 2024
Access Link Deadline	Wednesday, April 24, 2024 (11:00 AM)
Bids Due	Thursday, April 25, 2024 (11:00 AM)

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.

PURPOSE

ETCOG is seeking a qualified concrete contractor to perform an overhaul of the parking lot and driveway at the property located at 3800 Stone Road in Kilgore, Texas.

REQUIRED BUILD-SITE WALKTHROUGH

Due to the nature of this IFB and recognizing the need for Proposers to view the area in need of repairs to assist with submitting a proposal, a site inspection is required.

To schedule a build-site walkthrough:

Proposers **must** contact Jonathan Hunt, ETCOG Facilities Manager, by email at jonathan.hunt@etcog.org or cell (903)331-2350 to schedule their required 'walkthrough' during the timeframe of **Monday, April 8 to Friday, April 12, 2024**. Failure to do so will result in bid submission to be disqualified and marked 'VOID' due to non-compliance.

SCOPE of WORK

1. Demo and remove the existing asphalt in the designated areas of the parking lot and driveway.
2. Cut the curb and prep for a drainage flume in the North side of the turn at the East end of the driveway.
3. Perform the necessary dirt work to prep the area for concrete reinforcement and forms.
4. Pour and finish out the driveway and parking lot area in 3500 PSI concrete.

PROPOSER RESPONSILITIES AND EXPECTATIONS

- Proposers are expected to carefully examine the site of the proposed work and bid specifications before submitting a proposal. Therefore, submission of a bid proposal shall be considered conclusive evidence the proposer has made such an examination and is satisfied as to the conditions to be encountered in performing the work. As to the requirements of the contract it will be conclusive evidence the proposer has also investigated and is satisfied with the sources of supply for all materials, measurements dimensions, calculations, estimates, and statements. As to the condition under which the work is to be performed are the responsibility of the contractor, as no allowance will be made for any errors or inaccuracies that may be found after the execution of the contract.
- Proposers shall perform all work as indicated in the Contract for the completion of the project.
- Proposer shall provide at his expense all labor, materials, equipment, and incidentals as may be necessary for the expeditious and proper execution of the project.
- The work will commence and finish in accordance with the schedule submitted with the bid proposal and accepted by ETCOG. Special emphasis needs to be considered with regards to the timeline provided in order to minimize the time of parking disruptions.
- Upon final acceptance of the work and settlement of all claims ETCOG shall pay the proposer the contract price as shown in the bid proposal, subject to any additions and deductions provided for in the contract documents.
- The proposer will secure at its own expense all permits and consents required by law as necessary to perform the work and will give all notices and pay all fees and otherwise comply with all applicable, city, state and federal laws, ordinances, rule, and regulations.
- Proposer shall secure and maintain insurance with limits not less than those specified in the contract.
- Before acceptance of the work, the contractor shall remove from the site all machinery, equipment, surplus materials, rubbish, barricades, and signs.
- All materials removed, trash, or leftovers shall be the responsibility of the contractor and **will not** be disposed of in the dumpster belonging to ETCOG.
- All parts of the work shall be left in a neat and presentable condition.
- On all areas used or occupied by the contractor regardless of contract limits, the bidder shall clean up all sites and storage areas.

PROPOSER BID SHEET

ETCOG Parking Lot Renovations 2024 IFB

Company Name: _____

- Based on instructions contained in 'Scope of Work' (p. 2), and in observation and agreement of the 'Required Build-Site Walkthrough' (p. 1) please complete the following:

TOTAL COST OF PARKING AND DRIVEWAY REPAIRS: \$ _____

- We understand this project will result in disruptions to staff accessibility to parking areas of the building. Therefore, in your 'best estimate' please complete the following:

ESTIMATED TIMELINE FOR PROJECT COMPLETION: _____(days)

ESTIMATED DAYS FOR PARKING LOT CLOSURE: _____(days)

Authorized Signature

Title

Date

(Must return this page with bid submission)

CURRENT REFERENCES

Provide three (3) local references your firm has completed like services in the past three (3) years.

1. Name: _____ Phone: _____

Address: _____ St/Zip _____

Contact Name _____ Email: _____

Service/Location: _____

Scope of Work Performed: _____

Completion Time: _____

2. Name: _____ Phone: _____

Address: _____ St/Zip _____

Contact Name _____ Email: _____

Service/Location: _____

Scope of Work Performed: _____

Completion Time: _____

3. Name: _____ Phone: _____

Address: _____ St/Zip _____

Contact Name _____ Email: _____

Service/Location: _____

Scope of Work Performed: _____

Completion Time: _____

REQUIRED SUBMISSION DOCUMENTATION

Proposers are to fully review, complete, and sign, wherever prompted, the bid documents listed below to acknowledge and treat as strict requirements for any submitted proposal or bid offer to be eligible for award consideration.

REQUIRED DOCUMENTS:

1. **PROPOSER BID SHEET** – (IFB, p. 3)
2. **CURRENT REFERENCES** – (IFB, p. 4)
3. **APPENDIX I & CONFLICT OF INTEREST FORM** – (separate attachment)
4. **APPENDIX II – ESSENTIAL CLAUSES & CERTIFICATIONS** – (separate attachment)
5. **TxDot PTN130 (ATTACHMENT A)** – (separate attachment)
6. **SIGNED ‘SIGNATURE’ PAGE** – (IFB, p. 12)

Disclaimer: Proposers are to return any page requiring initials, checkmarks, and/or signatures if inadvertently overlooked and not referenced in the list above.

ATTENTION: Proposers are advised failure to provide the above documentation allows ETCOG the right to mark any submitted proposal as non-compliant and treat it as a no-bid at their sole discretion.

SUBMISSION OF BID PROPOSALS

There are two options for submitting your proposal. Please utilize Option 1 or Option 2 described below and adhere to the published deadlines for your chosen option:

Option 1: 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., April 25, 2024**, regardless of if by mail, courier/delivery services, or hand delivered, at:

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

Write: Company Name, IFB# EF-EPLR24IB, April 25, 2024, in bottom left-hand corner of the outermost Return Envelope/Package

NOTE: Emailed, telephone, & facsimile bid submissions are not allowed in response to this IFB.

1. Proposers shall submit one (1) hardcopy marked 'Original', one (1) hardcopy marked 'Copy', and one (1) copy on a USB drive, compiled into a complete single copy, of the submitted bid proposal. Please do not use 3-ring binders.
2. It is the Proposer's sole responsibility to prepare, submit, and deliver or arrange delivery of the bid submission with all required exhibits and materials intact and delivered to the designated location on or before the published bid submission deadline.
3. Submission of bids confers no legal rights upon any Proposer.
4. ETCOG will not bear liability for any costs incurred in the preparation of submissions in response to this IFB process.
5. Bid submission deadline *time* will be determined by the ETCOG lobby clock.
6. Proposers understand failure to submit a bid submission by designated deadline, for whatever reason, may not be grounds for disputing the procurement solicitation process or any resulting contract award.
7. Bids submitted after the IFB deadline date/time **will not be accepted**.

Option 2: 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., April 24, 2024**, if not sooner, to digitally upload a bid proposal.

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 IFB proposal digitally with all required exhibits and materials by the 'Bids Due' deadline (p. 1), if not sooner.

IFB RETRIEVAL

The IFB document, IFB updates, and additional IFB information or amendments will be posted on the ETCOG website and may be retrieved by clicking on the 'ETCOG Parking Lot Renovations 2024 IFB' 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 IFB 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 IFB procurement, during the entirety of the IFB process, unless otherwise noted for onsite inspections or walkthroughs.

Failure to knowingly not comply with this directive will result in rejection of Proposer participation and/or submitted IFB proposal.

QUESTIONS/RESPONSES

Proposer Questions: Proposer questions for this IFB process are due **April 11, 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 Parking Lot Renovations 2024 IFB' to retrieve responses to all questions asked, no earlier than **April 17, 2024**.

HUB BEST PRACTICES

ETCOG shall ensure that 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 DBEs and HUBs when subcontracting. Some methods for locating DBEs and HUBs include:

- Choosing the HUB/DBE organization in the case of tie proposals.
- Soliciting these businesses whenever they are potential sources.
- When economically feasible, dividing total desired services into smaller components to permit maximum participation by HUB/DBE businesses.

- If the requirement permits, establishing delivery schedules will encourage small, Minority, disadvantaged, and women’s businesses to participate.
- Using the services and assistance of the Small Business Administration or the Minority Business Development Agency, as needed.

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

- Utilizing the Texas Comptroller of Public Accounts website <http://www.window.state.tx.us/procurement/cmb/cmbhub.html>.
- Utilizing Web sites or other minority/women directory listings maintained by local Chambers of Commerce.
- Advertising subcontract work in local minority publications; and/or contacting the contracting state agency for assistance in locating available HUBs and DBEs.
- Encouraging eligible agencies to gain HUB or DBE certifications by providing all applicable information to do so.

BID OPENING

Public attendance is allowed at an ‘Invitation for Bid’ (IFB) opening and all bid submissions are open to review.

1. All bid submissions become the property of ETCOG after the IFB 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.

BID REVIEW & CONTRACT AWARD

The number of bid proposals selected to be reviewed by key project staff for award consideration will be at the sole discretion of ETCOG. Submitted bids will be reviewed to determine the best suited submission to meet or exceed bid requirements as addressed throughout the bid documentation. Although overall project cost and completion time will be key factors, they will not be the only determining factors, pursuant to Texas bid law, as follows:

Texas Statute 252.043 Award of Contract, as follows:

Sec. 252.043. AWARD OF CONTRACT. (a) If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.

(b) In determining the best value for the municipality, the municipality may consider:

- (1) the purchase price,
- (2) the reputation of the bidder and of the bidder's goods or services.

- (3) the quality of the bidder's goods or services.
- (4) the extent to which the goods or services meet the municipality's needs.
- (5) the bidder's past relationship with the municipality.
- (6) the impact on the ability of the municipality to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities.
- (7) the total long-term cost to the municipality to acquire the bidder's goods or services; and
- (8) any relevant criteria specifically listed in the request for bids or proposals.

Source: <https://statutes.capitol.texas.gov/Docs/LG/htm/LG.252.htm>

BID PROPOSAL REVIEW TERMS

1. Bid proposal submitted will be reviewed by ETCOG staff to determine if proposal meets program or project needs and if requested information and required documentation as identified throughout the IFB document has been returned to qualify for award consideration.
2. ETCOG reserves the right 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 preferred bid proposal will be presented to governing bodies as a recommendation for award so the governing body(s) may make a final award decision.
4. **Bid 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.

BID 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 allow corrections of non-material errors or omissions at ETCOG's sole discretion.
3. 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.

4. ETCOG reserves the right to accept or reject any bid proposal received, as well as cancel the IFB in its entirety at any time during the bid process, without notice or explanation, which may result due to unforeseen irregularities, low response, or procurement needs not being met by submitted proposals.
5. ETCOG may modify or waive any provisions set forth in this IFB for any reason and all herein mentioned without notice to anyone if deemed in the best interest of ETCOG and programs served.
6. The final terms of any potential contract or service agreement resulting from this IFB will include but not limited to the IFB document, Proposer(s) submitted proposal, and the IFB exhibits and attachments, i.e., 'ETCOG General Terms & Conditions', and the 'Essential Clauses and Certifications' pages requiring signatures, all acting as binding documents to said contract or service agreement.
7. ETCOG reserves the right, if Proposer performance fails to meet project requirements in accordance with a signed contract or service agreement, to move on to the next submitted bid proposal considered best to fulfill required project performance and may continue in like manner until project completion. Furthermore, although ETCOG has the right to contract with the next best Proposer, it is not required to do so and may re-procure or cancel the IFB at ETCOG's sole discretion.
8. 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 the contract, by use of any improper material, or by any act or omission of the contractor or his subcontractor, agents, servants, or employees.
9. Execution of any resulting contract or service agreement is required prior to processing any payments to the successful Proposer.
10. 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, when applicable and if 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 Thursday, May 9, 2024. (date subject to change)
2. Upon award notification all Proposers who responded to this bid will be contacted.

CONTRACT TERM and PAYMENT METHOD

Payment terms are NET 30 upon receipt of invoice by email to a.p.@etcog.org , attention Accounts Payable, ETCOG Financial Services.

SIGNATURE PAGE

Proposer affirms understanding and acknowledgement of all referenced bid and program requirements contained within the IFB 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 IFB 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 IFB or the submitted bid proposal will be marked 'Rejected/No Bid' due to non-compliance.