

**Exhibit "A"**  
**"Title Company Services (Pool)"**  
**Request for Qualifications**  
**RFQ NO: 2009-407-10-21-OTM**

---

**OVERVIEW**

Hidalgo County is seeking to establish a "Pool" of qualified title companies for the purposes of providing and rendering title policy related services on an "AS NEEDED BASIS" for "Title Company Services-(pool)" for a one (1) year period commencing November 28, 2009, with the County's sole discretion to extend the contract for an additional one (1) year under the rates/fees, terms and conditions. Hidalgo County reserves the right to continue this bid for an additional sixty (60) day grace period at the end of the contract for unforeseen delay in award of new bid for the next contract term.

Statements of qualifications will be accepted until **9:30 A.M., Wednesday, October 21, 2009. ANY RFQ RECEIVED AFTER THAT DATE AND TIME WILL NOT BE ACCEPTED AND WILL BE RETURNED UNOPENED.**

Deliver Submittal to:

RFQ NO.: 2009-407-10-21-OTM  
Martha L. Salazar, CPPB, Purchasing Agent  
Hidalgo County Purchasing Department  
New Administration Building  
2802 So. Business Hwy 281  
Edinburg, Texas 78539

**The Submittal Envelope Must Show:**

**RFQ NO.: 2009-407-10-21-OTM**  
**"TITLE COMPANY SERVICES (POOL)"**

The following outlines the Request for Qualifications:

**SECTION I - GENERAL TERMS AND CONDITIONS**

**ADDITIONAL INFORMATION:**

Hidalgo County is requesting that statements of qualifications be routed to Martha L. Salazar, CPPB, Purchasing Agent, at New Administration Building-2802 So. Business Hwy 281-Edinburg, Texas 78539.

**WRITTEN QUESTIONS WILL BE ACCEPTED VIA FACSIMILE BY NO LATER THAN Wednesday, October 14, 2009, at 5:00 P.M. at (956) 318-2629. Responses will be sent to all applicants via facsimile by Friday, October 16, 2009 at 5:00 P.M. TELEPHONE INQUIRIES WILL NOT BE ACCEPTED.**

**DISCLOSURE OF CONFLICT OF INTEREST:**

Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor, person, consultant or contractor considering doing business with Hidalgo County ("the County") to disclose in the Conflict of Interest Questionnaire (the "CIQ") attached as **Exhibit D**, the vendor, person consultant or contractor's affiliation or business relationship that might cause a conflict of interest with the County. By law, the CIQ must be filed with the Hidalgo County Clerk's Office no later than the seventh business day after the date the person becomes aware of facts that require that statement to be filed. The disclosure requirement applies to a person or business who contract or seeks to contract with Hidalgo

**Exhibit "A"**  
**"Title Company Services (Pool)"**  
**Request for Qualifications**  
**RFQ NO: 2009-407-10-21-OTM**

---

County for the sale or purchase of property, goods or service. Any purchase order or contract resulting from this process shall be considered null and void if the Vendors, consultants, contractors and others who desire to conduct business with Hidalgo County are encourage to refer to Texas Local Government Code Chapter 176 for the details of this law. An offense under Texas Local Government Code Chapter 176 is a Class C Misdemeanor.

Please submit complete CIQ forms to the Hidalgo County Clerk's Office locate at 100 N. Closner, Edinburg, Texas 78539-Hidalgo County Courthouse **COMPLETION AND SUBMISSION OF FORM CIQ IS THE SOLE RESPONSIBILITY OF THE PROSPECTIVE BIDDER.**

**PROPOSER'S AFFIDAVIT:**

Respondents to this RFQ must submit a signed Proposer's Affidavit (attached herein in Exhibit D) certainly that the submission is (1) not the result of Collusion as described in the Proposer's Affidavit, (2) that the Respondent does not have a Conflict of Interest as described in the Proposer's Affidavit, or that the Respondent has not and will not attempt to lobby directly or indirectly as described in the Proposer's Affidavit.

**NON-DISCRIMINATION:** Submitters, during the performance of this contract, will not discriminate against any employee or applicant for employment because of race, religion, sex, national origin or disability except where religion, sex, national origin or disability is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor.

**PROCESSING TIME FOR PAYMENT:** Submitters are advised that a minimum of thirty (30) days is required to process invoices for payment.

**ELECTRONIC TRANSMISSION OF RFQs:** Hidalgo County's Purchasing Department will not accept telegraphic or electronically transmitted submissions.

**PROOF OF FINANCIAL AND BUSINESS CAPABILITY:** Submitters must, upon request, furnish satisfactory evidence of their ability to furnish products or services in accordance with the terms and conditions of these requirements. Hidalgo County will make the final determination as to the submitter's ability.

**SUBMITTER DEFAULT:** Hidalgo County reserves the right, in case of submitter default, to procure the articles or services from other sources and hold the defaulting submitter responsible for any excess costs occasioned thereby.

**RESTRICTIVE OR AMBIGUOUS REQUIREMENTS:** It is the responsibility of the submitter to review the Request for Qualification (RFQ) packet and to notify the Purchasing Department if the requirements are formulated in a manner that would unnecessarily restrict competition. Any such protest or question regarding the requirements or proposers procedures must be received in the Purchasing Department not less than seventy-two hours prior to the time set for the opening. These criteria also apply to requirements that are ambiguous.

**RFQ DELIVERY:** Hidalgo County requires submitters, when hand delivering qualifications, to have a Purchasing Department representative time/date stamp and initial the envelope when dropping RFQ off.

**Exhibit "A"**  
**"Title Company Services (Pool)"**  
**Request for Qualifications**  
**RFQ NO: 2009-407-10-21-OTM**

---

**SIGNING OF QUALIFICATIONS:** In order to be considered all submittals **must** be signed. Please sign the original in blue ink.

**WAIVING OF INFORMALITIES:** Hidalgo County reserves the right to waive minor informalities or technicalities when it is in the best interest of Hidalgo County.

**SUBCONTRACTING:** The successful submitter may not subcontract the award without the written consent of Hidalgo County Commissioners Court of Hidalgo County.

**DURATION OF CONTRACT:** The initial term of the contract shall be for one (1) year period commencing November 28, 2009, with the County's sole discretion to extend the contract for an additional one (1) year under the rates/fees, terms and conditions. Hidalgo County reserves the right to continue this bid for an additional sixty (60) day grace period at the end of the contract for unforeseen delay in award of new bid for the next contract term.

**DAVIS BACON ACT (IF APPLICABLE):**

All selected and awarded firms are required to include the Davis-Bacon Act when advertising and developing specifications.

**SECTION II - RFQ REQUIREMENTS**

**REQUEST FOR QUALIFICATIONS:** The required contents and limitations for the preparation of the RFQ are described in this section. Failure to provide the requested information or adhere to any County limitations will result in disqualification of the submitted RFQ. A total of **one (1) original and seven (7) copies** of the RFQ shall be submitted to the address on the cover letter.

**UNDERSTANDING OF THE PROJECT:**

This section should demonstrate the firms understanding of the project needs, the work required, and any local issues or concerns. Briefly explain how long you have been organized and your corporate business objectives. Explain how long you have been in business. This description should be concise, candid, and limited to 3 pages in length.

**VENDOR(S) QUALIFICATIONS:** The County Of Hidalgo is seeking to contract with competent interested and qualified Vendor(s) for the purpose of providing "Title Company Services (Pool)" and is licensed and certified to practice in the State Of Texas.

**PERSONNEL AND STAFFING:** The firm should provide an organizational chart for the project and a summary paragraph of the project work to be performed by each proposed staff member. Biographic summaries that highlight the experience relevant to the specific project responsibilities should be provided for all proposed personnel. There is a one (1) page limitation for each biographic summary provided. Information regarding the firm's credentials, education and experience with other government entities is required and will be scored accordingly during the evaluation process.

**Exhibit "A"**  
**"Title Company Services (Pool)"**  
**Request for Qualifications**  
**RFQ NO: 2009-407-10-21-OTM**

---

**REQUIRED CERTIFICATIONS AND SUBMITTAL:** This section will contain any licenses, registrations and certifications as required by the STATE OF TEXAS that you possess that deem you as a qualified provider.

**SCOPE OF SERVICES**

The required contents and limitations for the preparation of the RFQ are described in this section. Failure to provide the requested information or adhere to any County limitations will result in disqualification of the submitted RFQ. The intent of this solicitation is to acquire for "Title Company Services (pool)" on as-needed basis.

**CONTENTS:**

The required contents for the RFQ are presented below in the order they should be incorporated into the submitted document.

**PURPOSE:**

Hidalgo County is requesting Statements of Qualifications from interested firms with experienced in providing the requested information "Title Company Services (pool) of pre-qualified title companies from which the title company related services may be required and engaged on an "As Needed Basis". These title services are required but not limited to acquisition of property for which Texas Department of Transportation funding is involved.

**I. FIRM QUALIFICATIONS**

- (A) The firm must possess a current license from the Texas Board of Insurance.
- (B) The firm or vendor selected is to have adequate experience and staff, such as, but not limited to:
  - Title Examiners
  - Closing Officers
  - Escrow Agents
- (C) The provider should have experience with State (i.e. Tx Dot), County and other governmental entities as well as private sector firms.

**II. SCOPE OF TITLE COMPANY SERVICES INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:**

- (A) Title Reports
- (B) Title Searches, i.e., Title Certificates
- (C) Title Commitments
- (D) Title Policy
- (E) Escrow Agent Services when requested by the County

**Exhibit "A"**  
**"Title Company Services (Pool)"**  
**Request for Qualifications**  
**RFQ NO: 2009-407-10-21-OTM**

---

**III. RFQ REQUIREMENTS**

Each proposal must address, but may not be limited to, the following issues:

- (A) Firm Name
- (B) Name, position, phone and fax number of Point of Contact (POC).
- (C) Name of Principal/Owner and number of years in business
- (D) Provide the number of staff members available in order to render (but not limited to) all the services described and listed herein
- (E) List three (3) governmental projects with names, addresses and phone number of representatives who can be contacted for references
- (F) Detail how your firm/company had the capability to deliver the services required on a timely basis.
  - State in how many business days your company can return a "Title Report" after a "Request, i.e. Purchase Order" is received by your firm. Also, state your firm commitment to comply or exceed (state how) the completed "Title Policy" within the seven (7) to ten (10) days. Include a copy of "Texas Title Insurance Premium Rates".
  - State how many business days your company can complete "Escrow Agent" services (if requested by County) and include the applicable rates for those services.
  - State how much personnel or staff will be assigned to rendering the services required.
  - State in detail what "other services" are not included in the rates provided.

**IV. EVALUATION CRITERIA**

The following criteria will generally be used to evaluate Statements of Qualifications:

- (A) Staffing and Experience
- (B) Capability to perform all the services required (as stated in Section III herein) for the noted projects in a timely manner, namely; (1) to produce the title report in the amount of days; (2) to meet or exceed schedules and deadlines of a maximum of seven to ten business (working) days per parcel; and (3) to complete "Escrow Agent Related Services" as per commitment.
- (C) Recent experience and familiarity with Hidalgo County and the Texas Dept. of Transportation requirements and procedure.
- (D) "Other Services" not included in the "Texas Title Insurance Premium Rates"

**V. REQUEST FOR SERVICES & EVALUATION PROCESS**

A department requiring Title Company Services will review, evaluate & rank at least three Statements of Qualifications utilizing the evaluation criteria noted below.

**Exhibit "A"**  
**"Title Company Services (Pool)"**  
**Request for Qualifications**  
**RFQ NO: 2009-407-10-21-OTM**

---

Based on the department's review evaluation and considering how many parcels are required a company or companies will be selected to provide the services. A company may be asked to submit supplemental information. Requests for title policy related services will be in the form of a fully executed "Purchase Order" and will be forwarded to the firm(s) in the order of their ranked evaluation on a rotational basis for the Indefinite Delivery Indefinite Quantity (IDIQ) contract.

In the event that a Title Commitment is requested and no tile policy is necessary or purchased, Hidalgo County will pay a maximum of three hundred dollars (\$300.00) for the services.

**VI. INVOLUNTARY TERMINATION**

The approval of a vendor as pre qualified to perform work for the County under this RFQ shall be deemed to be terminated and the vendor removed from the qualified vendor list upon occurrence of any of the following:

- a. The death of the vendor, if an individual, or the primary professional member, if a firm or entity
- b. The suspension, revocation or cancellation of the vendor's right to practice his profession in the State of Texas
- c. The imposition of any restriction or limitations by any Governmental authority having jurisdiction over the vendor to such an extent that the vendor cannot engage in the professional practice for which vendor is pre qualified.
- d. The failure of the vendor to faithfully and diligently perform the usual and customary duties assigned or contracted to it from time to time
- e. The failure or refusal of the vendor to comply with the reasonable policies, standards and regulations are not contrary to any law or regulatory directive; or
- f. The conduct of the vendor in any unprofessional, unethical, or fraudulent manner; a finding of unprofessional or unethical conduct by any board, institution, organization or professional society having any privilege or right to pass upon the conduct of the vendor, or conduct of the vendor which discredits Hidalgo County.

**PARTICIPANTS ARE NOT TO PROVIDE A FEE SCHEDULE WITH THIS SUBMITTAL:**

The fee will be negotiated in accordance with the Professional Services Procurement Act, Tex. Govt. Code Ann. 2254.001), et seq. Once selected, proposer is to provide a fee proposal based on the scope of services.

**NUMBER OF COPIES TO BE SUBMITTED:**

Hidalgo County requires **one (1) original submittal and seven (7) copies.**

**Exhibit "A"**  
**"Title Company Services (Pool)"**  
**Request for Qualifications**  
**RFQ NO: 2009-407-10-21-OTM**

---

**SECTION III - SELECTION AND SCHEDULES**

To be determined –drafting this page