

**RFQ-23-150-149<sup>th</sup> FW MISSION READINESS-  
FIBER OPTIC CABLE CONSTRUCTION**

**Request for Qualification  
149<sup>th</sup> FW Mission Readiness and  
Resilience Communications  
Enhancements Project  
(Fiber Optic Cable)  
2023 - 2024**



Procurement Department  
2700 NE Interstate 410 Loop, Suite 101  
San Antonio, TX 78217  
Office (210) 362-5228  
Fax (210) 225-5937

**RFQ Release Date:** August 25, 2023 @ 4:00 p.m.  
**Response Deadline:** September 25, 2023 @ 4:00 p.m.  
**Questions Deadline:** September 5, 2023 @ 4:00 p.m.  
**Q&A Posting:** September 8, 2023 @ 4:00 p.m.

RFQ Links: <http://www.aacog.com/bids.aspx>  
<https://www.txsmartbuy.com/esbd>

Notice: Prospective proposers who receive this document from a source other than AACOG should immediately contact AACOG and provide their name, company, and email address in order that an addendum to the RFQ or other communication can be delivered. Any prospective proposer who fails to provide the agency with this information assumes complete responsibility for complete submission requirements.

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## **PART 1.0 – SCOPE OF REQUEST**

### **1.1 PURPOSE OF REQUEST FOR QUALIFICATIONS (RFQ)**

The Alamo Area Council of Governments (AACOG), on behalf of the 149th Fighter Wing, Texas Air National Guard, Joint Base San Antonio (JBSA), is requesting qualification from contractors to install fiber optic cables to connect Yankee Range located on the McMullen Target Complex in Tilden, Tx, to the existing fiber Demarcation line located at 2200 FM 624 W, Tilden, TX 78072. NOTE: The McMullen Target Complex is a Federal reservation owned and operated by the United States Navy.

AACOG was the recipient of a Defense Economic Adjustment Assistance Grant from the Texas Military Preparedness Commission to install 31,000 ft of subterranean construction, including 25,000 ft of fiber optic cable and duct placement along the right of way with a 600 ft service drop to the demarcation location. Construction is expected to begin no later than December 1, 2023, preferably sooner due to time constraints, with a completion date of February 15, 2024.

### **1.2 BACKGROUND INFORMATION**

#### **1.2.1 Alamo Area Council of Governments (AACOG)**

AACOG is a voluntary association of municipal and county governments and special districts located in Bexar County and the surrounding twelve counties. Defined as a political subdivision of the State of Texas, the Alamo Area Council of Governments (AACOG) was established in 1967 under Chapter 391 of the Local Government Code as a voluntary association of local governments and organizations that serves its members through planning, information, and coordination activities. AACOG serves the Alamo Area/State Planning Region 18, which covers 13 counties and 12,582 square miles. Comprising the area planning region are Atascosa, Bandera, Bexar, Comal, Frio, Gillespie, Guadalupe, Karnes, Kendall, Kerr, Medina, McMullen, and Wilson counties.

It is AACOG's policy to treat all persons, potential members, vendors, Respondents, sub-respondents, providers, suppliers, and others fairly, equitably, in a non-discriminatory manner. AACOG employees, as public servants, will execute their duties in a fair and legal manner, avoiding actual or perceived conflicts of interest.

#### **1.2.2 Funding Sources**

The Project is being funded through a Texas Military Preparedness Commission grant.

### **1.3 SCOPE OF WORK**

- 1.3.1** Install a dedicated fiber connection from the existing fiber from (2200 FM 624 W, Tilden, TX 78072) in McMullen County to a new Demarcation point at Yankee Range Compound (28°14'18.5"N 98°42'56.0"W).
- 1.3.2** Produce monthly reports to AACOG due on the last day of every month.

- 1.3.3** Contractor will warrant that its services performed under this RFQ shall comply with all requirements of federal, state and local laws, regulations, environmental considerations, and required permits.
- 1.3.4** Contractor shall demobilize after the project's completion and leave the site clean.
- 1.3.5** Supervise/coordinate site visits when requested by the JBSA and/or AACOG.
- 1.3.6** Proposer warrants that all goods furnished shall be defects-free and conform to the established technical specifications.
- 1.3.7** Assist in Project Closeout.

#### **1.4 PROJECT BUDGET**

Applicants are asked to submit pricing costs for the construction and installation of fiber optic cable infrastructure in the areas identified in 1.3.

#### **1.5 CONTRACT AND PAYMENTS**

- 1.5.1** The contract start period is tentative and will be discussed with the respondent that is awarded, however, the contract is expected to start no later than December 1, 2023, preferably sooner due to time constraints, with an end date of February 15, 2024.
- 1.5.2** AACOG shall not be liable for any costs incurred by the Respondent in performing this RFQ.
- 1.5.3** Respondent hereby agrees and acknowledges that Respondent shall not have any claim against AACOG in the event AACOG loses funding from its sources and is unable to continue with this collaboration. In the event of a loss of funding, Respondent will be paid for approved work completed prior to the loss of funding.

## 1.6 RESPONDENT REQUIREMENTS

- 1.6.1 The Respondent will be required to complete an AACOG Vendor Packet. (See attachments)
- 1.6.2 The Respondent must ensure that clients are at all times treated respectfully and professionally. The Respondent's staff must conduct themselves in a professional manner at all times.
- 1.6.3 **Access rights to Joint Base San Antonio, a federal reservation, will be supplied by the United States Air Force. All Respondents personnel should be eligible for access to Federal facilities.**
- 1.6.4 Respondents must be licensed, certified, and prepared to adhere to when performing work. Respondents should expect unannounced monitoring of records and work sites by AACOG staff and various agencies from the U.S. Government.
- 1.6.5 Upon completion of the project, the Respondent must remove all debris from the job site and dispose of it properly and responsibly.
- 1.6.6 The Respondent will take all precautions necessary to protect all existing trees, shrubbery, plants, sidewalks, buildings, vehicles, etc., in the work area.
- 1.6.7 The work must be completed in a timely and expeditious manner. The respondent is expected to provide monthly progress reports to AACOG indicating work schedule and work status. AACOG will provide the respondent with the maps and descriptions of the areas for the project.
- 1.6.8 The Respondent and its sub-respondents are considered independent respondents and shall indemnify and hold harmless AACOG, AACOG staff and program clients from all claims arising from work performed.
- 1.6.9 The Respondent must furnish all labor and on-site supervision pursuant to the completion of fiber optic cable infrastructure installation within the identified project area on JBSA-Lackland.
- 1.6.10 Respondent must rebuild, repair, restore, and make good at their own expense all injury and damage that may result from work being performed under this contract.
- 1.6.11 The Federal Privacy Act of 1974 and related state laws and regulations regulate the proper disclosure of individually identifiable information and/or records. Respondent must take special precautions to protect confidential information from loss, authorized use, access, disclosure, modification, and destruction.

**1.6.12** Performance of this RFQ and all work or obligations covered by and arising out of this RFQ shall be at the risk of the Respondent exclusively. To the fullest extent permitted by law, Respondent shall, with respect to all work or obligations covered by or arising out of this RFQ, or the performance thereof, indemnify, hold harmless and defend AACOG and each of its officers, partners, joint venture partners, representatives and/or employees from and against any and all allegations, losses, claims, actions, demands, damages, liabilities, or expenses (including costs, expenses, and attorney's fees), arising directly or indirectly from this RFQ, or the performance thereof.

**1.6.13** Respondent is responsible for any job-related illness or injury to workers in their employment and shall indemnify and hold harmless AACOG personnel in the event of an on-the-job illness or injury occurs.

**1.6.14 CFR 41 Part 60-3/4/20/50 – Obligations of Respondents and Sub-respondents**

These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities and prohibit discrimination against all individuals based on their race, color, religion, sex, or national origin. Moreover, these regulations require that covered prime Respondents and sub-respondents take affirmative action to employ and advance in employment qualified protected veterans, qualified individuals with disabilities, and all individuals without regard to race, color, religion, sex, or national origin.

**1.7 SERVICE AREA**

The Service Area for this RFQ is on the McMullen Target Complex, McMullen Country, TX.

**1.8 PROCUREMENT STANDARD**

It is the policy of AACOG to conduct procurement in a manner that provides for full and open competition. An award will be made only to an organization possessing the qualifications and demonstrated ability to perform successfully under the terms and conditions of a contract. The services solicited under this RFQ are procured under the Competitive Proposal Method through Informal (phone, email, fax) and formal (RFQ) methods.

**PART 2.0 - SUBMISSION INFORMATION**

**2.1 RESPONSE DEADLINE**

The Request for Qualifications (RFQ) will be posted on **Friday, August 25, 2023**. responses may be submitted from **August 25, 2023, through Monday, September 25, 2023**. Official receipt of responses submitted will be by entry on a responses receipt log. A receipt form will be issued upon request. Respondents who mail a response will be sent a copy of the receipt form upon request. Responses maybe hand-delivered prior to the stated deadline between 8:00 a.m. and 5:00 p.m. Monday through Friday or mailed to the following address:

AACOG  
Procurement Department  
2700 NE Interstate 410 Loop, Suite 101  
San Antonio, TX 78217  
**ATTN: RFQ-23-150-149<sup>th</sup> FW MISSION READINESS-FIBER  
OPTIC CABLE CONSTRUCTION**

Responses submitted by mail, courier, or overnight mail services will be received (Monday through Friday) at the above address through **September 25, 2023**. Faxed or e-mailed responses will not be accepted. Modifications or amendments to a response must comply with the requirements and response deadline. A respondent may withdraw a response at any time during the procurement process by submitting a written request to the address below.

AACOG  
Contract and Procurement Manager  
Procurement Department  
2700 NE Interstate 410 Loop, Suite 101  
San Antonio, TX 78217  
**ATTN: RFQ-23-150-149<sup>th</sup> FW MISSION READINESS-FIBER  
OPTIC CABLE CONSTRUCTION**

## **2.2 PROCUREMENT SCHEDULE**

All time noted on the Procurement Schedule (Page 1) is Central Standard Time. Dates posted are subject to change. Entities requesting a copy of the RFQ, submitting a request for technical assistance will be notified in writing of any changes in the procurement schedule.

## **2.3 TECHNICAL ASSISTANCE**

**2.3.1** AACOG will accept questions submitted via electronic mail from **August 25, 2023 through September 5, 2023**.

**2.3.2** An Addendum to the RFQ, to include all questions received, will be posted on the AACOG website, Electronic State Business Daily and to all interested parties on **September 8, 2023**.

**2.3.3** No other representative of AACOG is allowed to accept or respond to questions related to this solicitation other than:

Contracts and Procurement Manager  
Alamo Area Council of Governments  
Procurement Department  
2700 NE Interstate 410 Loop, Suite 101  
San Antonio, TX 78217  
[dugarte@aacog.com](mailto:dugarte@aacog.com)

**2.3.4** During the period between the date AACOG issues this RFQ and the date of the



selection of the Respondents by AACOG, if any, Respondents shall restrict all contact with AACOG and direct all questions regarding this RFQ, including questions regarding terms and conditions, only to the individual identified above in Section "Inquiries and/or Discrepancies" in the specified manner. Do not contact members of the Board of Directors, other employees of AACOG, or any of AACOG's agents or administrators. Contact with any of these prohibited individuals after issuance of this RFQ and before selection is made may result in disqualification of the Respondent. The communications prohibition shall terminate when the contract is executed by the respondent and AACOG.

**2.3.5** Prohibited communications include direct contact, discussion, or promotion of any Respondent's submission with any member of AACOG's Board of Directors or employees except for communications with AACOG's designated representative as outlined in this RFQ and only in the course of inquiries, briefings, interviews, or presentations. This prohibition is intended to create a level playing field for all potential Respondents, assure that decisions are made in public, and protect the integrity of the RFQ process. Except as provided in the above-stated exceptions, the following communications regarding a particular invitation for bids, requests for application, requests for qualifications, or other solicitation are prohibited:

**2.3.5.1** Communications between a potential respondent, service provider, bidder, respondent, lobbyist, consultant, and any member of AACOG's Board of Directors.

**2.3.5.2** Communications between any director and any selection or evaluation committee member.

**2.3.5.3** Communications between any director and administrator or employee.

**2.3.6** The communications prohibition shall not apply to the following:

**2.3.6.1** Communications with AACOG's purchasing agent specifically named and authorized to conduct and receive such communications under this RFQ or upon the request of AACOG, with AACOG's general counsel.

**2.3.6.2** Presentations to the Board of Directors during any duly noticed public meeting.

**2.3.6.3** Nothing contained herein shall prohibit any person or entity from publicly addressing AACOG's Board of Directors during any duly noticed public meeting, in accordance with applicable Board policies, on a matter other than this RFQ or in connection with a presentation requested by AACOG's representatives.

## **2.4 AVAILABILITY OF REQUEST FOR QUALIFICATIONS**

The RFQ will be posted as noted on Page 1, RFQ Links, or at the request of the proposer, by contacting procurement staff at the above fax or e-mail beginning **August 25, 2023**. The RFQ is also available at the above address from 8:00

a.m. – 5:00 p.m., Monday through Friday (except for holidays). Any interested party that receives this RFQ by means other than directly from AACOG is responsible for notifying AACOG that it has received an RFQ package so that when an addendum to this RFQ is issued, the information can be provided to all interested parties.

## **2.5 PROPRIETARY INFORMATION AND THE PUBLIC INFORMATION ACT**

**2.5.1** Because contracts are awarded by a governmental entity, all responses submitted are subject to release as public information after contracts are executed. If a Respondent believes that its response, or parts of its response, may be exempted from disclosure, the Respondent must specify page-by-page and line-by-line the parts of the response, which it believes, are exempt. In addition, the Respondent must specify which exception(s) are applicable and provide detailed reasons to substantiate the exception(s). Any unmarked information will be considered public information and released if requested under the Public Information Act.

**2.5.2** Determining whether information is confidential and not subject to disclosure is the duty of the Texas Office of Attorney General (OAG). AACOG must provide the OAG sufficient information to render an opinion; therefore, vague and general claims to confidentiality by the Respondent are unacceptable. AACOG must comply with the opinions of the OAG. AACOG assumes no responsibility for asserting legal arguments on behalf of any Respondent. Respondents are advised to consult with their legal counsel concerning disclosure issues resulting from this procurement process and to take precautions to safeguard trade secrets and other proprietary information. After completion of the award, these documents will be available for public inspection.

## **PART 3.0—GENERAL INFORMATION & ADMINISTRATIVE REQUIREMENTS**

### **3.1 ELIGIBLE PROVIDERS**

**3.1.1** AACOG expects to receive proposal statements from established and knowledgeable entities with demonstrable expertise in the tasks required. The proposer(s) selected for the contract will become an approved AACOG vendor responsible for tasks outlined in the Scope of Work.

**3.1.2** It is the policy of AACOG to encourage participation by small and historically underutilized businesses (HUBs), as defined in Government Code, Chapter 2161, as Respondents to AACOG. AACOG aims to include HUBs in at least ten percent (10%) of the total value of contracts awarded annually.

**3.1.3** To be eligible for consideration:

**3.1.3.1** Licensed to do business in the State of Texas.

**3.1.3.2** Document three (3) years of experience in fiber optic cable construction and installation.

**3.1.3.3** Licenses and Certifications associated with constructing and installing fiber optic cable infrastructure.

- 3.1.4** AACOG is prohibited from contracting with any entity debarred, suspended, or otherwise excluded from or ineligible for participation. Accordingly, a contract requires Respondents to certify that they are in compliance with the Federal regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98-510, Participant's Responsibilities. To the best of its knowledge and belief, the respondent must certify that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by a Federal department or agency.
- 3.1.5** Proposers must be knowledgeable of fiber optic cable infrastructure or other related topics and research, including statutes, regulations, rules and policies, and all services outlined within this RFQ, and must accurately apply them in developing the RFQ response.
- 3.1.6** Respondents must possess the knowledge, experience and expertise, professional judgment, and capacity within their organization to perform the services and activities requested under this RFQ and meet high standards for public service and fiduciary responsibility.

## **3.2 CONTRACT INFORMATION**

- 3.2.1** TYPE OF CONTRACT: This Request for Qualifications may result in a contract, assuming a respondent is selected and an award made. There will be no guarantee of work assigned or awarded.
- 3.2.2** CONTRACT PERIOD: It is the intent of AACOG to execute a contract for the delivery of services identified for an initial period beginning no later than **December 1, 2023, preferably sooner due to time constraints, and ending on February 15, 2024.** AACOG reserves the right to terminate a contract at any time based on Contractor performance or noncompliance, however, no contract under this RFQ will exceed 12 months.
- 3.2.3** ADDITIONAL FUNDING: AACOG reserves the right to expand the contract to include additional tasks in the qualifications response that AACOG deems beneficial to the area.
- 3.2.4** REASSIGNMENT: In the event a Respondent fails to perform as required, AACOG reserves the right to terminate the contract early and assign the contract in whole or in part to a comparably ranked proposer/response obtained through this procurement, subject to successful contract negotiations.
- 3.2.5** Termination for Convenience: By 30 days written notice by either party provided that the Respondent shall be required to satisfactorily complete all projects in progress at the time notice is given.
- 3.2.6** Termination for Cause: In the event of a breach of this RFQ by either party hereto that is not remedied within five (5) working days after delivery of written notice of such

breach, the non-breaching party may terminate this RFQ by providing ten (10) days' written notice to the other party of their intent to terminate this RDQ.

### **3.3 GOVERNING PROVISIONS AND LIMITATIONS**

Violation of any of the following provisions may cause a response to be disqualified and rejected from consideration:

- 3.3.1** The response, if accepted, will become the basis for the contract scope of work.
- 3.3.2** Respondents must submit a comprehensive response for all services solicited. Any response that is not comprehensive will be deemed non-responsive.
- 3.3.3** The only purpose of this RFQ is to ensure uniform information in soliciting responses for the procurement of identified services. This RFQ is not to be construed as a purchase agreement, contract, or a commitment of any kind; nor does it commit AACOG to pay for costs incurred prior to the execution of a formal contract unless such costs are specifically authorized in writing by AACOG.
- 3.3.4** AACOG reserves the right to accept or reject any or all responses received and to cancel or reissue this RFQ in part or its entirety.
- 3.3.5** AACOG reserves the right to award a contract(s) for any services solicited in this RFQ in any quantity AACOG determines is in its best interests.
- 3.3.6** AACOG reserves the right to extend, shorten, increase, or decrease any contract awarded as a result of this RFQ.
- 3.3.7** AACOG reserves the right to request additional information, clarification, or explanation for any aspect of a response to this RFQ.
- 3.3.8** AACOG reserves the right to waive any minor defect in the procurement process or to correct any error(s) and/or make changes to this solicitation it deems necessary. AACOG will provide notifications of any changes in this RFQ to all interested parties having requested or received a copy of this RFQ.
- 3.3.9** AACOG reserves the right to negotiate the final terms of any and all contracts or agreements with selected proposers, and any such terms negotiated as a result of this RFQ may be renegotiated and/or amended in order to successfully meet the needs of the regional area.
- 3.3.10** AACOG reserves the right to contact any individual, agency, employer, or granting agencies listed in a response, contact others who may have experience and/or knowledge of the respondent's relevant performance and/or qualifications, and to request additional information from any and all respondents.
- 3.3.11** AACOG reserves the right to conduct on-site reviews of records, systems,

procedures, including credit and criminal background checks of any entity selected for funding under this RFQ. This may occur either before or after the award of a contract or agreement. Any misrepresentation of the proposer's ability to perform as stated in the RFQ response may result in the cancellation of any contract or agreement awarded.

- 3.3.12** AACOG reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this RFQ if adequate funding is not received by AACOG from funding sources or due to legislative changes.
- 3.3.13** Respondents shall not, under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, board member, employee, response evaluator, or agent of AACOG or elected official for purposes of having an influencing effect on this procurement.
- 3.3.14** Respondents shall not attempt in any manner to advocate for, lobby, or otherwise attempt to influence any officer, board member, employee, response evaluator, or agent of AACOG or elected official for purposes of having an influencing effect on this procurement.
- 3.3.15** No officer, board member, employee, response evaluator, or agent of AACOG shall participate in the selection, award, or administration of a contract if a conflict of interest, or potential conflict, is involved.
- 3.3.16** Respondents shall not engage in any activity that will restrict or eliminate competition. Violation of this provision will cause a respondent's submission to be disqualified and rejected. This does not preclude joint ventures or subcontracts.
- 3.3.17** The contents of a successful response will become a contractual obligation if selected for the award of a contract. Failure of a respondent to accept this obligation may result in the cancellation of an award. No plea of error or mistake shall be available to the successful proposer as a basis for release from proposed services at the stated price/cost. Any damages assessed by AACOG as a result of a successful proposer's failure to contract with AACOG may be recovered from the proposer.
- 3.3.18** A contract with a selected proposer may be withheld, at the sole discretion of AACOG, if issues of contract or questions of non-compliance, questioned/disallowed costs, audit/monitoring findings, or legal issues exist until such issues are satisfactorily resolved.
- 3.3.19** AACOG is legally exempt from paying State Sales Tax and Federal Excise Tax.
- 3.3.20** Respondent shall retain all records for a minimum period of seven (7) years after AACOG makes final payment and all other pending matters are closed. This requirement is to assure fair settlement of disputes or complaints that may arise, as well as to fulfill federal audit requirements. This requirement survives the termination of this RFQ for any reason.

**3.3.21** Respondent shall submit to AACOG all documentation or forms required by funding sources, including materials, tools, equipment, and other specifications as required by AACOG, EDA, EPA, DOL, DoD, Texas Military Preparedness Commission, etc. This requirement survives the termination of this RFQ for any reason.

**3.3.22** Respondents shall keep all work documentation in a separate client file for each housing unit weatherized.

**3.3.23** NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY: Respondents provides its assurance that it will comply with all requirements of applicable Federal and State laws that no person providing or receiving services under this contract will be excluded from participation or be otherwise subjected to discrimination because of race, color, religion, gender, sexual orientation, national origin, age, disability or political affiliation or belief.

### **3.4 ADMINISTRATIVE REQUIREMENT AND LIMITATIONS**

**3.4.1** Respondent will be required to procure all insurances required by this RFQ and to list AACOG as an additional insured on each policy prior to the commencement of any work pursuant to a contract executed as a result of this RFQ when applicable (or if funding becomes available). Liability coverage and deductibles must be acceptable to AACOG.

**3.4.2** INSURANCE REQUIREMENTS – Respondent will be required to provide proof of general liability and casualty insurance coverage prior to contract execution:

**3.4.2.1 Workers Compensation Statutory Limits**

- Employers Liability: Each Accident \$1,000,000.00
- Disease – Each Employee \$1,000,000.00
- Disease – Policy Limit \$1,000,000.00

**3.4.2.2 Commercial General Liability (Occurrence Based)**

- Bodily Injury and Property Damage
- Each Occurrence Limit: \$1,000,000.00
- Aggregate Limit: \$2,000,000.00
- Medical Expenses for Each Person: \$5,000.00
- Personal Injury and Advertising Liability: \$1,000,000.00
- Products/Completed Operations Aggregate Limit \$2,000,000.00
- Damage to Premises Rented to You: \$50,000.00

**3.4.3** Respondents must demonstrate the administrative and fiscal capability necessary to successfully provide required services and meet federal grant financial accountability requirements when applicable (or if funding becomes available).

- 3.4.4** AACOG-sponsored respondents must agree to comply with AACOG rules, policies, directives, procedures, plans, and unilateral contract modifications.
- 3.4.5** AACOG Respondents are subject to compliance monitoring. At any time during normal business hours, and as often as deemed necessary, AACOG, EDA, or any of their duly authorized representatives shall have complete access to any books, invoices, payrolls, timesheets, or any other records or papers which are related to a contract resulting from this RFQ for the purpose of verifying contractual, program and financial compliance with all applicable laws, rules, regulations, and policies.
- 3.4.6** Respondent must provide reports upon demand as may be requested or required by AACOG.
- 3.4.7** Private for-profit corporations submitting a response must include a statement signed by an authorized representative of the corporation authorizing submission of the response.
- 3.4.8** AACOG shall require the respondent to remove any employee or staff member from the contract who is alleged (accused, arrested, or charged) to have committed a disqualifying offense subsequent to the background check performed. The Respondents must immediately notify AACOG when it becomes aware of the alleged offense to determine if it disqualifies the employee or staff member from continuing to work under the contract.
- 3.4.9** Respondents must possess the knowledge, experience and expertise, professional judgment, and capacity within their organization to perform the services and activities requested under this RFQ.

## **PART 4.0 – QUALIFICATIONS REVIEW AND SELECTION PROCESS**

### **4.1 EVALUATION PROCESS:** The evaluation process will consist of:

- 4.1.1** An initial review of responsiveness and eligibility with the criteria specified in the RFQ by AACOG personnel.
- 4.1.2** All eligible responses will be evaluated and scored by an independent team of reviewers. Proposer's qualifications will be evaluated on specific criteria outlined in Section 4.2 by reviewers using a standardized scoring matrix.
- 4.1.3** Applicants will be determined:
  - 4.1.3.1** Acceptable for contract
  - 4.1.3.2** Deficient

4.1.3.3 Not eligible.

4.1.4 Responses determined to be deficient will be notified of the deficiency and allowed to reapply upon correction.

## 4.2 EVALUATION CRITERIA

### 4.2.1 Organizational Capacity

25 points

4.2.1.1 Business Organization: State full name and address of your organization and identify the parent company if you are a subsidiary. Specify the branch office or other subordinate element which will perform, or assist in performing, work herein. Indicate whether you operate as a partnership, corporation, or individual. Include the State where the organization is incorporated or licensed to operate and your current Lead Safety Certification. Provide the total number of full-time employees.

4.2.1.2 System Concept and Solution: Define in detail your understanding of the requirements presented in the Scope of Work of this request for Qualifications and your system solution. Provide all details as required in the Scope of Work and any additional information you deem necessary to evaluate your knowledge of fiber optic cable construction.

4.2.1.3 Project Management Structure: Provide a general explanation and chart which specifies project leadership and reporting responsibilities; and who will interface with the AACOG project management and team personnel. Provide a detailed description of fiscal controls, reporting capabilities, and performance accountability protocol. If the use of sub respondents is proposed, identify their placement in the primary management structure, and provide an internal management description for each sub respondent.

4.2.1.4. Personnel: Include the names and qualifications of all professional personnel who will be assigned to this project. State the primary work task assigned to each person and the percentage of time each person will devote to this work.

### 4.2.2 Demonstrated Performance

45 points

4.2.2.1 Prior Experience: Describe only relevant corporate experience and individual experience for personnel who will be actively engaged in the project. Provide at least three references. Do not include corporate experience unless personnel assigned to this project actively participated. Do not include experience prior to 2020. Supply the project title, year, and reference name, title, present address, and phone number of the principal person for whom prior projects were accomplished.



**4.2.3 Cost Effectiveness** **25 points**

**4.2.3.1 Cost:** Provide expected cost breakdown for construction, including labor, equipment, and materials. Provide an average length of time to complete such as project.

**4.2.4 Experience Working on Federal Facilities** **5 points**

**4.2.4.1 Prior Experience:** Supply the project title, description of the project, year, and reference name, title, present address, and phone number of the principal person for whom prior projects were accomplished.

**4.3 PROPOSER'S ACCEPTANCE OF EVALUATION METHODOLOGY**

By submitting a response, Proposer acknowledges:

**4.3.1** Proposer's acceptance of the evaluation process

**4.3.2** The criteria for selection

**4.3.3** Proposer's recognition that certain subjective judgments may be generated during evaluation.

**4.4 PROCUREMENT DISPUTE RESOLUTION**

**Appeal and Debriefing Process**

**4.4.1 Appeal Process**

**4.4.1.1** Proposers not selected for funding may appeal only with respect to any fault or violation of law or regulation regarding the procurement process. Appeals must be filed within **ten calendar days** of receipt of AACOG notification of final action. Appeals shall be directed to:

Contracts and Procurement Manager  
Alamo Area Council of Governments  
Procurement Department  
2700 NE Interstate 410 Loop, Suite 101  
San Antonio, TX 78217

**4.4.1.2** The appeal must indicate the AACOG action appealed and the violation, which forms the basis for the appeal and shall be signed by the Proposers organization's authorized representative. Fax and e-mail transmittals will not be accepted. The filing of the appeal must be within the time frame identified. There is no relief accorded appellants for not filing within the published deadlines. Hearings are at the discretion of AACOG and shall be conducted in accordance with existing AACOG procedures.

**4.4.1.3** Proposers must provide a detailed statement of legal and factual grounds, including copies of relevant documents; and the form of

relief requested.

**4.4.1.4** Proposers may NOT appeal the scoring and ranking of responses unless substantiated by material or relevant facts.

**4.4.1.5** Proposers may NOT appeal solely on the belief that their response is superior to the one selected for award.

**4.4.1.6** Proposers understand that review and action shall be considered final, with no further formalities considered.

#### **4.4.2 Debriefing Process**

Proposers not selected by this procurement process, and have elected not to file an appeal, may submit within ten days of the receipt of AACOG notification of the procurement decision a Request for Debriefing to obtain information on the procurement process and how their response or offer was received and ranked. AACOG shall acknowledge receipt of the Request for Debriefing in writing within ten days of receipt, along with the date and time of the scheduled debriefing. The debriefing shall be scheduled as soon as possible and no later than ten days from the receipt of the Request for Debriefing. A debriefing is offered as a courtesy to any bidder who is not selected for funding. The purpose of the debriefing is to promote the exchange of information, explain the evaluation system, and help unsuccessful bidders understand why they were not selected.

## **PART 5.0 – RESPONSE REQUIREMENTS**

### **5.1 NUMBER OF COPIES**

#### **5.1.1 NUMBER OF COPIES**

Respondents must submit one (1) unbound complete original, to include all executed certifications and authorized signatures, plus four (4) copies, for a total of five (5) exact responses. Finally, one (1) electronic copy of your response on a flash drive is required. Any submission lacking the required number of responses may be ruled non-responsive and may not be considered under this procurement. Any differences between the original and the copies are the liability of the respondent.

### **5.2 RESPONSE FORMAT**

**5.2.1** Submission must be typed, single-spaced, and submitted on 8 ½ x 11-inch plain white paper.

**5.2.2** Please do not use less than a 10-point font.

**5.2.3** Each page of the response, with the exception of the cover sheet, must be sequentially numbered, including attachments.

**5.2.4** Submissions must contain all required elements in the order prescribed.

**5.2.5** Submissions that do not conform to this requirement may be considered non-responsive and excluded from consideration under this procurement.

### **5.3 VALIDITY PERIOD**

Each submission will remain valid for AACOG's acceptance for a minimum of thirty (30) days after the submittal deadline to allow for evaluation, selection, and Board action.

### **5.4 PAGE LIMITATION**

Respondents are asked to keep responses brief, concise, and to the point, with a maximum 3-page limit for the Executive Summary and a 5-page limit for the Narrative.

### **5.5 ORDER OF CONTENTS**

Responses must follow the format below. All items must be clearly labeled and in the exact order shown below. Compile the response in the following order:

**5.5.1** Title Page

**5.5.2** Table of Contents

**5.5.3** Executive Summary (maximum 1-page limit)

**5.5.4** Narrative (please refer to criteria in section 6.4 for order of narrative; maximum 5-page limit not including attachments)

**5.5.5** Certification Sheet

**5.5.6** Acknowledgement Form

**5.5.7** Conflict of Interest Questionnaire

**5.5.8** Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion

**5.5.9** Non-Discrimination Certification

**5.5.10** Certification Regarding Lobbying

**5.5.11** Request to be added to AACOG Bidder's/Respondent List

## **PART 6.0 – QUALIFICATIONS RESPONSE FORMS**

### **6.1 QUALIFICATIONS TITLE PAGE (Attachment A)**

Each submission must be accompanied by a complete title page. Respondents must designate a contact person responsible for all communications concerning the response and notification of award. Respondents must also designate a person with documented signatory authority and for contract negotiations.

### **6.2 TABLE OF CONTENTS (Attachment B)**

Each submission must have a Table of Contents that lists each response item,

including attachments, with corresponding page numbers. Clearly identify the material by section and page number.

### **6.3 EXECUTIVE SUMMARY (Attachment C)**

Provide a brief summary highlighting your organization's history, qualifications, experience, the overall approach to delivering the services solicited in this RFQ, and any unique or innovative aspects of your response. Briefly state the proposer's understanding of the service to be provided and make a positive commitment to perform the work in a timely manner.

### **6.4 NARRATIVE (Attachment D)**

Include all information below.

#### **6.4.1 Organizational Capacity**

**6.4.1.1 Business Organization:** State full name and address of your organization and identify the parent company if you are a subsidiary. Specify the branch office or other subordinate element which will perform, or assist in performing, work herein. Indicate whether you operate as a partnership, corporation, or individual. Include the State where the organization is incorporated or licensed to operate and your current Lead Safety Certification. Provide the total number of full-time employees.

**6.4.1.2 System Concept and Solution:** Define in detail your understanding of the requirements presented in the Scope of Work of this request for Qualifications and your system solution. Provide all details as required in the Scope of Work and any additional information you deem necessary to evaluate your knowledge of fiber optic cable construction.

**6.4.1.3 Project Management Structure:** Provide a general explanation and chart which specifies project leadership and reporting responsibilities; and who will interface with the AACOG project management and team personnel. Provide a detailed description of fiscal controls, reporting capabilities, and performance accountability protocol. If the use of sub-respondents is proposed, identify their placement in the primary management structure, and provide an internal management description for each sub-respondent.

**6.4.1.4 Personnel:** Include the names and qualifications of all professional personnel who will be assigned to this project. State the primary work task assigned to each person and the percentage of time each person will devote to this work.

#### **6.4.2 Demonstrated Performance**

**6.4.2.1 Prior Experience:** Describe only relevant corporate experience and individual experience for personnel for the past three (3) years who will be actively engaged in the project. Do not include corporate experience unless personnel assigned to this project actively

participated. Do not include experience prior to 2020. Supply the project title, year, and reference name, title, present address, and phone number of the principal person for whom prior projects were accomplished.

#### **6.4.3 Cost Effectiveness**

**6.4.3.1 Cost:** Provide the expected cost for construction, installation, and materials. Provide an average length of time to complete such as project.

#### **6.4.4 Experience Working on Federal Facilities**

**6.4.4.1 Prior Experience:** Supply the project title, description of the project, year, and reference name, title, present address, and phone number of the principal person for whom prior projects were accomplished.

**6.5 CERTIFICATION SHEET (Attachment E)** (complete and sign form)

**6.6 ACKNOWLEDGEMENT FORM (Attachment F)** (complete and sign form)

**6.7 CONFLICT OF INTEREST QUESTIONNAIRE (Attachment G)** (complete and sign form) If a conflict exists. You may review the Agency's current Board of Directors at <http://www.aacog.com/AboutAACOG/Board/default.asp>

**6.8 CERTIFICATION REGARDING DEBARMENT (Attachment H)** (complete and sign form)

**6.9 NON-DISCRIMINATION CERTIFICATION (Attachment I)** (complete and sign form)

**6.10 CERTIFICATION REGARDING LOBBYING (Attachment J)** (complete and sign form)

**6.11 REQUEST TO BE ADDED TO BIDDER'S/RESPONDENT'S LIST**



**ATTACHMENT A**

**QUALIFICATIONS TITLE PAGE**

**149<sup>th</sup> FW Mission Readiness and Resilience Communications Enhancements Project  
(Fiber Optic Cable)**

<b>Legal Name of Proposing Entity</b>	
<b>Name of Owner/Director of Entity</b>	
<b>Title</b>	
<b>Mailing Address</b>	
<b>Physical Address (If different than mailing)</b>	
<b>Telephone Number</b>	
<b>Fax Number</b>	
<b>E-mail Address</b>	
<b>Contract Signatory Authority &amp; Title</b>	
<b>Federal Tax ID Number</b>	
<b>Historically Under-Utilized Business? If "yes", attach copy of current certification.</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Legal/Tax Status of Organization</b>	<input type="checkbox"/> Corporation <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Other (Specify)
<b>Service Requested</b>	<input type="checkbox"/> Fiber Optic Cable Const



**ATTACHMENT B**

**TABLE OF CONTENTS**



**ATTACHMENT C**

**EXECUTIVE SUMMARY**





**ATTACHMENT D**

**NARRATIVE**



**ATTACHMENT E**

**CERTIFICATION SHEET**

All specifications and terms and conditions of the RFQ have been read.

Our Company accepts the specifications and conditions unless otherwise accepted in writing to the Executive Director, Alamo Area Council of Governments (AACOG).

Company Name:		
Mailing Address:		
City:	State	Zip Code
Phone:	Fax:	
Web Site:		
Email:		

**Name of Representative authorized to sign for bidder:**

(Print name)	(Signature)

(a) Does your "residence state" require bidders whose principal place of business is in Texas to underbid bidders whose residence state is the same as yours by a prescribed amount or percentage to receive a comparable contract? "Residence State" is defined as the state in which the principal place of business is located.  
 YES  NO

(b) What is that amount or percentage?

I certify that the above information is correct:

Name:
Position:
Signature:
Date:



**ATTACHMENT F**

**ACKNOWLEDGEMENT FORM**

Having carefully examined the terms and conditions and specifications within this RFQ document, the undersigned Proposer's Agent hereby proposes and agrees to furnish the proposed product(s)/service(s) in strict compliance with the specifications as quoted.

**The Proposer affirms that, to the best of his knowledge, the response has been arrived at independently and is submitted without collusion with anyone to obtain information or gain any favoritism that would in any way limit competition or give them an unfair advantage over other bidders in the award of this RFQ.**

**The Proposer affirms that he/she has not participated in any act of favoritism, gratuity, or inside dealings with any member of the staff of AACOG or its Board of Directors.**

Company Name:
President/Designee:
Position:
Signature:
Date:

<b>CONFLICT OF INTEREST QUESTIONNAIRE</b>		<b>FORM CIQ</b>
<b>For vendor or other person doing business with local governmental entity</b>		
<p><b>This questionnaire reflects changes made to the law by H.B. 1491, 80<sup>th</sup> Leg., Regular Session.</b></p> <p>This questionnaire is being filed in accordance with chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001 (1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).</p> <p>By law this questionnaire must be filed with the records administrator of the local government entity not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.</p> <p>A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.</p>	<b>OFFICE USE ONLY</b>	
<p>1.</p> <p style="padding-left: 20px;"><b>Name of person who has a business relationship with local governmental entity.</b></p>	<p style="text-align: center;">Date Received</p>	
<p>2.</p> <p><input type="checkbox"/> <b>Check this box if you are filing an update to a previously filed questionnaire.</b> (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)</p>		
<p>3.</p> <p style="padding-left: 20px;"><b>Name of local government office with whom filer has employment or business relationship.</b></p> <p>This section (item 3 including subparts A, B, C &amp; D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.</p> <p>A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not from the local government entity? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>D. Describe each employment or business relationship with the local government office named in this section.</p>		
<p>4.</p> <p style="text-align: center; margin-top: 20px;"> <span style="border-bottom: 1px solid black; display: inline-block; width: 40%;"></span> <span style="border-bottom: 1px solid black; display: inline-block; width: 40%;"></span> </p> <p style="text-align: center;"> <span style="display: inline-block; width: 40%; text-align: left;">Signature of person doing business with governmental entity</span> <span style="display: inline-block; width: 40%; text-align: right;">Date</span> </p>		



**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND  
VOLUNTARY EXCLUSION FOR CONTRACTS AND GRANTS**

NAME OF INDIVIDUAL, AGENCY, BUSINESS OR ORGANIZATION	Doing business as (DBA), if applicable:	
ADDRESS	Applicable Procurement or Solicitation #, if any:	Federal Employer Tax Identification #:

**READ CAREFULLY BEFORE SIGNING THIS CERTIFICATION. Federal regulations require respondents, bidders, and sub grantees to sign and abide by the terms of this certification, without modification, in order to participate in certain transactions directly or indirectly involving federal funds.**

1. By signing and submitting this certification, the prospective vendor/grantee is attesting/acknowledging the representations set out below.
2. This certification is a material representation of fact upon which the Alamo Area Council of Governments (AACOG) will rely on when this transaction is entered into. If it is later determined that the prospective vendor/grantee knowingly rendered an erroneous certification, in addition to other remedies available to Federal or State departments or funding agency(s), AACOG may pursue on its own available remedies, including contract termination, suspension and debarment.
3. **The prospective vendor/grantee shall provide immediate written notice to AACOG, Executive Director, 2700 NE Loop 410, Suite 101, San Antonio, Texas, 78217, if at any time it learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.**
4. The terms “covered contract”, “debarred”, “suspended”, “ineligible”, “participant”, “person”, “principal”, “application”, and “voluntarily excluded”, as used in this certification, have meanings based upon materials in the Definitions and Coverage sections of federal rules implementing Executive Order 12549. You may contact the person to which this application or contract is submitted for assistance in obtaining a copy of this regulation.
5. The prospective vendor/grantee agrees, by submitting this certification, that should the proposed contract/grant be entered into, it shall not knowingly enter into any lower-tier-covered transaction or sub-contract with a person or entity that is proposed for debarment, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this transaction, unless pre-authorized by the appropriate federal or state department or agency, or by AACOG.  
**Do you have or do you anticipate having sub-vendors/sub-grantees under this proposed agreement?**      
**Yes**     **No**
6. The prospective vendor/grantee further agrees by submitting this certification, that it will include this certification titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion for Contracts and Grants,” without modification, in all lower-tier covered transactions and sub-contracts and in all solicitations for lower-tier covered transactions and sub-contracts.
7. A vendor/grantee may rely upon a certification of a prospective participant that it is not proposed for debarment, debarred, suspended, ineligible, or voluntarily excluded from the transaction, unless it knows that the certification is erroneous. Each vendor/grantee is required to check the list of parties excluded from Federal and State Procurement and Non-procurement Programs. **AACOG checks this list for all parties to which it provides funds that are derived directly or indirectly from the Federal Government.**
8. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this certification document. Participants are not required to have knowledge and information exceeding that which is normally possessed by a prudent person in the ordinary course of business activity.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a transaction knowingly enters into a lower-tier transaction or contract with a person who is proposed for debarment, debarred, suspended, ineligible, or voluntarily excluded from participation, in addition to other remedies available to the Federal Government, AACOG or its applicable funding agency(s) may pursue available remedies, including contract termination, suspension and/or debarment.



**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION FOR CONTRACTS AND GRANTS**

Check the statement that applies to the potential vendor/grantee:

- 1. The prospective vendor/grantee certifies by submission of this certification, that neither it nor its principals:
  - (a) Is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal or State department or agency; and
  - (b) Have, within a three-year period preceding this certification, been convicted of or had a civil judgment rendered against them for fraud; committed a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract; violated Federal or State antitrust statutes; committed embezzlement, theft, forgery, bribery, falsification or inappropriate destruction of records; or received stolen property; and
  - (c) Is presently indicted for or otherwise charged by a government entity (Federal, State, or local) with the commission of any of the offenses enumerated in the preceding paragraph (b) of this certification; and
  - (d) Have, within a three-year period preceding this certification, had one or more contracts or transactions (Federal, State, or local) terminated for cause or default.
- 2. The potential vendor/grantee is unable to certify to one or more of the terms in this certification. In this instance, the potential vendor/grantee must attach a signed and dated explanation for each of the above terms, 1(a) through 1(d), to which it cannot certify.

NAME OF POTENTIAL VENDOR/GRANTEE:	
-----------------------------------	--

<b>Signature of Authorized Representative</b>	<b>Printed/Typed Name &amp; Title of Authorized Representative</b>

Date: _____
-------------



**ATTACHMENT I**  
**NON-DISCRIMINATION CERTIFICATION**

The Respondent has agreed to comply with:

1. Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin;
2. The Equal Pay Act of 1963 (EPA), which protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination;
3. The Age Discrimination in Employment Act of 1967 (ADEA), which protects individuals who are 40 years of age or older;
4. Title I and Title V of the Americans with Disabilities Act of 1990, as amended (ADA), which prohibit employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments;
5. Sections 501 and 505 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified individuals with disabilities who work in the federal government;
6. Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits employment discrimination based on genetic information about an applicant, employee, or former employee; and
7. The Civil Rights Act of 1991, which, among other things, provides monetary damages in cases of intentional employment discrimination.

NAME OF POTENTIAL VENDOR/GRANTEE:	
-----------------------------------	--

<b>Signature of Authorized Representative</b>	<b>Printed/Typed Name &amp; Title of Authorized Representative</b>

Date: _____
-------------



**ATTACHMENT J**

**CERTIFICATION for CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub grants, and contracts undergrants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Statement for Loan Guarantees and Loan Insurance**

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature \_\_\_\_\_

Title \_\_\_\_\_





Organization \_\_\_\_\_



**ATTACHMENT K**  
**REQUEST TO BE ADDED TO BIDDER/ VENDOR LIST**

AACOG requires all vendors interested in conducting business with the agency to complete a “Request to be added to Bidder/Vendor List” packet prior to being eligible to receive opportunities to bid for agency projects.

AACOG is an equal opportunity agency within the meaning and spirit of the law and does not discriminate on the basis of race, age, color, sex (including sexual orientation and gender identity), disability, national origin, or religion. All respondents and vendors are required to comply with AACOG’s EEO policies and/or provide adequate verification upon request that they comply with applicable EEO laws.

By submitting a completed vendor packet to AACOG, you agree to comply with the above terms and conditions and all other applicable federal, state, and local laws and regulations.

**RETURN THIS FORM TO:**

Alamo Area Council of Governments  
2700 NE Loop 410, Suite 101  
San Antonio, TX 78217  
ATTN: Procurement Department  
Phone: (210)362-5200  
Email: [procurement@aacog.com](mailto:procurement@aacog.com)

I, \_\_\_\_\_, hereby attest that I have read and understand the above terms for conducting business with the Alamo Area Council of Governments.

Company Name:
Mailing Address:
City/ State/ ZIP code:
Telephone Number:
Website Address:
Email Address:
Representative:

Please list the type of products/ services you provide and attach any catalogs/ brochures/ samples.



Use this list below to describe your products/ services \*required\*:

- |   |  |
|---|--|
| <input type="checkbox"/> Office Supplies                | <input type="checkbox"/> General Resondent         |
| <input type="checkbox"/> Office Furniture               | <input type="checkbox"/> Weatherization Resondent  |
| <input type="checkbox"/> Copier Paper/ Specialty Paper  | <input type="checkbox"/> Aging Resondent           |
| <input type="checkbox"/> Computers                      | <input type="checkbox"/> Psychological Services    |
| <input type="checkbox"/> Computer Supplies              | <input type="checkbox"/> Outreach Items            |
| <input type="checkbox"/> Computer Software              | <input type="checkbox"/> Printing Services         |
| <input type="checkbox"/> Copier Machines (and supplies) | <input type="checkbox"/> Security Detail           |
| <input type="checkbox"/> Audio/ Visual Duplication      | <input type="checkbox"/> Criminal Justice Supplies |
| <input type="checkbox"/> Audio/ Visual Equipment        | <input type="checkbox"/> Consultant (_____)        |
| <input type="checkbox"/> Data & Phone Cabling           | <input type="checkbox"/> Vehicle Repair            |
| <input type="checkbox"/> Other:                         |  |

**Please assist us by completing the following:**

Type of Request:

1. Type of Request:  New Vendor  Change of Address  Updated Information

2. Ownership:

- Sole Proprietorship  Partnership  Corporation  
 Governmental Agency  Non-Profit  Other

3. Tax Identification Number: \_\_\_\_\_

Attach completed W-9 form unless tax exempt. <http://www.irs.gov/pub/irs-pdf/fw9.pdf>

DUNS Number, if applicable: \_\_\_\_\_

4. Have you done business with AACOG in the past?

- Yes  No

5. Is your business currently certified with the Stat of Texas Centralized Master Bidder's List?

<https://comptroller.texas.gov/purchasing/vendor/cmb/>

- Yes  No

**\*\*Please return confirmation of your CMBL certification with this vendor response\*\***

6. Is your business currently certified as a HUB with the State of Texas?

<https://comptroller.texas.gov/purchasing/vendor/hub/>

- Yes  No  N/A

7. Is your business currently certified as a HUB outside the State of Texas?

- Yes  No If yes, what State? \_\_\_\_\_



8. If YES to either question 6 or 7, enter Historically Underutilized Business (HUB), ethnicity, and gender status, if applicable:

Asian Pacific American (AS)       Hispanic Americans (HI)       American Woman (WO)

Black American (BL)       Native American (AI)      Male (M)/ Female (F): \_\_\_\_

9. If applicable, please note if your Texas- based Small, Minority, and/or Women- Owned Business Enterprise (SMWBE) is certified with any of the organizations listed below\*:

- City of Austin
- City of Houston
- Dallas/ Fort Worth Minority Supplier Development Council
- El Paso Hispanic Chamber of Commerce
- South Central Texas Regional Certification agency (SCTRCA)
- Southwest Minority Supplier Development Council
- Texas Department of Transportation (TXDOT)
- Women's Business Council- Southwest
- Women's Business Enterprise Alliance

**Please return confirmation of this certification with this vendor response.**

\*If you hold certification with any of the entities noted above, you may qualify to automatically receive HUB Certification with the State of Texas. Please contact TPASS's Statewide HUB Program at (888)863-5881 for further information.

10. Is your principal place of business in the State of Texas?

Yes       No

11. Is your organization delinquent on State of Texas Franchise taxes?

Yes       No

12. Are you or anyone in your organization related to an AACOG employee or a member of AACOG's governing board?

Yes       No

If YES, list AACOG employee or Board member's name and relationship:

Name:  Relationship:

13. Are you or anyone in your organization a former Workforce Solutions- Alamo employee and/ or board member?

Yes       No



**ACCOUNTS PAYABLE DIRECT DEPOSIT (ACH) FORM**

Vendor Name: Address:

Phone: E-Mail Address:

Financial Institution:

Bank Point of Contact  
Title and Phone Number

Bank Account Number:

Routing Number:

**Please attach a voided check from this account.  
Must provide all numbers required for ACH deposit**

**PLEASE NOTE THE FOLLOWING**

- Only one bank account may be used per Vendor
- Please contact Accounting Department at (210) 362-5200 with any questions.
- Please allow 10 business days for vendor and banking verification.

I hereby authorize Alamo Area of Governments to initiate credit entries and, if necessary, debit entries, and adjustments for any credits entries in error to our account as shown above with the listed financial institution, and credit and/ or debit the same to the accounted indicated above. I certify that the depository information listed above is accurate.

Signature:

Print Name  
And Date:



CONFLICT OF INTEREST QUESTIONNAIRE FOR VENDOR OR OTHER PERSON DOING BUSINESS WITH LOCAL GOVERNMENTAL ENTITY		FORM CIQ
<p><b>This questionnaire reflects changes made to the law by H.B. 1491, 80<sup>th</sup> Leg., Regular Session.</b></p> <p>This questionnaire is being filed in accordance with chapter 176, Local Government Code by a person who has the meets requirements under Section 176.006(a).</p> <p>By law this questionnaire must be filed with the records administrator of the local government entity not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be file.</p> <p>A person commits an offense if the person violated Section 176.006. Local Government Code. An offensive under this section is a Class C misdemeanor.</p>	<b>OFFICE USE ONLY</b>	
	Date Received	
1. Name of person who has a business relationship with local governmental entity:		
2.	Check this box if you are filing an update to a previously filed questionnaire.	
	(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7 <sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)	
3.	Name of local government office with whom filer has employment or business relationship.	
	This section (item 3 including subparts A, B, C, & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a). Local Government Code. Attach additional pages to this Form CIQ as necessary.	
	A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?	
	Yes            No	
	B. Is the filer of the questionnaire receiving or likely to receive or likely to receive taxable income, other that investment income, from the filer of the questionnaire?	
	Yes            No	
	C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?	
	Yes            No	
	D. Describe each employment or business relationship with the local government office named in this section.	
	○	
	○	
	○	
	○	
	○	
	○	
4.	-	-
	Signature of person doing business with governmental entity	Date



(Control + Click to fill out digitally)

<b>Form W-9</b> (Rev. December 2014) Department of the Treasury Internal Revenue Service	<b>Request for Taxpayer Identification Number and Certification</b>	<b>Give Form to the requester. Do not send to the IRS.</b>
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Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <small>Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.</small> <input type="checkbox"/> Other (see instructions) ▶ _____ <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
	5 Address (number, street, and apt. or suite no.)	Requestor's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number [ ][ ] - [ ][ ] - [ ][ ][ ][ ]
or
Employer identification number [ ][ ][ ] - [ ][ ][ ][ ]

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶ _____	Date ▶ _____
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**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/wo9](http://www.irs.gov/wo9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- certify that you are not subject to backup withholding, or
- claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.



(Control + Click to fill out digitally; clear any pre-filled boxes)

01-339 (Back)  
(Rev. 9-07/16)

SAVE A COPY CLEAR SIDE

**TEXAS SALES AND USE TAX EXEMPTION CERTIFICATION**

Name of purchaser, firm or agency	
Address (Street & number, P.O. Box or Route number)	Phone (Area code and number)
City, State, ZIP code	

I, the purchaser named above, claim an exemption from payment of sales and use taxes (for the purchase of taxable items described below or on the attached order or invoice) from:

Seller: \_\_\_\_\_

Street address: \_\_\_\_\_ City, State, ZIP code: \_\_\_\_\_

Description of items to be purchased or on the attached order or invoice:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Purchaser claims this exemption for the following reason:

\_\_\_\_\_

I understand that I will be liable for payment of all state and local sales or use taxes which may become due for failure to comply with the provisions of the Tax Code and/or all applicable law.

I understand that it is a criminal offense to give an exemption certificate to the seller for taxable items that I know, at the time of purchase, will be used in a manner other than that expressed in this certificate, and depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a felony of the second degree.

Purchaser sign here	Title	Date
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NOTE: This certificate cannot be issued for the purchase, lease, or rental of a motor vehicle.  
THIS CERTIFICATE DOES NOT REQUIRE A NUMBER TO BE VALID.  
Sales and Use Tax "Exemption Numbers" or "Tax Exempt" Numbers do not exist.

This certificate should be furnished to the supplier. Do not send the completed certificate to the Comptroller of Public Accounts.



## DBE/MINORITY/SMALL BUSINESS CERTIFICATION DISCLOSURES

**Alamo Area Council of Governments (AACOG)** is committed to the healthy and responsible growth of our Disadvantaged, Small & Minority Business Enterprises in and around the Alamo City. These service providers are a major driving force for the Alamo, South and Central Texas Region economy. We are unified in our requirement to identify and in utilizing these Agency approved organizations.

For more information regarding DBE certification, please visit DBE link provided:

<https://sctrcadotorg.wordpress.com/small-minority-woman-and-veteran-owned-business-enterprise/>

We also would like to provide information regarding a partner Agency within the Alamo Area that can certify your organization in and around the South Central Texas Region (SCTRCA). Please visit their SCTRCA link provided regarding certification:

<https://sctrcadotorg.wordpress.com/small-minority-woman-and-veteran-owned-business-enterprise/>

**For AACOG's certification disclosure within our federal guidelines, please identify any of the applicable certifications your organization falls under, and provide us with a copy of your certificate:**

### **African American Business Enterprise (AABE) Certification- Complete Certification Application**

A business structure owned, operated, managed, and controlled by an African American minority group member(s) who has at least 51% ownership.

### **Asian American Business Enterprise (ABE) Certification- Complete Certification Application**

A business structure owned, operated, managed, and controlled by an Asian American minority group member(s) who has at least 51% ownership.

### **Disabled Individual Business Enterprise (DIBE) Certification- Complete Certification Application**

A business structure that is at least 51% owned, operated and controlled by a disabled individual Disabled individual means a person (a) with one or more disabilities as defined by the Americans with Disabilities Act (ADA) and amendments thereto (for purposes of applicability under the certification statutes, ordinances, rules and regulations governing the State of Texas).

### **Emerging Small Business Enterprise (ESBE) Certification- Complete Certification Application**

An SBE eligible business structure for the purpose of making a profit, which is independently owned and operated by individuals legally residing in, or that are citizens of, the United States or its territories, whose annual revenues and numbers of employees are no greater than 25% of the small business size standards for its industry as established by the U.S. Small Business Administration.

### **Hispanic Business Enterprise (HABE) Certification- Complete Certification Application**

A business structure owned, operated, managed and controlled by a Hispanic American minority group member(s) who has at least 51% ownership.

### **Minority Business Enterprise (MBE) Certification- Complete Certification Application**

A business structure that is owned, operated, managed and controlled by an ethnic minority group member(s) who has at least 51% ownership.

### **Native American Business Enterprise (NABE) Certification- Complete Certification Application**

A business structure owned, operated, managed and controlled by a Native American minority group member(s) who has at least 51 %ownership. The Native American group member(s) must have operational and managerial control, interest in capital, expertise and earning commensurate with the percentage of ownership and legally residing in or are citizens of the United States or its territories; or (2) A business structure owned, operated and controlled by a Native American minority group member(s) who has at least 51% ownership and satisfies the Native American member status.

### **Small Business Enterprise (SBE) Certification- Complete Certification Application**

A business structure that is formed with the purpose of making a profit, which is independently owned and operated and which meets the United States Small Business Administration (SBA) size standard for a small business (See <http://sba.gov/size> click “table”).

### **Veteran-Owned Business Enterprise (VBE) Certification- Complete Certification Application**

A business structure owned, operated, managed and controlled by an individual who served in the United States Armed Forces, and who was discharged or released under conditions other than dishonorable.

*Please note: This certification type should not be confused with the Service Disabled Veteran designation available through the Small Business Administration.*

### **Woman-Owned Business Enterprise (WBE) Certification- Complete Certification Application**

A business structure that is owned, operated and controlled by one or more women who have a total of at least 51% ownership.