CITY OF HOUSTON

REQUEST FOR QUALIFICATION (RFQ)
SOLICITATION NO.: S72-Q25690

Date Issued:	March 18, 2016
Pre-Submission Conference:	March 29, 2016 @ 10:00 AM Strategic Procurement Division 901 Bagby, Conference Room 2 Houston, TX 77002
Pre-Submission Questions Deadline:	April 1, 2016 @ 2:00 P.M., CST
Solicitation Due Date:	April 14, 2016 @ 2:00 P.M., CST
Solicitation Contact Person:	Yvette Smith Yvette.smith@houstontx.gov 832-393-8765

Project Summary: This is for a three (3) year contract with two one-year options to renew annually, for a maximum five-year contract term for professional gas, electric, and water technical and regulatory utility consultant services for the Administration and Regulatory Affairs Department.

NIGP Code: 918-41

MWBE Goal: 0%

John J. Gillespie, Chief Procurement Officer

03-18-16

Date

TABLE OF CONTENTS

PART I – GENERAL INFORMATION ... 3

General Information ... 3

Solicitation Schedule ... 4

PART II – SCOPE OF WORK / TECHNICAL SPECIFICATIONS ... 5

1. Overview ... 5
2. Specifics ... 5

PART III – MINIMUM PERSONNEL QUALIFICATIONS ... 6

PART IV – SUBMISSION OF QUALIFICATIONS ... 7

1. Instructions for Submission ... 7
2. Submission Requirements ... 8

PART V – EVALUATION AND SELECTION PROCESS ... 11

Responsiveness of Submission ... 11

1. Technical Requirements / Compliance ... 11
2. Interviews/Oral Presentations ... 12
3. Selection Process ... 12

PART VI – SPECIAL CONDITIONS ... 13

1. No Contact Period ... 13
2. Equal Opportunity Employment ... 13
3. Minority and Woman Business Enterprises (MWBE) ... 13
4. Protests ... 13

PART VII – INSTRUCTIONS TO RESPONDENTS ... 14

1. Pre-Submission Conference ... 14
2. Additional Information and Specification Changes ... 14
3. Letter(s) of Clarification ... 15
4. Examination of Documents and Requirements ... 15
5. Exceptions to Terms and Conditions ... 15
6. Post-Submission Discussions with Respondent(s) ... 15

PART VIII – REQUIRED FORMS/DOCUMENTS TO BE SUBMITTED 15
EXHIBIT I – COST ESTIMATE, OFFER AND SUBMITTAL, REFERENCES, PROPOSED SUBCONTRACTORS... 17
EXHIBIT I – OFFER AND SUBMITTAL... 18
EXHIBIT I – REFERENCES 19
EXHIBIT I – LIST OF SUBCONTRACTOR(S)... 20
EXHIBIT II – MINORITY/WOMEN BUSINESS ENTERPRISES CONTRACT REQUIREMENTS 15
EXHIBIT II – ATTACHMENT "A" SCHEDULE OF M/WBE PARTICIPATION... 21
EXHIBIT II – ATTACHMENT "B": OFFICE OF BUSINESS OPPORTUNITY AND CONTRACT COMPLIANCE M/WBE UTILIZATION REPORT 23
EXHIBIT II – ATTACHMENT "C": CERTIFIED M/WBE SUBCONTRACT TERMS 24
EXHIBIT II – ATTACHMENT "D": OFFICE OF BUSINESS OPPORTUNITY AND CONTRACT COMPLIANCE M/WBE UTILIZATION REPORT 25
EXHIBIT III – FAIR CAMPAIGN ORDINANCE 26
EXHIBIT III – FORM "A": FAIR CAMPAIGN... 27
EXHIBIT IV – CONTRACTOR OWNERSHIP DISCLOSURE ORDINANCE 29
EXHIBIT IV: AFFIDAVIT OF OWNERSHIP OR CONTROL 30
EXHIBIT V – ANTI-COLLUSION STATEMENT 33
EXHIBIT VI – CONFLICT OF INTEREST QUESTIONNAIRE 34
PART IX – REQUIRED FORMS TO BE SUBMITTED BY AWARDED VENDOR ONLY 16

PART I – GENERAL INFORMATION

1. Background

1.1 The City of Houston (City), as municipal regulator, exercises original jurisdiction over the retail rates, operations, and services of electric, gas and water utilities operating within city limits. The City has original jurisdiction over CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas (CenterPoint Gas), CenterPoint Energy Houston Electric, LLC (CenterPoint Electric), Entergy Texas, Inc. (Entergy), and five investor owned water/sewer utilities.

1.1.1 CenterPoint Gas provides natural gas distribution services in the Houston metropolitan area, serving approximately 400,000 Houston retail customers.

1.1.2 CenterPoint Electric provides electric transmission and distribution services and delivers electricity to approximately 930,000 Houston customers.

1.1.3 Entergy is a fully integrated electric utility providing both "wire" and electric generation services to approximately 1,800 retail customers in Houston.

1.2 The City participates in Entergy proceedings, including contested rate case proceedings, as a member of the Entergy Steering Committee of Cities. Therefore, proceedings specific to Entergy are not captured under this statement of work.

1.3 Also exempted from this statement of work, are natural gas and electric 'full base rate proceedings' where the City seeks and receives reimbursement of reasonable and necessary rate case expenses. Water/wastewater 'full base rate proceedings' will be subject to the appropriations and allocation of funds by City Council.

1.4 In addition to local regulatory proceedings and processes, the City is an active participant in numerous regulatory matters and utility proceedings before state commissions including the Public Utility Commission of Texas (PUCT) and Railroad Commission (RRC) and in legislation regarding utility matters.

1.5 Current and future utility related proceedings and initiatives will have a direct impact on the City, as municipal regulator, investor-owned utilities and on utility customers. Of particular interest and concern are initiatives impacting regulation of investor owned utilities, municipal regulatory authority, treatment of municipal franchise fees, treatment of municipal rate case expenses and allocation of rate case expenses. The City is also interested in other rate related proceedings and rulemakings, and in initiatives impacting rates and rate setting methods and procedures.

2. City of Houston Background

2.1 The City of Houston is the fourth largest City in the United States comprising 23 departments with multiple locations throughout the City. The City has approximately 23,000 employees with approximately 500 employees involved in the procurement and/or contracting process. Contracts where the City must pay in excess of $50,000 are routed to City Council for approval. The annual volume of contracts and purchase orders issued in the City in the last five years has ranged from 19,000 to 23,000.

2.2 As a point of reference, prospective respondents may refer to the City's Procurement Manual (currently under revision) for current processes. The City is looking for additional opportunities to streamline its processes through the implementation of technology. The manuals can be accessed at:
http://purchasing.houstontx.gov/docs/SPD%20Procurment%Manual.pdf
http://purchasing.houstontx.gov/docs/Procurement_Manual.pdf.

3. Solicitation Schedule

Listed below are the important dates for this Request for Qualification (RFQ).

EVENT	DATE
Date of RFQ Issued	March 18, 2016
Pre-Submission Conference	March 29, 2016 (10:00 AM CST)
Questions from Respondents Due to City	April 1, 2016 (2:00 P.M. CST)
Submissions Due from Respondents	April 14, 2016 (2:00 P.M. CST)
Notification of Intent to Award (*Estimated*)	May, 2016 (Estimated)
Council Agenda Date (Estimated)	May, 2016 (Estimated)
Contract Start Date *(Estimated)*	June, 2016 (Estimated)

PART II – SCOPE OF WORK/TECHNICAL SPECIFICATIONS

1. Purpose

1.1 The City of Houston (City) is routinely involved in complex electric, natural gas and water regulatory matters locally and before the PUCT and RRC. Due to the complexity and number of regulatory issues facing the City, the assistance of an expert utility regulatory consultant experienced in local and state regulatory matters is necessary. The consultant will address a broad range of utility issues as they relate to municipal regulation of investor owned utilities. Specifically, services are currently needed to assist the City in addressing utility issues in certain local proceedings and initiatives; before the state commissions including the PUCT and RRC; and legislative initiatives.

2. Scope of Work

2.1 The Scope of Work is to be used as a general guide and is not intended to be a complete list of all work necessary to complete this project. The consultant(s) may be retained to perform the tasks outlined below, or other related tasks. Work shall be performed on an as-needed basis. The number and frequency of projects on which regulatory consulting services will be requested depend on a number of factors including, but not limited to, content, complexity and timing of state commission and utility filings, which cannot be determined at this time. For each project that City staff requests consulting services, City staff will first discuss the project with the consultant, and then determine the consultant's scope of deliverables and required work effort on the project. The consultant, in collaboration with City staff, will subcontract certain projects to other qualified utility experts, as appropriate and necessary.

2.2 The consultant(s) will provide technical and analytical services on various gas, water and electric utility issues in (i) designated local proceedings and initiatives; (ii) state commission proceedings, including PUCT and RRC proceedings; (iii) legislative matters, and (iv) any other matters assigned by City the Administration and Regulatory Affairs Department.

2.3 Provide recommendations regarding local and state proceedings/initiatives or legislative activity related to the City's regulatory responsibilities.

2.4 Upon request, make recommendations for or against City intervention or participation in state proceedings and/or legislative initiatives, detailing the basis for the recommendation.

2.5 Provide briefings, recommendations, policy proposals, analyses, written or verbal comments, written or verbal testimony, or other responses deemed appropriate by City staff regarding local and state proceedings/initiatives or legislative activity in which the City has chosen to intervene or participate. Services may include, but are not limited to:

2.5.1 Review and analyze filings and any other regulatory matter.

2.5.2 Evaluate the accounting and ratemaking aspects of proposals affecting rates and charges.

2.5.3 Develop and review discovery or information requests, as necessary.

2.5.4 Identify relevant issues and outline potential alternative recommendations.

2.5.5 Develop policy positions, in consultation with City staff, consistent with analysis and research results, statutes and regulatory practice.

2.5.6 Develop detailed analysis of the likely results of the proposed positions including quantifying the customer impact.

2.5.7 Provide, as requested, expert witness services concerning filings and other regulatory matters that are likely to require evidentiary hearings.

2.5.8 Provide, as requested, consulting services regarding filings, including utility rate filings, petitions or other proposals that are not likely to require evidentiary hearings. On these projects, it is anticipated that the consultant will generally provide advice and support to City staff on regulatory, accounting and ratemaking issues.

2.5.9 Provide technical assistance in settlement negotiations.

2.5.10 Analyze and evaluate electric, gas and water issues that could significantly impact the regulation of investor owned utilities that specifically operate within Houston, filed or pending at the state or are the subject of legislative initiatives, and the responses of other parties in those proceedings.

2.6 As deemed appropriate by City staff, the consultant will participate in any hearing, proceeding, workshop or conference in which the City has chosen to intervene.

2.7 Monitor activity and utility related proceedings and rulemakings at the state commissions specifically the RRC and PUCT as well as legislative bodies, for filings, initiatives, orders, rulemakings, and proposed changes in statutes which could: 1) significantly impact regulation of investor owned utilities, 2) may directly or indirectly impact investor owned utilities, utility customers, and the City, as municipal regulatory authority, and 3) impact utility rates and rate setting methods and procedures.

PART III – MINIMUM PERSONNEL QUALIFICATIONS

1. Minimum Qualifications

1.1 The consultant should be prepared to devote sufficient resources necessary to meet procedural schedule, time lines, or deadlines which have been established by the state commissions, legislators or as otherwise directed by the City. City staff will monitor the progress and results of the consultant's work through direct contact with the consultant.

1.2 The consultant must have significant experience in the area of public utility regulatory issues. This requirement should include knowledge of economics and finance as they relate to regulatory issues and knowledge of the ratemaking process used by utility companies.

1.3 The consultant must have an understanding of the operation and structure of water, gas and electric utilities specifically in Texas.

1.4 Knowledge of Texas utility operations, rates and regulatory precedents.

1.5 The consultant must have regulatory experience before local and state authorities, specifically Texas authorities, in electric, gas and water matters.

1.6 The consultant must have experience addressing legislative and regulatory policy before state and local authorities in gas, electric and water utility matters.

1.7 The consultant must have experience in preparing and supporting testimony filed in regulatory proceedings.

1.8 The consultant must have knowledge of related state regulatory decisions, rules and statutes with an understanding of the present state of the electric, natural gas and water industries in Texas.

PART IV – SUBMISSION OF QUALIFICATIONS

1. Instructions for Submission

1. Number of Copies. Please submit **six (6)** copies of your submission, including one (1) printed original signed in BLUE ink, and additional six (6) NON PASSWORD protected electronic thumb drives are to be submitted in a sealed envelope bearing the assigned Solicitation Number, located on the first page of the RFQ document to:

   City Secretary
   City Secretary Office-City Hall Annex
   900 Bagby, P101
   Houston, Texas 77002

   The City of Houston shall bear no responsibility for submitting responses on behalf of any Respondent. Respondent(s) may submit their submission to the Office of the Chief Procurement Officer any time prior to the stated deadline.

2. Time for submission. Submissions shall be submitted no later than the date and time indicated for submission in this RFQ. Late submittals will not be considered and will be returned unopened.

3. Format. Submission should be left-bound with information on both sides of the page when appropriate. Material should be organized following the order of the submission requirements separated by labeled tabs. Expensive paper and bindings are discouraged since no materials will be returned. Respondents shall divide their SOQ into four sections to facilitate the evaluation process, namely:

3.1 Qualifications, Experience and Capability (Submission Requirements Section 3)
3.2 Understanding of Work to be Performed (Submission Requirements Section 4)
3.3 Appropriate Resources and Capacity (Submission Requirements Section 5)
3.4 Cost Estimate (Submission Requirements Section 7)

4. Complete submission. Respondents are advised to carefully review all the requirements and submit all documents and information as indicated in this RFQ. Incomplete submissions may lead to a submission being deemed non responsive. Non-responsive submissions will not be considered.

5. Packaging and Labeling. The outside wrapping/envelope shall clearly indicate the RFQ Title and date and time for submission. It shall also indicate the name of the respondent.

6. Timely delivery of Submissions. The Submittal, including the Statement of Qualifications, Experience and Capability, Statement of Understanding of Work to be Performed, Statement for Resources and Capacity, and Statement of Quality and Clarity of Response, must be delivered by hand or sent to the City of Houston through U.S. Mail or other available courier services to the address shown on the cover sheet of this RFQ. Include the RFQ number on any package delivered or sent to the City Secretary Office and on any correspondence sent to the Buyer related to the Submittal. If using an express delivery service, the package must be delivered to the designated building. Packages delivered by express mail services to other locations might not be re-delivered in time to be considered.

7. Late Submissions. The respondent remains responsible for ensuring that its Submission is received at the time, date, place, and office specified. The City assumes no responsibility for any Submission not so received, regardless of whether the delay is caused by the U.S. Postal Service, the courier delivery service, or some other act or circumstance.

2. Submission Requirements

1. Cover letter/statement of interest. The cover letter should indicate the Consultant's interest in providing the requested services. The cover letter must include the name of the SOQ, the full contact information of the person(s) the City shall contact regarding the proposal, including contact name, mailing address, phone number, and email address. The letter must also state whether or not subcontractor(s) will be used, the name, address and what purpose of each proposed subcontractor.

2. Table of Contents. Outline in sequential order the major areas of the RFQ, including enclosures.

3. Qualifications, Experience and Capability (The Consultant must include description and background information for the following requirements outlined in this solicitation. Please include):

   3.1 Company Information: provide a brief description of your Firm including company history, company size, years in business, number of employees and any other information communicating capabilities.

   3.2 Team Structure: The Consultant's team may include the services of sub-contractors in order to ensure the range and depth of expertise necessary to perform the services and meet the minimum requirements outlined in this RFQ.

The Consultant must provide:

3.2.1 Personnel: include the names and positions of all personnel who will actually be performing work. This requirement also applies to subcontractors, if applicable. The tasks to which each person would be assigned should also be stated. No substitution of any of the personnel listed in the response will be performed without prior approval of the Director. Provide a simple organizational chart of the identified team showing the reporting structure and functions

3.2.2 Subcontractors: A list of all persons who are retained by the respondent at the time of the application and/or who are expected to perform work as subcontractors in connection with the respondent's work.

3.3 Resumes: Provide resumes (or equivalent) and experience summaries of personnel, including any subcontractors, who will perform the services. Each person's education and experience, pertinent to the work to be performed, must be included. A summary of similar work, with approximate dates of that work, shall be included for each person. Descriptions of an individual's experience must include the individuals' responsibility in previous assignments and whether or not the engagement occurred during the period of employment with the Consultant. Each individual's resume should focus on those work experiences that directly relate to work areas related to the work outlined herein.

3.4 Prior Experience: The Consulting Firm must submit a statement of its experience in similar activity, with identification of dockets, cases, legislative presentation, clients represented, and the dates related thereto. The experience listed in the statement should be related to work done by the Consulting Firm rather than individuals.

3.5 Examples: Include a description of three or more assignments which best illustrate the Consultant's current qualifications relevant to the areas requested in this RFQ, including samples of work product and/or testimony.

3.6 Minimum Qualifications: Proof or evidence that the Consultant meets the minimum qualifications outlined in *PART III: Minimum Personnel Qualifications; Section (1),* of this RFQ.

3.7 References: Provide a minimum of three references that the City may contact for the purposes of obtaining information related to the performance of the Consultant. Include the name of the client, contact person, current telephone number, a summary of the work performed for the client, and the dates of engagement. References should be provided for work performed similar to that outlined in this RFQ.

4. Statement of Expected Activity/Understanding: the statement must demonstrate a clear understanding of the stated requirements of the RFQ and must confirm that the Consultant will comply with all the provisions of this RFQ. Also include:

4.1 Work Summary: The Consultant must provide a narrative description

summarizing the expected, legislative, commission, or utility initiated activity, with a description of the analysis, comments, testimony, reports, and participation which the consultant expects to provide on behalf of the City.

4.2 Preliminary Work Plan: The consultant should delineate a preliminary work plan based on its assumptions regarding certain regulatory and legislative activity. For each expected activity the consultant should provide descriptions of expected tasks, resources assigned to the tasks, and time schedules for task completion.

5. Evidence of Appropriate Resources and Capacity: The Consultant shall provide a description that effectively documents their capacity to take on the work outlined in this RFQ. This description shall include, but is not limited to:

5.1 A summary outlining the Consultant's capacity to take on and complete the work outlined in the RFQ in addition to existing and anticipated commitments.

5.2 A summary outlining the Consultant's ability to secure and retain any subcontracted resources through the course of the contract period.

6. Quality and Clarity of Response:

6.1 Demonstrate quality work by way of fulfillment of all RFQ submission requirements.

6.2 Demonstrate clarity by way of conformance and responsiveness to the RFQ.

7. Cost Estimate:

7.1 Please submit cost estimate with the level detail provided in attachment form, Exhibit 1.

8. M/WBE Participation:

There is no M/WBE subcontracting goal for this contract (0%)

9. Financial Stability. Upon request from the City of Houston, a firm may later be called upon to demonstrate financial feasibility and discuss constraints, including cost, legal, regulatory and workforce.

10. Exceptions to Standard Contract. Submit any exceptions to the standard contract and include the rationale for taking the exception. Provide rationale for objections to the Article. Such exceptions will be considered when evaluating the Respondent's response to this RFQ. If you are proposing alternate language, please include the language for consideration. Also, attach license and maintenance agreement(s), as appropriate.

11. Legal Actions. Provide a list of any pending litigation and include a brief description of the reason for legal action.

12. Conflict of Interest. The Consultant must disclose any contracts, services rendered, relationships, circumstances, or interests between the Consultant, its subcontractors and

other clients which may pose a conflict of interest, influence judgment or impair objectivity, or give the appearance of such conflict. If there have been no such relationships, a statement to that effect is to be included. Additionally, the Consultant should disclose its client list for all similar work performed during the past three years, identifying the client, nature of review/assistance and dates of service.

13. Other. Submit any information the Respondent deems pertinent to demonstrating its qualifications to perform the services being requested such as memberships in any professional associations, documents, examples, and others.

14. Forms and Certifications: Complete all forms and certifications attached, as appropriate.

PART V – EVALUATION AND SELECTION PROCESS

An evaluation committee will evaluate responsive submissions in accordance with the evaluation criteria listed below. Upon completion of the evaluation, the committee may develop a short list of Respondent(s) meeting the technical competence requirements. The shortlisted Respondent(s) may be scheduled for a structured oral presentation, demonstration and/or interview. Such presentations will be at no cost to the City of Houston. At the end of the oral presentation, demonstration and/or interview, the evaluation of the shortlisted Respondent(s) will be completed. However, the evaluation committee reserves the right to issue letter(s) of clarification when deemed necessary to any or all Respondent(s). The oral presentations, demonstrations and/or interviews may be recorded and/or videotaped.

1. Evaluation Criteria
Technical Competence (Extent to which proposed solution meet the needs of the City including but not limited to the desired features as expressed in this RFQ.):

1.1. Qualifications, Experience and Capability:

1.1.1. Experience, qualifications and capability of proposed team, key team members and other professional personnel.

1.1.2. Qualifications and experience of the proposer as evidenced by statement of experience and experience on similar service/projects.

1.1.3. Quality of examples provided.

1.1.4. Proof or evidence that the Consultant meets the minimum qualifications.

1.1.5. Past record of performance with respect to factors such as quality of work, ability to meet schedules and working relationship with the client. Applicant's overall reputation and quality as it relates to the services requested.

1.2. Understanding of the Work to be Performed

1.2.1. The applicant demonstrates a clear understanding of the work to be performed as evident by the Firm's Statement of Expected Activity/Understanding including the Firm's:

1.2.1.1. Work Summary

1.2.1.2. Preliminary Work Plan

1.3. Appropriate Resources and Capacity

1.3.1. The respondent demonstrates their capacity to take on the work outlined in the RFQ including:

1.3.2. Summary outlining the respondent's capacity to take on and complete the work outlined in the RFQ, in addition to existing and anticipated commitments.

1.3.3. Summary outlining the respondent's ability to secure and retain any subcontracted resources through the course of the contract period.

1.4. Quality and Clarity of the Response

1.4.1. The quality of written material and presentation, relevant experience, and overall organization.

1.4.2. Clarity of the respondents submitted documents. Completeness of response: Are all forms completed and everything included that was required for the RFQ.

1.5 Cost Estimate

1.5.1 Reasonableness of the consulting costs for requested consultant services.

Evaluation Criteria	**Allotted Points**
Qualifications, Experience and Capability	40%
Understanding of the Work to be Performed	20%
Appropriate Capacity and Resources	20%
Quality and Clarity of Response	10%
Cost Estimate	10%
Total Points	100%

2. Interviews/Oral Presentations/Demonstrations

The City reserves the right to request and require that each Respondent provide a final presentation of its submission at a scheduled date and time. No Respondent is entitled to this opportunity, and no Respondent will be entitled to attend presentations of any other Respondent. The purpose of the presentations is to inform the work of the evaluation committee. If necessary, Respondents may be required to make more than one presentation or demonstration.

The City may provide to Respondents samples of documents for the purpose of preparing a demonstration. The goal of such documents is to enable the City to get a better idea regarding how the proposed system will handle the City's requirements and enable the Respondent to prepare a more targeted presentation. The City also welcomes opportunities to further streamline and improve the procurement and contracting process; therefore, Respondent may highlight potential improvements based on lessons learned from other systems implementations.

3. Selection Process

Upon review of all information provided by shortlisted respondents, the evaluation committee will make a recommendation for selection to City officials. The City reserves the right to check references on any projects performed by the respondent whether provided by the respondent or known by the City. Selected submission will be submitted for approval by the appropriate City officials. The City of Houston intends to select a submission that best meets the needs of the City and provides the overall best value. Upon approval of the selected Respondent, a contract will be executed by the appropriate City officials.

Part VI – SPECIAL CONDITIONS

1. No Contact Period

Neither Respondent(s) nor any person acting on Respondent(s)'s behalf shall attempt to influence the outcome of the award by the offer, presentation or promise of gratuities, favors, or anything of value to any appointed or elected official or employee of the City of Houston, their families or staff members. All inquiries regarding the solicitation are to be directed to the designated City Representative identified on the first page of the solicitation. Upon issuance of the solicitation through the pre-award phase and up to the date the City Secretary publicly posts notice of any City Council agenda containing the applicable award, aside from bidder's formal response to the solicitation, through the pre-award phase, written requests for clarification during the period officially designated for such purpose by the City Representative, neither Respondent(s) nor persons acting on their behalf shall communicate with any appointed or elected official or employee of the City of Houston, their families or staff through written or oral means in an attempt to persuade or influence the outcome of the award or to obtain or deliver information intended to or which could reasonably result in an advantage to any bidder. However, nothing in this paragraph shall prevent a bidder from making public statements to the City Council convened for a regularly scheduled session after the official selection has been made and placed on the City Council agenda for action, or to a City Council committee convened to discuss a recommendation regarding the solicitation.

2. Equal Opportunity Employment

The City of Houston Ordinance Section 15-17 establishes Equal Employment Opportunity Contract Compliance requirements for all City of Houston contracts involving the expenditure of Fifty Thousand Dollars ($50,000) or more. Any contract for professional services that results from this RFQ will provide that the failure to carry out the requirements set forth in the City of Houston Equal Employment Opportunity Program shall constitute a breach of contract and may result in termination of the agreement or contract. In addition, the City may take any such additional remedy as deemed appropriate.

3. Minority and Woman Business Enterprises (MWBE)

Contactor shall comply with the City's Minority and Women Business Enterprise ("MWBE") programs as set out in Chapter 15, Article V of the City of Houston Code of Ordinances. Contractor shall make good faith efforts to award subcontracts or supply agreements in at least the value stated in this Agreement to MWBE's. Contractor acknowledges that it has reviewed the requirements for good faith efforts on file with the City's Office of Business Opportunity (OBO) and will comply with them.

4. Protests

1.1.1. An interested party may file a protest on the basis that the City has failed to comply with applicable federal or state law or with City ordinances. The subject of the protest shall be limited to fraud, corruption, or illegal acts undermining the objectivity and integrity of the procurement process. A protest must be filed in accordance with the timing requirements set forth herein and must include:

1.1.1.1. The name, address, telephone number, and email address of the protestor.

1.1.1.2. The number of the solicitation.

1.1.1.3. Information confirming that the protestor is an interested party.

1.1.1.4. A written statement of the grounds for the protest and the law or ordinance alleged to have been violated. The statement shall be accompanied by relevant supporting documentation and the relief requested.

1.1.1.5. The signature of the protestor.

1.1.2. Protests shall be submitted to: Chief Procurement Officer, City of Houston, 901 Bagby B300, Houston, TX 77002.

1.2. The City recognizes three types of protests:

1.2.1. Protests regarding solicitation (Pre-Submission Protest)

1.2.1.1. Any Pre-Submission Protest regarding a solicitation published by the City shall be filed no later than five days before the opening of bids (if a competitive bid) or due date for submittals or proposals (if an RFP/RFQ), as applicable.

1.2.2. Protests regarding the evaluation or rejection of bids, qualifications, or proposals (Pre-Award Protest)

1.2.2.1. Any Pre-Award Protest regarding the evaluation of bids, qualifications, or proposals by the City must be filed no later than five business days prior to the City Council meeting at which the award appears on the agenda.

1.2.3. Protests made after City Council's decision to award a contract (Post-Award Protest)

1.2.3.1. Any protest regarding the award of a contract must be submitted no later than five calendar days after the date of the award.

1.2.4. Any protest received after the applicable deadline will not be considered.

PART VII – INSTRUCTIONS TO RESPONDENTS

1. Pre-Submission Conference

A Pre-Submission Conference will be held at the date, time, and location as indicated on the first page of the RFQ document. Interested Respondent(s) should plan to attend. It will be assumed that potential Respondent(s) attending this meeting have reviewed the RFQ in detail, and are prepared to bring up any substantive questions not already addressed by the City.

2. Additional Information and Specification Changes

Requests for additional information and questions should be addressed to the Finance Department, Strategic Procurement Division Buyer Yvette Smith telephone: 832.393.8765, fax: 832.393. 8759, or e-mail (preferred method to): yvette.smith@houstontx.gov no later than 2:00 P.M. CST April 1, 2016. The City of Houston shall provide written responses to all questions received in writing before the submittal deadline. Questions received from all Respondent(s) shall be answered and sent to all Respondent(s) who are listed as having obtained the RFQ. Respondent(s) shall be notified in writing of any changes in the specifications contained in this RFQ.

3. Letter(s) of Clarification

1. All Letters of Clarification and interpretations to this Solicitation shall be in writing. Any Letter of Clarification(s) or interpretation that is not in writing shall not legally bind the City of Houston. Only information supplied by the City of Houston in writing or in this RFQ should be used in preparing Submission responses.

2. The City does not assume responsibility for the receipt of any Letters of Clarification sent to Respondent(s).

4. Examination of Documents and Requirements

1. Each Respondent shall carefully examine all RFQ documents and thoroughly familiarize themselves with all requirements prior to submitting a Submission to ensure that the Submission meets the intent of this RFQ.

2. Before submitting a Submission, each Respondent shall be responsible for making all investigations and examinations that are necessary to ascertain conditions and affecting the requirements of this RFQ. Failure to make such investigations and examinations shall not relieve the Respondent from obligation to comply, in every detail, with all provisions and requirements of the RFQ.

5. Exceptions to Terms and Conditions

1. All exceptions included with the Submission shall be submitted in a clearly identified separate section of the Submission in which the Respondent clearly cites the specific paragraphs within the RFQ where the Exceptions occur. Any Exceptions not included in such a section shall be without force and effect in any resulting contract unless such Exception is specifically referenced by the Chief Procurement Officer, City Attorney, Director(s) or designee in a written statement. The Respondent's preprinted or standard terms will not be considered by the City as a part of any resulting contract.

2. All Exceptions that are contained in the Submission may negatively affect the City's Submission evaluation based on the evaluation criteria as stated in the RFQ, or result in possible rejection of Submission.

6. Post-Submission Discussions with Respondent(s)

It is the City's intent to commence final negotiation with the Respondent(s) deemed most advantageous to the City. The City reserves the right to conduct post-Submission discussions with any Respondent(s).

PART VIII – REQUIRED FORMS TO BE SUBMITTED WITH SUBMISSION

1. Cost Estimate, Offer and Submittal, List of References and List of Proposed Subcontractors (Exhibit I)

2. Signed M/WBE Forms: Attachment "A" Schedule of M/WBE Participation, Attachment "B", Notice of Intent, Attachment "C", Certified M/WBE Subcontract Terms, Attachment "D" Office of Business Opportunity and Contract Compliance M/WBE Utilization Report (Exhibit II)

3. Fair Campaign Ordinance Form "A" (Exhibit III)

4. Affidavit of Ownership or Control (Exhibit IV)

5. Anti-Collusion Statement (Exhibit V)

6. Conflict of Interest Questionnaire (Exhibit VI)

PART IX – REQUIRED FORMS TO BE SUBMITTED BY AWARDED VENDOR ONLY

Required forms shall be supplied to the vendor after award.

1. Insurance Requirements and Sample Insurance Certificate (Exhibit VII)

2. Drug Compliance Agreement Attachment "A", Drug Policy Compliance Declaration Attachment "B" and Contractor's Certification of No Safety Impact Positions Attachment "C" and "D" (Exhibit VIII)

3. City Contractors' Pay or Play Acknowledgement Form and Pay or Play Certificate Agreement, Play or Pay Program Acknowledgment Form "1" (Exhibit IX)

4. Hire Houston First Affidavit (Download Copy at http://www.houstontx.gov/obo/hirehoustonfirst.html and submit to Office of Business Opportunity, Houston Business Solutions Center via e-mail to houstonbsc@houstontx.gov or fax to 832-393-0650 or submit copy with proposal.

5. Requested Information Outlined in the Scope of Work and Other Additional Relevant/Supporting Information or Alternate Submissions.

EXHIBIT I
COST ESTIMATE

Solely for the purpose of evaluating the Submission, please indicate the estimated number of hours and pricing that will be assigned for each staff member to provide the requested consultant services. In the event of any additional services associated with this project, the rates charged shall not exceed those indicated below.
On the indicated lines, please provide your Payroll Rate and Billable Rate for each category. The Payroll Rate is defined as the actual hourly rate your company pays each employee or contractor. The Billable Rate is the rate your company charges the City for services.

Hourly Price for Consultant Service				
Description Position/Title	**Est. No. of Hours Assigned**	**Payroll Hourly Rate**	**Billable Rate**	**Extension**

EXHIBIT I
OFFER AND SUBMITTAL, REFERENCES, PROPOSED SUBCONTRACTORS

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EXHIBIT I
OFFER AND SUBMITTAL

NOTE: SUBMISSION MUST BE SIGNED AND NOTARIZED BY AN AUTHORIZED REPRESENTATIVE(S) OF THE RESPONDENT, WHICH MUST BE THE ACTUAL LEGAL ENTITY THAT WILL PERFORM THE CONTRACT IF AWARDED AND THE TOTAL FIXED PRICE CONTAINED THEREIN SHALL REMAIN FIRM FOR A PERIOD OF ONE-HUNDRED EIGHTY (180) DAYS.

"THE RESPONDENT WARRANTS THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED OR RETAINED TO SOLICIT OR SECURE THIS CONTRACT UPON AN AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE, OR CONTINGENT FEE, EXCEPTING BONA FIDE EMPLOYEES. FOR BREACH OR VIOLATION OF THIS WARRANTY, THE CITY SHALL HAVE THE RIGHT TO ANNUL THIS AGREEMENT WITHOUT LIABILITY OR, AT ITS DISCRETION, TO DEDUCT FROM THE CONTRACT PRICES OR CONSIDERATION, OR OTHERWISE RECOVER THE FULL AMOUNT OF SUCH COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE."

Respectfully Submitted:

_____
(Print or Type Name of Contractor – Full Company Name)

City of Houston Vendor No. (If already doing business with City):
_____

Federal Identification Number:
_____

By: _____
(Signature of Authorized Officer or Agent)

Printed Name: _____

Title: _____

Date: _____

Address of Contractor: _____
Street Address or P.O. Box

_____
City – State – Zip Code

Telephone No. of Contractor: (____) _____

Signature, Name and title of Affiant: _____

_____
(Notary Public in and for)

_____ County, Texas

My Commission Expires: _____ day of _____ 20_____

EXHIBIT I
REFERENCES
LIST OF PREVIOUS CUSTOMERS

1. Name: _____ Phone No.: _____
   Address: _____
   Contract Award Date: _____ Contract Completion Date: _____
   Contract Name/Title: _____
   Email: _____
   System Description: _____
   _____

2. Name: _____ Phone No.: _____
   Address: _____
   Contract Award Date: _____ Contract Completion Date: _____
   Contract Name/Title: _____
   Email: _____
   System Description: _____
   _____

3. Name: _____ Phone No.: _____
   Address: _____
   Contract Award Date: _____ Contract Completion Date: _____
   Contract Name/Title: _____
   Email: _____
   System Description: _____
   _____

4. Name: _____ Phone No.: _____
   Address: _____
   Contract Award Date: _____ Contract Completion Date: _____
   Contract Name/Title: _____
   Email: _____
   System Description: _____

EXHIBIT I
LIST OF SUBCONTRACTOR(S)

The following is a list of Subcontractors we propose to engage on the following items of Work. Any item of Work which does not designate a Subcontractor will be done by the firm submitting the Submission.

SEGREGATED PART OF WORK	SUBCONTRACTOR/SUPPLIER

EXHIBIT II
ATTACHMENT "A"
SCHEDULE OF M/WBE PARTICIPATION

DATE OF REPORT: _____

BID NO.: _____

FORMAL BID TITLE: _____

NAME OF MINORITY/WOMEN SUBCONTRACTOR	OFFICE OF BUSINESS OPPORTUNITY CERTIFICATION NO.	STREET ADDRESS AND CITY, STATE, ZIP CODE	TELEPHONE NO.	SCOPE OF WORK	AGREED PRICE

TOTAL. . . . . $_____

M/WBE PARTICIPATION AMOUNT. . . . . $_____%

TOTAL BID AMOUNT. . . . . $_____

IF YOU HAVE USED YOUR BEST EFFORTS TO CARRY OUT THE CITY'S M/WBE POLICY BY SEEKING SUBCONTRACTS AND SUPPLY AGREEMENTS WITH MINORITY AND WOMEN BUSINESS ENTERPRISES, YET FAILED TO MEET THE STATED PERCENTAGE GOAL OF THIS BID DOCUMENT, LIST BELOW YOUR GOOD FAITH EFFORTS FOR COMPLIANCE (DEFINITION OF REQUIREMENTS CAN BE OBTAINED THROUGH THE OFFICE OF BUSINESS OPPORTUNITY AT (713) 837-9000).
THE UNDERSIGNED WILL ENTER INTO A FORMAL AGREEMENT WITH THE MINORITY AND/OR WOMEN SUBCONTRACTORS AND SUPPLIERS LISTED IN THIS SCHEDULE CONDITIONED UPON AWARD OF A CONTRACT FROM THE CITY. **NOTE:** **ALL FIRMS LISTED ABOVE MUST BE CERTIFIED (OR ELIGIBLE FOR CERTIFICATION) BY THE OFFICE OF BUSINESS OPPORTUNITY.** **THIS SCHEDULE OF M/WBE PARTICIPATION SHOULD BE RETURNED, IN DUPLICATE, WITH THE BID FORM.**

_____

BIDDER COMPANY NAME

_____

SIGNATURE OF AUTHORIZED OFFICER OR AGENT OF BIDDER

_____

NAME (TYPE OR PRINT)

_____

TITLE

EXHIBIT II
ATTACHMENT "B"
OFFICE OF BUSINESS OPPORTUNITY AND
CONTRACT COMPLIANCE M/WBE UTILIZATION REPORT

NOTICE OF INTENT

THIS AGREEMENT IS SUBJECT TO MEDIATION AND CAN BE INITIATED BY THE COMPANIES SIGNED BELOW OR THE OFFICE OF BUSINESS OPPORTUNITY.

To: City of Houston
Administering Department

Date: _____

Project Name and Number _____

Bid Amount:_____ M/W/SBE Goal: _____

_____ , agrees to enter into a contractual agreement with
Prime Contractor

_____, who will provide the following goods/services in connection
MWSBE Subcontractor

with the above-referenced contract:

_____

for an estimated amount of $_____ or _____% of the total contract value.

_____ is currently certified with the City of Houston's Office of Business
(M/W/SBE Subcontractor) Opportunity to function in the aforementioned capacity.

_____ _____ Intend to
Prime Contractor M/W/SBE Subcontractor

work on the above-named contract in accordance with the M/W/DBE Participation Section of the City of Houston Bid Provisions, contingent upon award of the contract to the aforementioned Prime Contractor.

_____ _____
Signed (Prime Contactor) Signed (M/W/SBE Subcontractor)

_____ _____
Printed Signature Printed Signature

_____ _____
Title Date Title Date

EXHIBIT II
ATTACHMENT "C"
CERTIFIED M/WBE SUBCONTRACT TERMS

CITY OF HOUSTON CERTIFIED MWSBE SUBCONTRACT TERMS

Contractor shall ensure that all subcontracts with M/WSBE subcontractors and suppliers are clearly labeled **"THIS CONTRACT IS SUBJECT TO MEDIATION"** and contain the following terms:

1. _____(M/WSBE subcontractor) shall not delegate or subcontract more than 50% of the work under this subcontract to any other subcontractor or supplier without the express written consent of the City of Houston's Office of Business Opportunity Director ("the Director").

2. _____(M/WSBE subcontractor) shall permit representatives of the City of Houston, at all reasonable times, to perform 1) audits of the books and records of the subcontractor, and 2) inspections of all places where work is to be undertaken in connection with this subcontract. Subcontractor shall keep such books and records available for such purpose for at least four (4) years after the end of its performance under this subcontract. Nothing in this provision shall affect the time for bringing a cause of action or the applicable statute of limitations.

3. Within five (5) business days of execution of this subcontract, Contractor (prime contractor) and Subcontractor shall designate in writing to the Director an agent for receiving any notice required or permitted to be given pursuant to Chapter 15 of the Houston City Code of Ordinances, along with the street and mailing address and phone number of such agent.

These provisions apply to goal-oriented contracts. A goal-oriented contract means any contract for the supply of goods or non-professional services in excess of $100,000.00 for which competitive submissions are required by law; not within the scope of the MBE/WBE/SBE program of the United States Environmental Protection Agency or the United States Department of Transportation; and which the City Chief Procurement Officer has determined to have significant MWSBE subcontracting potential in fields which there are an adequate number of known MBEs , WBE's, and or SBE's (if applicable) to compete for City contracts.

The MWSBE policy of the City of Houston will be discussed during the pre-submission conference. For information, assistance, and/or to receive a copy of the City's Affirmative Action Policy and/or Ordinance, contact the Office of Business Opportunity Division at 832.393.0600, 611 Walker Street, 7th Floor, Houston, Texas 77002.

EXHIBIT II
ATTACHMENT "D"
OFFICE OF BUSINESS OPPORTUNITY AND
CONTRACT COMPLIANCE M/WBE UTILIZATION REPORT

Report Period: _____

PROJECT NAME & NUMBER: _____ AWARD DATE: _____

PRIME CONTRACTOR: _____ CONTRACT NO.: _____

ADDRESS: _____ CONTRACT AMOUNT: _____

LIAISON/PHONE NO.: _____ M/WBE GOAL: _____

M/WBE SUB/VENDOR NAME	DATE OF OBO CERTIFICATION	DATE OF SUBCONTRACT	SUBCONTRACT AMOUNT	% OF TOTAL CONTRACT	AMOUNT PAID TO DATE	% OF CONTRACT TO DATE

Use additional pages if needed. Submit by the 15th day of the following month.
Provide support documentation on all revenues paid to end of the report period to:
M/WBE's to reflect up/down variances on Contract amount.

Office of Business Opportunity
ATTN: Carlecia Wright 713-837-9000
611 Walker, 7th Floor
Houston, Texas 77002

EXHIBIT III
FAIR CAMPAIGN ORDINANCE

The City of Houston Fair Campaign Ordinance makes it unlawful for a Contractor to offer any contribution to a candidate for City elective office (including elected officers and officers-elect). All respondents to this invitation to bid must comply with Houston Code of Ordinances Chapter 18 as amended relating to the contribution and solicitation of funds for election campaigns. Provisions of this ordinance are provided in part in the paragraphs that follow. Complete copies may be obtained from the office of the City Secretary.

Candidates for city office may neither solicit nor receive contributions except during a period commencing 270 calendar days prior to an election date for which a person is a candidate for such office and ending 90 calendar days after the election date, including run-off elections if such candidate is on the ballot.

Further, it shall be unlawful either for any person who submits a Bid or Submission to contribute or offer any contribution to a candidate or for any candidate to solicit or accept any contribution from such person for a period commencing at the time of posting of the City Council Meeting Agenda including an item for the award of the Contract and ending upon the 30th day after the award of the Contract by City Council.

For the purposes of this Ordinance, a **Contract** is defined as each Contract having a value in excess of $30,000 that is let by the City for professional services, personal services, or other goods or services of any other nature whether the Contract is awarded on a negotiated basis, request for Submission basis, competitive Submission basis or formal sealed competitive Bids. The term **Contractor** includes proprietors of proprietorships, partners having an equity interest of 10% of more of partnerships, (including limited liability partnerships and companies), all officers and directors of corporations (including limited liability corporations), and all holders of 10% or more of the outstanding shares of corporations.

A STATEMENT DISCLOSING THE NAMES AND BUSINESS ADDRESSES EACH OF THOSE PERSONS WILL BE REQUIRED TO BE SUBMITTED WITH EACH BID OR SUBMISSION FOR A CITY CONTRACT. Completion of the attached form entitled **"Contractor Submission List"** will satisfy this requirement. Failure to provide this information may be just cause for rejection of your Bid or Submission.

EXHIBIT III
FORM "A": FAIR CAMPAIGN

CITY OF HOUSTON FAIR CAMPAIGN ORDINANCE

The City of Houston Fair Campaign Ordinance makes it unlawful for a Contractor to offer any contribution to a candidate for City elective office (including elected officers-elect) during a certain period of time prior to and following the award of the Contract by the City Council. The term "Contractor" Includes proprietors of proprietorships, partners or joint venture's having an equity interest of 10 percent or more for the partnership or Joint venture, and officers, directors and holders of 10 percent or more of the outstanding shares of corporations. A statement disclosing the names and business addresses of each of those persons will be required to be submitted with each Bid or Qualification for a City Contract. See Chapter 18 of the Code of Ordinances, Houston, Texas, for further information.

This list is submitted under the Provisions of Section 18-36(b) of the Code of Ordinances, Houston, Texas, in connection with the attached Qualification, submission or bid of:

Firm or Company Name: _____

Firm or Company Address: _____

The firm/company is organized as a (Check one as applicable) and attach additional pages if needed to supply the required names and addresses:

[ ] **SOLE PROPRIETORSHIP**

Name_____ _____
Proprietor Address

[ ] **A PARTNERSHIP**

List each partner having equity interest of 10% or more of partnership (if none state "none"):

Name_____ _____
Partner Address

Name _____ _____
Partner Address

[ ] **A CORPORATION**

List all directors of the corporation (if none state "none"):

Name_____ _____
Director Address

Name_____ _____
Director Address

Name _____ _____
Director Address

List all officers of the corporation (if none state "none"):

Name_____ _____
Officer Address

Name_____ _____
Officer Address

Name_____ _____
Officer Address

List all individuals owning 10% or more of outstanding shares of stock of the corporation (if none state "none"):

Name_____ _____
Address

Name_____ _____
Address

Name_____ _____
Address

I certify that I am duly authorized to submit this list on behalf of the firm, that I am associated with the firm in the capacity noted below and that I have personal knowledge of the accuracy of the information provided herein.

_____
Preparer

_____
Printed Name

_____
Title

Note: This list constitutes a **government record** as defined by § 37.01 of the Texas Penal Code.

8/23/01

EXHIBIT IV:
CONTRACTOR OWNERSHIP DISCLOSURE ORDINANCE

City Council requires knowledge of the identities of the owners of entities seeking to Contract with the City in order to review their indebtedness to the City prior to entering Contracts. Therefore, all respondents to this Invitation to Bid must comply with Houston Code of Ordinances Chapter 15, as amended (Sections 15-122 through 15-126) relating to the disclosure of owners of entities bidding on, proposing for or receiving City contracts. Provisions of this ordinance are provided in part in the paragraphs that follow. Complete copies may be obtained from the office of the City Secretary.

Contracting entity means a sole proprietorship, corporation, non-profit corporation, partnership, joint venture, limited liability company, or other entity that seeks to enter into a contract requiring approval by the Council but excluding governmental entities.

A contracting entity must submit at the time of its Bid or Qualification, an affidavit listing the full names and the business and residence addresses of all persons owning five percent or more of a contracting entity or, where a contracting entity is a non-profit corporation, the full names and the business and residence addresses of all officers of the non-profit corporation.

Completion of the **"Affidavit of Ownership or Control,"** included herein, and submitted with the Official Bid or Qualification Form will satisfy this requirement. Failure to provide this information may be just cause for rejection of your Bid or Qualification.

EXHIBIT IV:
AFFIDAVIT OF OWNERSHIP OR CONTROL

ORIG. DEPT.:_____ **FILE/I.D. NO.:**_____

INSTRUCTION: ENTITIES USING AN ASSUMED NAME SHOULD DISCLOSE SUCH FACT TO AVOID REJECTION OF THE AFFIDAVIT. THE FOLLOWING FORMAT IS RECOMMENDED: CORPORATE/LEGAL NAME DBA ASSUMED NAME.

STATE OF _____ §
§ **AFFIDAVIT OF OWNERSHIP OR CONTROL**
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared
_____ [***FULL NAME***] (hereafter "Affiant"),
_____ [***STATE TITLE/CAPACITY WITH CONTRACTING ENTITY***] of
_____ [***CONTRACTING ENTITY'S CORPORATE/LEGAL NAME***] ("Contracting Entity"), who being by me duly sworn on oath stated as follows:

1. Affiant is authorized to give this affidavit and has personal knowledge of the facts and matters herein stated.

2. Contracting Entity seeks to do business with the City in connection with
_____ [***DESCRIBE PROJECT OR MATTER***] which is expected to be in an amount that exceeds $50,000.

3. The following information is submitted in connection with the qualification, submission or bid of Contracting Entity in connection with the above described project or matter.

4. Contracting Entity is organized as a business entity as noted below (check box as applicable).

FOR PROFIT ENTITY:

[ ] SOLE PROPRIETORSHIP
[ ] CORPORATION
[ ] PARTNERSHIP
[ ] LIMITED PARTNERSHIP
[ ] JOINT VENTURE
[ ] LIMITED LIABILITY COMPANY
[ ] OTHER (Specify type in space below)

NON-PROFIT ENTITY:

[ ] NON-PROFIT CORPORATION
[ ] UNINCORPORATED ASSOCIATION

_____

_____

5. The information shown below is true and correct for the Contracting Entity and all owners of 5% or more of the Contracting Entity and, where the Contracting Entity is a non-profit entity, the required information has been shown for each officer, *i.e.*, president, vice-president, secretary, treasurer, etc. **[NOTE:** IN ALL CASES, USE FULL NAMES, LOCAL BUSINESS AND RESIDENCE ADDRESSES AND TELEPHONE NUMBERS. DO NOT USE POST OFFICE BOXES FOR ANY ADDRESS. INCLUSION OF E-MAIL ADDRESSES IS OPTIONAL, BUT RECOMMENDED. ATTACH ADDITIONAL SHEETS AS NEEDED.]

Contracting Entity

Name: _____

Business Address *[NO./STREET]* _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (_____)_____

Email Address ***[OPTIONAL]***_____

Residence Address *[NO./STREET]* _____

*[CITY/STATE/ZIP CODE]*_____

Telephone Number (_____)_____

Email Address ***[OPTIONAL]***_____

5% Owner(s) or More **(IF NONE, STATE "NONE.")**

Name: _____

Business Address *[NO./STREET]* _____

*[CITY/STATE/ZIP CODE]*_____

Telephone Number (_____)_____

Email Address ***[OPTIONAL]***_____

Residence Address *[NO./STREET]* _____

*[CITY/STATE/ZIP CODE]*_____

Telephone Number (_____)_____

Email Address ***[OPTIONAL]***_____

6. ***Optional Information***

Contracting Entity and/or _____ [***NAME OF OWNER OR NON-PROFIT OFFICER***] is actively protesting, challenging or appealing the accuracy and/or amount of taxes levied against _____ [***CONTRACTING ENTITY, OWNER OR NON-PROFIT OFFICER***] as follows:

Name of Debtor: _____

Tax Account Nos. _____

Case or File Nos. _____

Attorney/Agent Name _____

Attorney/Agent Phone No. (_____)_____

Tax Years _____

Status of Appeal ***[DESCRIBE]*** _____

_____

_____

_____

Affiant certifies that he or she is duly authorized to submit the above information on behalf of the Contracting Entity, that Affiant is associated with the Contracting Entity in the capacity noted above and has personal knowledge of the accuracy of the information provided herein, and that the information provided herein is true and correct to the best of Affiant's knowledge and belief.

_____

Affiant

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

(Seal)

_____

Notary Public

NOTE:

This affidavit constitutes a **government record** as defined by Section 37.01 of the Texas Penal Code. Submission of a false government record is punishable as provided in Section 37.10 of the Texas Penal Code. Attach additional pages if needed to supply the required names and addresses.

EXHIBIT V
ANTI-COLLUSION STATEMENT

Anti-Collusion Statement

The undersigned, as Respondent, certifies that the only person or parties interested in this Qualification as principals are those named herein; that the Respondent has not, either directly or indirectly entered into any Agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the award of this Contract.

_____ _____

Date Respondent Signature

EXHIBIT VI
CONFLICT OF INTEREST QUESTIONNAIRE

CONFLICT OF INTEREST QUESTIONNAIRE:
Chapter 176.006 of the Local Government Code ("the code") requires a Vendor/Contractor to file a Conflict of Interest Questionnaire (CIQ) with the City.

NOTE: Vendors/Contractors or Agents should **not** complete the CIQ if a conflict, as described below, **does not exist. Only Vendors/Contractors or Agents that actually have a conflict, as described below, must file a CIQ.**

Who must file a CIQ?
A Vendor/Contractor or Agent of a Vendor/Contractor does not have to file a CIQ unless they intend to enter or is considering entering into a contract with the City or:

1. has an employment or other business relationship with the Local Government Officer/Family Member; or
2. has given the Local Government Officer/Family Member one or more gifts with the aggregate value exceeding $250.00.

When must the Vendor/Contractor or Agent file a CIQ?
The completed CIQ must be filed with the City Chief Procurement Officer not later than the 7th business day after the date the Vendor/Contractor or Agent:

1. begins discussions or negotiations to enter into a contract with the City;
2. submits an application to the City in response to a request for qualifications or bids, correspondence, or any other writing related to a potential contract with the City;
3. becomes aware of an employment or other business relations with the Local Government Officer/Family Member;
4. becomes aware that he/she has given one or more gifts to the Local Government Officer/Family Member that exceeds $250.00; or
5. an event that would make the CIQ incomplete or inaccurate.

What is a business relationship?
Under Chapter 176, business relationship means a connection between two or more parties based on the commercial activity of one of the parties. The term does not include:

1. a transaction that is subject to a rate or fee regulation by a governmental entity;
2. a transaction conducted at a price and subject to terms available to the public; or
3. a purchase or lease of goods or services from a person who is chartered by a state or federal agency and is subject to regular examination and reporting to that agency.

The Conflict of Interest Questionnaire is available for downloading from the Texas Ethics Commission's website at http://www.ethics.state.tx.us/forms/CIQ.pdf .

The Original Conflict of Interest Questionnaire shall be filed with the Administration and Regulatory Affairs Department's Record Administration (City of Houston, Chief Procurement Officer, 901 Bagby, Concourse Level, Houston, Texas 77002). Vendors and Contractors required to file shall include a copy of the form as part of the BID/Qualification package. **Any questions about filling out this form should be directed to your attorney.**

EXHIBIT VI
CONFLICT OF INTEREST QUESTIONNAIRE

CONFLICT OF INTEREST QUESTIONNAIRE — FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

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).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th 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.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

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 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 **Name of local government officer with whom filer has employment or business relationship.**

_____
Name of Officer

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 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 received from the local governmental entity?

☐ 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 officer named in this section.

4

_____ _____
Signature of person doing business with the governmental entity Date

Adopted 06/29/2007