

CC REG AGENDA 12/15/15

A. Hidalgo County

su

1. **AI-52634** Approval for the automatic extension of a successive (1) year as provided in the letter of engagement with The J. Ramirez Law Firm for the continuation of the provision of services as Bond Counsel for Hidalgo County.
2. **AI-52595** Requesting Approval to Reject Bids Submitted on RFB No. 2015-313-11-04-HGO - "Janitorial Supplies, Industrial Chemicals & Supplies"; request approval and authority to exercise second of two (2) one (1) year extension for "Janitorial Supplies, Industrial Chemicals & Supplies" as Bids Received Did Not Meet the Requirements.
3. **AI-52563** Presentation of sole responsible vendor submitting the lowest and best bid and meeting all specifications and/or requirements (as detailed in the documentation contained herein) for the purpose of award and approval of contract for RFB No. 2015-323-11-18-HGO titled "Mailing Services" - Hidalgo County.

Upper Valley mail Service

B. District Attorney:

ou

1. **AI-52673** Requesting authority to purchase through HC membership/participation with TASB-BuyBoard Cooperative Purchasing Program's Contract [#414-12], awarded vendor, Staples Advantage [the furniture/accessories items detailed in the attached documentation] so as to process requisition [after verification/confirmation of proposal and funding] for issuance of PO and thus lock-in pricing prior to 3% increase after 12-22-15].

C. Pct. 1

ou

1. **AI-52636** A. Acceptance and approval of the Professional Engineering Contract #C-15-423-12-15 with SAMES, INC. d/b/a SAM ENGINEERING & SURVEYING, for: "Job Specific" Project: Mile 4W [10N-12N] and Mile 12N [FM 1015-2W] Road" for Hidalgo County Precinct One, as approved by CC for negotiations on CC date of 12/01/15;

ou

B. Acceptance and approval of the following work authorizations with estimated costs as submitted by project engineer, SAM Engineering & Surveying for engineering services under proposed Contract #C-15-423-12-15 as follows:

1. **Work Authorization No. 1:**
Mile 4W [10N-12N] Street & Drainage Improvements-\$119,832.25t - Requisition #288789
2. **Work Authorization No. 2:**
Mile 12N [FM 1015-2W] Street & Drainage Improvements-\$25,108.50 - Requisition #288801

D. Pct. 3

ou

1. **AI-52604** a. Acceptance and approval to execute the final form of a Professional Engineering Agreement with L&G Consulting Engineers, Inc. dba L&G Engineering, for "FM 676 Project (Mile 5) from SH 107 (Conway) to Taylor Road" as approved for negotiations on CC 12-1-15.
- b. Acceptance and approval of Work Authorization No. 1. (with an estimated cost of \$737,400.00) as submitted by project engineer, L&G Consulting Engineers, Inc. dba L&G Engineering for, "Environmental Assessment, Public Involvement, Schematic Design and Hydrologic Map for the FM 676 Project (Mile5) form SH 107 (Conway) to Taylor Rd.
- c. Pursuant to contract with L&G Engineering, [Article 14], approval to permit the subcontracting of AmaTerra Environmental Inc. for the FM 676 Project (Mile 5) from SH 107 (Conway) to Taylor Road.

ou

2. **AI-52606** a. Acceptance and approval of Work Authorization No. 4 (with a estimated cost of \$821,000.00) as submitted by project engineer, L&G Consulting Engineers, Inc. dba L&G Engineering for, "Engineering Services required for the preparation for Right-of-Way Acquisition and Compensable Utility Management for the Liberty Road project from Mile 3 to FM 2221" located in Pct #3 through Contract # C-12-246-10-16.
- b. Pursuant to contract with L&G Engineering, (Article 14) to C-12-246-10-16, approval to permit

APPROVED

AI-52634

Purchasing Department

22. A. 1.

CC - REGULAR

Meeting Date: 12/15/2015

Submitted For: Marty Salazar, PURCHASING DEPT.

Submitted By: Vangie Garcia, PURCHASING DEPT.

Department: PURCHASING DEPT.

Information

CAPTION

Approval for the automatic extension of a successive (1) year as provided in the letter of engagement with The J. Ramirez Law Firm for the continuation of the provision of services as Bond Counsel for Hidalgo County.

BACKGROUND

Agreement shall be automatically extended for successive one year terms however is placed on yearly basis pursuant to yearly fiscal budgetary purposes. New renewal term effective March 16, 2016 ending March 15, 2017.

Fiscal Impact

FISCAL YEAR: 2016

ACCT. #: 6-1100-415-30-125-006-0-339

FUNDS AVAILABLE Y/N?: Y MATCHING FUNDS Y/N?:

BUDGETARY IMPACT:

Funds available, refer to 2016 Adopted Budget

Attachments

Engagement Documentation
extension

Form Review

Inbox	Reviewed By	Date
Purchasing Department	Darlene Betancourt	12/10/2015 04:53 PM
Budget & Management	Veronica Ortiz	12/11/2015 08:24 AM
Ivan Cantu	Veronica Ortiz	12/11/2015 01:29 PM
Auditor's Office	Monica Badillo	12/11/2015 05:44 PM
Form Started By: Vangie Garcia		Started On: 12/10/2015 03:12 PM
Final Approval Date: 12/11/2015		



Hidalgo County Purchasing Department
2812 S. Business Highway 281
New Administration Building
Edinburg, Texas 78539
(956) 318-2626/ Fax: (956) 318-2629

December 10, 2015

The J. Ramirez Law Firm
Ebony Park, Suite B,
N. Veterans Blvd.
San Juan, Texas 78589

Email: dcepeda@rg-legal.com

Re: Renewal Of Bond Counsel Agreement-Year 2016

Honorable Jesus Ramirez;

Hidalgo County Purchasing Department will be requesting Commissioners' Court approval of the annual automatic one (1) year renewal term for year 2016 for the County's Letter of Engagement with The J. Ramirez Law Firm for the "Bond Counsel" services.

Please have authorized representative sign this acknowledge receipt of notice in order to proceed with placement on the Commissioners' Court meeting for discussion, consideration and action, by signing below and returning to the Purchasing Department **asap**, via facsimile to (956) 956-318-2629 or email to: evangelina.garcia@co.hidalgo.tx.us so as to meet the agenda request form deadlines.

By:  _____

Date: **DEC 11 2015** _____

Should you have any questions or require additional information, please do not hesitate to contact me at (956) 318-2626. Your cooperation in this matter is greatly appreciated and we hope your company continues its business relationship with Hidalgo County.

Sincerely,
Vangie Y. Garcia, Contract's Manager
Hidalgo County Purchasing Department

RAMIREZ & GUERRERO, L.L.P.

Attorneys at Law

700 N. Veterans Blvd., Ste. B

San Juan, Texas 78589

Phone: (956) 502-5424

Fax: (956) 502-5007

February 14, 2012

Hon. Ramon Garcia
County of Hidalgo
100 E. Cano
Edinburg, Texas 78539

Re: Engagement of Bond Counsel

Honorable Judge Garcia:

We are pleased to submit to you a proposed agreement for Ramirez & Guerrero, L.L.P. to serve as Bond Counsel with respect to one or more series of obligations (including new money bonds, refunding bonds, personal property finance obligations and lease and lease purchase and installment purchase agreements) that the County of Hidalgo (the "Issuer") intends to issue, or may issue in the future, for the purposes, respectively, of construction of improvements, purchase of personal property and/or to refund or restructure its existing debt service or lease-purchase revenue bonds through a public facilities corporation (hereinafter referred to as the "Obligations"). When approved by you, this letter will become effective and will evidence an agreement between the Issuer and Ramirez & Guerrero, L.L.P., Bond Counsel. Our fees are billed only if the obligations are issued. Any out-of-pocket costs are reimbursable.

Basic Services

Bond Counsel will prepare, or assist the Issuer in the preparation of, all required legal documents and proceedings and will perform all other necessary legal work in connection with the Issuer's authorization, issuance and sale of each series of the Obligations. Our services as Bond Counsel will include the following Basic Services, which we will carry out directly or in concert with officials, staff, and consultants of the Issuer:

(1) Preparation of all notices (including notices of public meetings, notices and resolutions regarding reimbursement bonds and published notices), resolutions and orders (including those governing calling bond elections), resolutions and other legal proceedings necessary to authorize issuance of each series of the Obligations, and all other instruments which comprise the transcript of legal proceedings of the Issuer pertaining to the authorization, issuance and sale of each such series;

(2) Attendance of all meetings called or arranged by or on behalf of the Issuer or Issuer personnel (or their representatives) who are responsible for the issuance, sale and delivery of the Obligations, to the extent required or requested by such persons, to discuss the legal aspects of the Obligations, including but not limited to the sizing, timing or sale of each series of the Obligations;

- (3) Consultation with Issuer officials and staff and the Issuer's financial advisors and independent auditors to review information to be included in the offering documents for each series of the Obligations;
- (4) Preparation and submission, as required by law, of transcripts of legal proceedings pertaining to the issuance of each series of the Obligations to the Attorney General of Texas;
- (5) Supervision of the printing of each series of the Obligations and the delivery thereof to the purchasers, including, if requested, solicitation of bids from bond printers under the direction of the President, the Superintendent or financial advisor or other Issuer personnel who are responsible for the issuance, sale and delivery of the Obligations, to obtain the lowest responsible printing costs for the Issuer;
- (6) At the closing of each series of the Obligations, delivery of an approving opinion, based on facts and law existing as of its date, which shall be fully acceptable in the national public finance field, generally to the effect that such series has been duly issued, executed and delivered in accordance with the Constitution and laws of the State of Texas, that the Obligations of each series constitute valid and legally binding obligations of the Issuer secured by a lien on and pledge of, as appropriate, ad valorem taxes, revenues, or other available funds of the Issuer pledged to their payment in the respective Bond Order (subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws in effect from time to time relating to or affecting the enforcement of rights of creditors, and the Issuer) and that interest on such series of the Obligations is excludable from the gross income of the owners thereof for federal income tax purposes under then existing law; provided that after the closing we do not undertake to provide continuing advice concerning any actions necessary to assure that interest paid on the Obligations will continue to be excluded from gross income for federal income tax purposes; and
- (7) Prior to and in connection with the closing of each series of the Obligations, preparation and delivery of a Tax Exemption and No-Arbitrage Certificate that will enable appropriate officials of the Issuer to comply with the arbitrage requirements of the Internal Revenue Code of 1986 as they affect the Obligations, including yield restrictions and rebate requirements.

Compensation

A base fee of \$15,000 for up to \$3,000,000.00 in principal amount of bonds;

\$1,000 for every \$1,000,000 from \$3,000,000 to \$20,000,000;

\$750 for every \$1,000,000 from \$20,000,000 and above

Additional Services

In addition to the foregoing Basic Services, as Bond Counsel, Ramirez & Guerrero, L.L.P. is prepared to undertake the following Additional Services, as requested by the Issuer or Issuer's personnel who are responsible for the issuance, sale and delivery of the Obligations. Services rendered in connection with calling a bond election limited to preparing a bond election order, preparing an order for appointment of early voting and election personnel, preparing form notices of the election, preparing a letter request for pre-clearance under Section 5 of the Voting Rights Act, and providing advisory opinions to the Issuer related to calling and publicizing the election and to the appointment of early voting and election personnel will be billed at a flat fee of \$3,000.00. The fee for any additional services which do not constitute direct bond counsel fees but are needed in connection with, resolving a legal issue, will be at an hourly rate of \$200.00 or \$175.00, depending on lawyer assigned.

Bond Counsel will be reimbursed for up to a maximum \$1,000.00 of its reasonable and actual out-of-pocket expenses, such as the cost of reproduction of documents, out-of-town travel, long distance telephone, telegraph, telex and similar expenses, deliveries, and for the actual cost of all items paid for by Bond Counsel on behalf of the Issuer, incurred in connection with the performance of all services hereunder. All of the expenses of Bond Counsel will be reasonable and expenses which may exceed \$1,000.00 will be subject to prior approval of the Issuer. The Attorney General filing fees and the costs of printing the bonds will be the responsibility of issuer.

Payment to Bond Counsel for all services shall be payable only out of the proceeds of the sale of each series of the Obligations and shall be contingent upon the sale and delivery of each series of the Obligations during the term of this agreement.

The term of this agreement shall be for one year from the date of its approval by the Issuer, but shall be automatically extended for successive one year terms unless the Issuer gives us notice of termination during the last month of any term. Additionally, the Issuer may at any time terminate this agreement by giving us 30 days written notice of termination.

No provision of this agreement shall be deemed to be an agreement or undertaking of any member of the Commissioners Court or any official or employee of the Issuer, and no such member, official or employee shall be personally liable in connection herewith or be subject to any personal liability or accountability by reason of the terms hereof.

If this proposed agreement for the services of Ramirez & Guerrero, L.L.P. as Bond Counsel is satisfactory, please evidence your acceptance and approval by executing two copies in the space provided below.

Sincerely,

RAMIREZ & GUERRERO, L.L.P.

By: *Jesus Ramirez*
JESUS RAMIREZ

APPROVED AND ACCEPTED:

COUNTY OF HIDALGO

Ramiro Gutierrez
Judge

Patricia S. J.
County Clerk

(SEAL)

APPROVED AS TO FORM:

ATLAS & HALL, L.L.P.

BY: *SH*
Stephen L. Crain

Approved by Commissioners' Court
on 2/14/12 RO

APPROVED BY COMMISSIONERS COURT: 02/14/12

