

EXHIBIT “ A”

**SCOPE OF SERVICES/REQUIREMENTS
REQUEST FOR PROPOSALS**

Hidalgo County

“PLACEMENT, HOUSING, DETENTION AND SUPERVISION OF HIDALGO COUNTY INMATES”

RFP: 2012-034-00-00CGA

OVERVIEW:

Hidalgo County is requesting sealed proposals from interested and qualified firms to provide services for “**Placement, Housing, Detention and Supervision of Hidalgo County Inmates**”. The Hidalgo County Purchasing Department will receive sealed envelopes containing proposals for the provision of “**Placement, Housing, Detention and Supervision of Hidalgo County Inmates**” as specified herein. Sealed Proposals will be accepted until **9:30 A.M., Wednesday, _____, 2012.** **ANY PROPOSALS RECEIVED AFTER THAT DATE AND TIME WILL NOT BE ACCEPTED AND WILL BE RETURNED UNOPENED.**

Deliver Submittal to:

RFP No: 2012-034-00-00CGA

<u>US Postal Mail Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2812 S. Business Hwy 281 Edinburg, Texas 78539	<u>Physical Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2802 S. Business Hwy. 281 Edinburg, Texas 78539
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The Submittal Envelope Must Show the RFP Number, Name and Acceptance Date.

The following outlines the Request for Proposal:

SECTION I

GENERAL TERMS AND CONDITIONS

ADDITIONAL INFORMATION:

Hidalgo County is requesting that sealed proposals must be routed to Martha L. Salazar, CPPB, Purchasing Agent, at:

<u>US Postal Mail address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2812 S. Business Hwy. 281 Edinburg, Texas 78539	<u>Physical Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2802 S. Business Hwy. 281 Edinburg, Texas 78539
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ALL WRITTEN QUESTIONS WILL BE ACCEPTED VIA FACSIMILE (956)292-7612 OR VIA E-MAIL TO: cris.villarreal@co.hidalgo.tx.us BY NO LATER THAN, Wednesday, _____, 2012 by

5:00 P.M. Responses will be sent to all applicants via e-mail by no later than, **Friday, _____, 2012 by 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 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 successful bidder fails to comply with Texas Local Government Code Chapter 176. Vendors, consultants, contractors and others who desire to conduct business with Hidalgo County are encouraged 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 located at 100 North Closser, Edinburg, Texas 78539-Hidalgo County Courthouse **COMPLETION AND SUBMISSION OF FORM CIQ IS THE SOLE RESPONSIBILITY OF THE PROSPECTIVE PARTICIPANT.**

PROPOSER'S AFFIDAVIT:

Prior Contract award, respondents to this RFP must submit a signed Proposer's Affidavit (attached herein in **Exhibit "E"**) certifying 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 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-COLLUSION:

Submitters, by submitting the signed Participant's Affidavit (Exhibit E), certify that the accompanying submission is not the result of , or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Texas or United States law.

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.

ELECTRONIC TRANSMISSION OF BIDS:

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 Proposal (RFP) 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 bidding procedures must be received in the Purchasing Department not less than seventy-two (72) hours prior to the time set for the opening. These criteria also apply to requirements that are ambiguous.

PROPOSAL DELIVERY:

Hidalgo County requires submitters, when hand delivering RFP to make sure that it is stamped with time and date by the County Purchasing Staff.

SIGNING OF PROPOSAL:

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 the Commissioners' Court of Hidalgo County.

TERM OF CONTRACT:

The contract will be for a period of two (2) years with the county's option to renew for ten (10) additional one (1) year terms, at the same rates, terms and conditions. Hidalgo County reserves the right to continue this proposal for an additional sixty (60) day Grace Period at the end of the contract under the same rates, terms and conditions.

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- SCOPE OF SERVICES/REQUIREMENTS

PROJECT OVERVIEW:

The County of Hidalgo is seeking proposals for placement, housing, detention and supervision for up to 300 inmates, within a 250 mile radius of Hidalgo County. Services will include, but not be limited to, the provisions for secure custody, transportation, health care, meals, and clothing, on a per diem basis per inmate. These services will comply with all applicable regulations and standards established by the Texas Commission on Jail Standards (the "Commission") and the Hidalgo County Sheriff. Hidalgo County reserves the right to extend the contract for an additional ten (10) years based on prior year's performance evaluation and contingent upon proposed cost.

Eligibility for incarceration at facility under contractor's agreement are inmates that are classified in accordance with custody level of the assigned facility in accordance with the Texas Commission on Jail Standards (the "Commission").

HOUSING AND CARE OF INMATES:

Contractor will provide secure custody, care and safekeeping of inmates of the County in accordance with applicable regulations and standards established by the Texas Commission on Jail Standards. Contractor will provide housing, care, meals and routine medical services for such inmates on the same basis as Hidalgo County provides for its own inmates confined in its own jail subject to the terms and conditions of this Agreement.

MEDICAL SERVICES:

The per diem rate under this agreement covers only routine medical services such as:

On-site sick call (when provided by on-site staff), non-prescription (over-the counter/non-legend) and routine drugs and medical supplies. The per diem rate does not cover medical/health care services provided outside of the Contractor's facility or by other than facility staff, prescription drugs or treatments, or surgical, optical, dental care and does not include the costs associated with any hospitalization of an inmate. The County shall pay the contractor an amount equal to the amount the Contractor is required to expend for medical services other than those routine medical services provided for by the per diem rate. When it becomes necessary for an inmate to be hospitalized, the Contractor shall contact the County, through its Sheriff or designated representative, as soon as possible to inform the County of the fact that the inmate has been, or is to be, hospitalized and of the nature of the illness or injury that has required the hospitalization. Contractor will use its best efforts to obtain the lowest available price for reimbursable expenses; provided, however, that contractor's obligation to obtain the lowest available price shall not in any way diminish or excuse Contractor from seeking and/or providing medical care or supplies necessary to protect the health, safety and well-being of any inmate under Contractor's custody and control.

The Contractor shall submit invoices for such medical services along with its regular monthly billings for detention services, and such invoices shall be paid on the same terms as the regular monthly billings.

It is understood and agreed that if the hospitalization of inmate is to be for the duration of more than 24 hours, or the cost of any medical care or hospitalization is to exceed \$2,000.00, the Contractor has the right to arrange for the hospital or health care provider. If the hospital or health care provider refuses to bill the County directly, the County shall reimburse the Contractor.

MEDICAL INFORMATION:

The County shall provide the Contractor with medical information for all inmates sought to be transferred to the Contractor’s facility, including information regarding any special medication, diet or exercise regimen applicable to each inmate.

TRANSPORTATION / OFF-SITE SECURITY:

- a. Contractor agrees to provide transportation of inmates of County to and from the Hidalgo County Jail and/or courthouse and Contractor’s facility and if required from Contractors facility to Texas Department of Criminal Justice-ID at no additional cost to the County.
- b. The Contractor agrees to provide transportation of County inmates from other sites in the State where County inmates are currently located to the Contractors facility at no additional cost to County.
- c. In the event the County requests the Contractor to provide transportation to sites other than specified above, the County agrees to reimburse the Contractor for transportation costs at a mutually agreeable rate per mile/trip, as specifies in the contract.

PER DIEM RATE:

The per diem rate for detention services and transportation specified per inmate per day. (This rate covers one inmate per day up to 300 inmates.)

BILLING PROCEDURE:

Contractor shall submit an itemized invoice for the services provided each month to the County, in arrears. Invoices will be submitted to the officer of the County designated to receive the same on behalf of the County. The County shall make payments to the Contractor within thirty (30) days after receipt of the invoice. Payment shall be in the name of Contractor and shall be remitted to:

If to County:

County of Hidalgo
Hidalgo County Sheriff’s Office
Attention: Commander Daniel Garcia
701 East El Cibolo Road
Edinburg, Texas 78542

If to Vendor:

Amounts which are not timely paid in accordance with the above procedure shall bear interest at the lesser of the annual percentage rate of 10%, or the maximum legal rate applicable thereto, which shall be a contractual obligation of the County under this agreement. County further agrees that the Contractor shall be entitled to recover its reasonable necessary attorney's fees and costs incurred in collection of amounts due under this agreement.

LIABILITY OF COUNTY:

County shall be fully responsible for all suits, claims, damages, losses, or expenses, including reasonable attorney's fees, arising out of County performance or nonperformance of the services and duties herein stated, but only in regard to duties herein assigned to County, and specifically excluding the actual transportation or incarceration of inmates by Contractor. County retains full liability for each inmate until that inmate has been received by Contractor at County's facility for transportation, holding and incarceration of inmates by Contractor.

LIABILITY OF CONTRACTOR:

Contractor shall be fully responsible for all suits, claims, damages, losses, and expenses, including reasonable attorney's fees, arising out of Contractor's performance or nonperformance of the services and duties herein stated, in regard to the actual transportation, holding and incarceration of inmates by Contractor.

REQUEST FOR PROPOSALS

The required contents and limitations for the preparation of the RFP are described in this section. Failure to provide the requested information or adhere to any County limitations will result in disqualification of the submitted RFP.

RFP SUBMISSION:

A total of one (1) original and seven (7) copies response shall be submitted to: Martha L. Salazar, Purchasing Agent, Hidalgo County Purchasing Department, 2812 So. Business Hwy 281, New Administration Building, Edinburg, Texas 78539 by **no later than 9:30 a.m. on Wednesday, _____, 2012.**

CONTENTS:

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

UNDERSTANDING OF THE PROJECT:

This section should demonstrate the submitter's understanding of the project needs, the work required, and any local issues or concerns. This description should be concise, candid, and limited to 3 pages in length.

FIRM QUALIFICATIONS:

The County of Hidalgo is seeking to contract with a competent firm(s), registered and licensed (if applicable) for the services being requested in the RFP and/or do business in the State of Texas, who has experience in, but not limited to:

- A. Firm must have experience in the field related to supervision and management of Correctional Institutions.

B. Firm must be knowledgeable with local, state and federal laws governing the incarceration of inmates;

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.

Additionally, this section should include a description of the firm's project personnel and their most recent similar projects. For each project, a client contract name and phone number should be included for reference purposes. Additionally, the names of the personnel proposed for this project who participated in the listed projects should be provided. This project list is limited to 5 pages.

REQUIRED CERTIFICATIONS AND SUBMITTAL:

This section will contain any licenses and certifications as required by HIDALGO COUNTY, the STATE OF TEXAS, etc. **The Proposer(s) should add copies of their Professional Liability Insurance in the response.**

PROPOSERS ARE TO PROVIDE A FEE SCHEDULE WITH THIS SUBMITTAL:

Hidalgo County is hereby requesting a lump sum flat rate proposal fee based on the scope of services/requirements.

RFPs must be submitted by **no later than 9:30 a.m. on Wednesday, _____, 2012.**

RFP SUBMITTED TO: An original and seven (7) copies of RFPs should be submitted to:

<p><u>US Postal Mail Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2812 S. Business Hwy 281 Edinburg, Texas 78539</p>	<p><u>Physical Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2802 S. Business Hwy. 281 Edinburg, Texas 78539</p>
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ADDITIONAL INFORMATION:

Hidalgo County is requesting that any and all questions, inquiries, and all clarifications regarding quotes, bids, proposals or statements of qualifications be addressed to, Martha L. Salazar, CPPB, Purchasing Agent, Attn: Cris Ayala, via email: cris.villarreal@co.hidalgo.tx.us, 2812 South Business Highway 281, Edinburg Texas 78539. **TELEPHONE CALLS WILL NOT BE ACCEPTED!**

Any/All costs and expenses associated with the preparation and submission of (bids, proposals and/or quotes) shall be the responsibility of the proposer and not reimbursements for such charges or expenses shall be passed onto Hidalgo County.

Hidalgo County has the authority to utilize State Contracts from its membership with their existing or new cooperatives whenever it is in the County's best interest to do so.

SECTION III- SELECTION/EVALUATION/RANKING

SELECTION PROCEDURES/EVALUATION SYSTEM:

The evaluation consists of a 100-point scoring system. However, after the 100-point evaluation, Hidalgo County Commissioner's Court may elect to narrow the participating firms and request a presentation from a representative from firms.

- A. Evaluation Committee selected by Hidalgo County Commissioner's Court, Elected Official or User Department will review, score and evaluate the Request for Proposals (RFP's) received.
- B. After the RFP's have been reviewed, scored and evaluated, a grid will be presented to Commissioner's Court for the purposes of ranking.
- C. Categories are further detailed in the Selection Criteria (Exhibit B) section of this RFP.

SCORING AND EVALUATION PROPOSALS

Proposals will be evaluated and scored for innovation and completeness, in response to each of the elements outlined in the Scope of Services including but not be limited to, the items listed below:

1.	Housing of Inmates:	25 Points
2.	Medical Services:	25 Points
3.	Transportation:	20 Points
4.	Per Diem Rate:	20 points
5.	Completeness of Proposal	<u>10 points</u>
	Total	100 points

NEGOTIATION PROCESS:

The number one ranked firm will be contacted to submit a letter of engagement/contract for negotiations. If negotiations prove unsuccessful, Commissioner's Court will terminate negotiations with the firm and will contact the next highest ranked firm to open negotiations. The County of Hidalgo reserves the right to reject any and all RFPs.

TERMINATION OF SERVICES:

Any contract awarded to a qualified firm will be in effect until (a) the contract expires or (b) performance of all services are completed, or (c) terminated by County with or without cause, with ninety (90) days written notice prior to cancellation.

EXHIBIT B

SELECTION CRITERIA

Hidalgo County

**“PLACEMENT, HOUSING, DETENTION AND SUPERVISION
OF HIDALGO COUNTY INMATES”**

RFP: 2012-034-00-00CGA

EVALUATION CRITERIA
REQUEST FOR PROPOSALS

Evaluation Criteria

The Proposals will be evaluated based on the criteria presented below. These criteria will be scored on the scales shown on the enclosed "RFP Evaluation Form."

1. Housing of Inmates (Maximum of 25 points)

- The Contractor meeting the minimum standards established by the Texas Commission on Jail Standards. (10 points)
- The Contractor exceeds the minimum standards. (15 points)

2. Medical Services (Maximum of 25 points)

- The Contractor providing routine medical services. (10 points)
- The Contractor providing more extensive medical services other than hospitalization. (15 points)

3. Transportation (Maximum of 20 points)

- The Contractor provides transportation to and from County Jail, Courthouse and Contractor's facility. (5 points)
- Contractor providing transportation from Contractor's facility to Texas Department of Criminal Justice. (5 points)
- The Contractor providing transportation from other sites in the State to the Contractor's facility. (10 points)

4. Per Diem Rate/Fees (Maximum of 20 points)

- The Contractor providing rates up to 300 inmates; (10 points)
- The Contractor providing rates exceeding 300 inmates. (10 points)

5. Completeness of Proposal (Maximum of 10 points)

- The Contractor has filled out and submitted all proper documentation/forms (i.e. insurance, licenses, etc.) as requested in the RFP packet;(10)

HIDALGO COUNTY

Request for Proposals

“PLACEMENT, HOUSING, DETENTION AND SUPERVISION
OF HIDALGO COUNTY INMATES”

EVALUATION FORM

<u>Selection Criteria</u>	<u>RANGE POINTS</u>	<u>SCORE</u>
1. Housing of Inmates: (25 pts.) <ul style="list-style-type: none">The Contractor meeting the maximum standards established by the Texas Commission on Jail Standards.The Contractor exceeds the minimum standards.	0-10 0-15	____ ____
Comments/Rationale For Points: _____ _____		
2. Medical Services: (25 pts.) <ul style="list-style-type: none">The Contractor providing routine medical services.The Contractor providing more extensive medical services other than hospitalization.	0-10 0-15	____ ____
Comments/Rationale For Points: _____ _____		
3. Transportation: (20 pts.) <ul style="list-style-type: none">The Contractor provided transportation to and from County Jail, Courthouse and Contractor's facility.Contractor providing transportation from Contractor's facility to Texas Department Criminal Justice.The Contractor providing transportation from other sites in the State to the Contractor's facility.	0-5 0-5 0-10	____ ____ ____
Comments/Rationale For Points: _____ _____		
4. Per Diem Rates/Fees <ul style="list-style-type: none">The Contractor provided rates up to 300 inmates;The Contractor providing rates exceeding 300 inmates.	0-10 0-10	____ ____
Comments/Rationale for Points: _____ _____		
5. Completeness of Proposal: <ul style="list-style-type: none">The contractor has filled out and submitted all proper documentation/forms (i.e. insurance, licenses, etc.) as requested in the RFP packet.	0-10	____
Comments/Rationale for Points: _____ _____		

Consultant: _____

Evaluator: _____ Date: _____