

Zimbra

darlene.betancourt@co.hidalgo.tx.us

**Fwd: TIE BREAKING LANGUAGE - RFQ POOLS - PROFESSIONAL SERVICES**

**From :** Darlene H. Betancourt <darlene.betancourt@co.hidalgo.tx.us> Fri, Jan 26, 2018 04:58 PM  
**Subject :** Fwd: TIE BREAKING LANGUAGE - RFQ POOLS - PROFESSIONAL SERVICES  
**To :** Darlene H. Betancourt <darlene.betancourt@co.hidalgo.tx.us>

**From:** "Robert Vina" <robert.vina@da.co.hidalgo.tx.us>  
**To:** "Martha Salazar" <martha.salazar@co.hidalgo.tx.us>  
**Cc:** "Josephine Ramirez" <josephine.ramirez@da.co.hidalgo.tx.us>, "Dina Trevino" <dina.trevino@co.hidalgo.tx.us>, "Darlene H. Betancourt" <darlene.betancourt@co.hidalgo.tx.us>, "Yvette Salinas" <yvette.salinas@co.hidalgo.tx.us>  
**Sent:** Friday, January 26, 2018 4:14:44 PM  
**Subject:** Re: TIE BREAKING LANGUAGE - RFQ POOLS - PROFESSIONAL SERVICES

Good Afternoon,

This Office reviewed the procedural memo for use by the purchasing department to provide to evaluators instructing them in the evaluation process. It is approved as to form in relation to the "tie breaking" procedures indicated therein.

1. Hidalgo County Commissioners' Court, Elected Official and/or the User Department in need of \_\_\_\_\_ Services will nominate (at the minimum) three (3) firms from Hidalgo County's approved pool of firms, thereafter, will review, score and evaluate the statement of qualifications received in response to this Hidalgo County Request for Qualifications. Pursuant to Tex. Govt. Code sec. 2254.004, the services will be selected on the basis of demonstrated competence and qualifications. In the event of a tie score, the statements of qualifications shall be returned to the evaluators for re-evaluation and scoring to determine the most highly qualified provider. Firms are reminded that throughout this process strict adherence to the ethical standards regarding communication with the County, including evaluators, as described in this RFQ's Legal Notice, is required.

Please let us know if you have any questions.

Thank you,

**Robert Viña III**

*Assistant District Attorney*  
Civil Litigation Division

**Office of the Criminal District Attorney**  
Hidalgo County, Texas  
100 E. Cano  
Edinburg, TX 78539  
[\(956\) 292-7609](tel:9562927609) EXT 8187  
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[robert.vina@da.co.hidalgo.tx.us](mailto:robert.vina@da.co.hidalgo.tx.us)

\*\*\*\*\*

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\*\*\*\*\*

On Fri, Jan 26, 2018 at 2:59 PM, Martha Salazar <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)> wrote:  
Counselors:

After our staff brain stormed your recommended language [concerning the event of a "tie score scenario"] and as stated by Ms. Yvette, we opted to remove the sentence describing the procedure to return to evaluators for re-scoring. Our rationale is based on exposing the "evaluators" to any type of contact by a vendor in such an event. Therefore, we are requesting that CC approve the Memorandum attached that is sent to all designated evaluators whether CC members or others. Please review and let us know your thoughts. We want to include it in the agenda for next Tuesday so we need your response asap.

Thanks,  
Marty S.

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**From:** "Yvette Salinas" <[yvette.salinas@co.hidalgo.tx.us](mailto:yvette.salinas@co.hidalgo.tx.us)>  
**To:** "Robert Vina" <[robert.vina@da.co.hidalgo.tx.us](mailto:robert.vina@da.co.hidalgo.tx.us)>  
**Cc:** "Martha Salazar" <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)>, "Dina Trevino" <[dina.trevino@co.hidalgo.tx.us](mailto:dina.trevino@co.hidalgo.tx.us)>, "Darlene H. Betancourt" <[darlene.betancourt@co.hidalgo.tx.us](mailto:darlene.betancourt@co.hidalgo.tx.us)>  
**Sent:** Thursday, January 25, 2018 5:09:41 PM  
**Subject:** Fwd: TIE BREAKING LANGUAGE - RFQ POOLS - PROFESSIONAL SERVICES

Mr Viña,

After careful consideration, we have the following suggestion:

We will add: "[Pursuant to Tex. Govt. Code sec. 2254.004, the services will be selected on the basis of demonstrated competence and qualifications](#)" to number "1" of the the STATEMENT OF QUALIFICATIONS GRADING AND RANKING PROTOCOL section of an RFQ for professional services..

We would like to avoid exposing evaluators to any outside influence i.e. nominated firms, vendors, etc. so, the remaining language will be incorporated in our memo with instructions to evaluators. We will send you this memo tomorrow, it is currently being revised.

What do you think?

Thanks,  
Yvette Salinas

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**From:** "Robert Vina" <[robert.vina@da.co.hidalgo.tx.us](mailto:robert.vina@da.co.hidalgo.tx.us)>  
**To:** "Yvette Salinas" <[yvette.salinas@co.hidalgo.tx.us](mailto:yvette.salinas@co.hidalgo.tx.us)>  
**Cc:** "Josephine Ramirez" <[josephine.ramirez@da.co.hidalgo.tx.us](mailto:josephine.ramirez@da.co.hidalgo.tx.us)>, "Leticia Saenz" <[leticia.saenz@co.hidalgo.tx.us](mailto:leticia.saenz@co.hidalgo.tx.us)>, "Rocio Villarreal" <[rocio.villarreal@co.hidalgo.tx.us](mailto:rocio.villarreal@co.hidalgo.tx.us)>, "Tanya De Lira" <[tanya.delira@co.hidalgo.tx.us](mailto:tanya.delira@co.hidalgo.tx.us)>, "Yolanda Velasquez" <[yolanda.velasquez@co.hidalgo.tx.us](mailto:yolanda.velasquez@co.hidalgo.tx.us)>, "Heidi Ortiz" <[heidi.ortiz@co.hidalgo.tx.us](mailto:heidi.ortiz@co.hidalgo.tx.us)>, "Darlene H. Betancourt" <[darlene.betancourt@co.hidalgo.tx.us](mailto:darlene.betancourt@co.hidalgo.tx.us)>, "Dina Trevino" <[dina.trevino@co.hidalgo.tx.us](mailto:dina.trevino@co.hidalgo.tx.us)>, "Martha Salazar" <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)>  
**Sent:** Thursday, January 25, 2018 2:49:08 PM  
**Subject:** Re: TIE BREAKING LANGUAGE - RFQ POOLS - PROFESSIONAL SERVICES

Good Afternoon,

Pursuant to our discussion regarding this matter, please find the following recommended language in blue to add to number "1" of the the STATEMENT OF QUALIFICATIONS GRADING AND RANKING PROTOCOL section of an RFQ for professional services:

1. Hidalgo County Commissioners' Court, Elected Official and/or the User Department in need of \_\_\_\_\_ Services will nominate (at the minimum) three (3) firms from Hidalgo County's approved pool of firms, thereafter, will review, score and evaluate the statement of qualifications received in response to this Hidalgo County Request for Qualifications. [Pursuant to Tex. Govt. Code sec. 2254.004, the services will be selected on the basis of demonstrated competence and qualifications. In the event of a tie score, the statements of qualifications shall be returned to the evaluators for re-evaluation and scoring to determine the most highly qualified provider.](#)

As discussed, it is recommended to submit this revision to the RFQ for professional services to the Commissioner's Court for approval. Please let us know if you have any questions.

Thank you,

**Robert Viña III**

*Assistant District Attorney*  
Civil Litigation Division

**Office of the Criminal District Attorney**

Hidalgo County, Texas  
100 E. Cano  
Edinburg, TX 78539  
 [\(956\) 292-7609](tel:(956)292-7609) EXT 8187  
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\*\*\*\*\*

On Mon, Jan 8, 2018 at 12:01 PM, Yvette Salinas <[yvette.salinas@co.hidalgo.tx.us](mailto:yvette.salinas@co.hidalgo.tx.us)> wrote:

Per our conversation, we need your assistance to incorporate "tie breaking language" in the Selection/Evaluation Process (scanned page 20) of the RFQ packet for the professional Engineering services pool.

Attached, for your review is a PDF copy of the entire RFQ packet for Engineering Services. Any revisions made to this packet will be included on all packets for professional services pools which include, Architectural, Geo Technical/Construction Material Testing, Construction Management, Appraisal and/or Appraisal Review and Surveying Services.

\*Note: as discussed, advertisement for these services commenced Saturday, January 6, 2018.

Please advise.

Thank you in advance for your prompt assistance to this important matter.

Respectfully,

Yvette Salinas  
Contract Manager  
Hidalgo County Purchasing Department  
2812 S. Business Highway 281  
Edinburg, Texas 78539  
[956-318-2626](tel:956-318-2626)  
[yvette.salinas@co.hidalgo.tx.us](mailto:yvette.salinas@co.hidalgo.tx.us)

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**From:** "Robert Vina" <[robert.vina@da.co.hidalgo.tx.us](mailto:robert.vina@da.co.hidalgo.tx.us)>  
**To:** "Martha Salazar" <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)>  
**Cc:** "Josephine Ramirez" <[josephine.ramirez@da.co.hidalgo.tx.us](mailto:josephine.ramirez@da.co.hidalgo.tx.us)>, "Victor Garza" <[victor.garza@da.co.hidalgo.tx.us](mailto:victor.garza@da.co.hidalgo.tx.us)>, "Dina Trevino" <[dina.trevino@co.hidalgo.tx.us](mailto:dina.trevino@co.hidalgo.tx.us)>, "Darlene H. Betancourt" <[darlene.betancourt@co.hidalgo.tx.us](mailto:darlene.betancourt@co.hidalgo.tx.us)>, "yvette salinas" <[yvette.salinas@co.hidalgo.tx.us](mailto:yvette.salinas@co.hidalgo.tx.us)>  
**Sent:** Tuesday, December 19, 2017 3:17:15 PM  
**Subject:** Re: Message from "RNP00267387E6A6"

Good Afternoon Ms. Salazar,

Pursuant to your request, this office has reviewed the language regarding breaking a tie in a given procurement process. A sample of which may be found in the paragraph below taken from the evaluation section of the recent CMAR contract. Additionally, the same process is also referenced in the Evaluation-Combined Scoring Matrix Form.

**SCORING PROCESS** Each submitted SOQ will be graded by the five evaluators of the selection committee according to these criteria and then assigned a rank, based on the grade, for each evaluator (from 1st place to however many firms submit). Each evaluator's ranks will then be summed together for a final ranked score. The lowest ranked scores will represent the most qualified firms (for example, if Firm X is ranked 1, 3, 4, 2, 7, then the ranked score would be 17 and then sorted from lowest to highest against the other firms). In the case of a tie in the ranked scores (e.g. two firms received a ranked score of 17), the evaluators may use the average of the grades to break the tie and rank them accordingly. Based on the final rankings, the evaluators in their sole discretion will determine the quantity of firms (up to five) to shortlist to the RFP step.

It appears that this tie-breaking process is commensurate with guidance provided by the Texas Comptroller. As indicated above, it was previously used in a recent CMAR procurement packet. It appears to have been approved by outside counsel and County consultants. Due to these considerations, this office has no issue with the use of this tie-breaking procedure in a uniform manner. Please let us know if you see anything with this process which may not be appropriate or has not been considered.

A tie may be broken in another manner. Should you prefer to use another method, it should be appropriate and uniformly applied. In keeping with the Texas Comptroller's guidance, it is not advisable to change a scoring system during a solicitation process. Should you prefer another method, please feel free to reduce your preferred process to writing and forward it to our office for review. Please feel free to contact us to discuss further.  
Thank you,

### **Robert Viña III**

*Assistant District Attorney*  
Civil Litigation Division

#### **Office of the Criminal District Attorney**

Hidalgo County, Texas  
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Edinburg, TX 78539  
 [\(956\) 292-7609](tel:(956)292-7609) EXT 8187  
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\*\*\*\*\*

On Thu, Dec 14, 2017 at 10:42 AM, Martha Salazar <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)> wrote:

Counselors:

Placing the professional services templates on agenda for authority to advertise for new year's pools, but do need some assistance as detailed below. Await your response.

Thanks,

Marty S.

----- Original Message -----

From: "Martha Salazar" <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)>

To: "Josephine Ramirez" <[josephine.ramirez@da.co.hidalgo.tx.us](mailto:josephine.ramirez@da.co.hidalgo.tx.us)>, "Victor Garza"

<[victor.garza@da.co.hidalgo.tx.us](mailto:victor.garza@da.co.hidalgo.tx.us)>, "Robert Vina" <[robert.vina@da.co.hidalgo.tx.us](mailto:robert.vina@da.co.hidalgo.tx.us)>

Cc: "Dina Trevino" <[dina.trevino@co.hidalgo.tx.us](mailto:dina.trevino@co.hidalgo.tx.us)>, "Darlene H. Betancourt"

<[darlene.betancourt@co.hidalgo.tx.us](mailto:darlene.betancourt@co.hidalgo.tx.us)>, "yvette salinas" <[yvette.salinas@co.hidalgo.tx.us](mailto:yvette.salinas@co.hidalgo.tx.us)>

Sent: Thursday, December 7, 2017 2:53:09 PM  
Subject: Re: Message from "RNP00267387E6A6"

Counselors:

Don't know if you have been able to draft something on this request. Please advise. We need to modify our grading criteria instruction for the new round of professional services RFQs.

Thanks,  
Marty

----- Original Message -----

From: "Martha Salazar" <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)>  
To: "Josephine Ramirez" <[josephine.ramirez@da.co.hidalgo.tx.us](mailto:josephine.ramirez@da.co.hidalgo.tx.us)>, "Victor Garza" <[victor.garza@da.co.hidalgo.tx.us](mailto:victor.garza@da.co.hidalgo.tx.us)>, "Robert Vina" <[robert.vina@da.co.hidalgo.tx.us](mailto:robert.vina@da.co.hidalgo.tx.us)>  
Cc: "Dina Trevino" <[dina.trevino@co.hidalgo.tx.us](mailto:dina.trevino@co.hidalgo.tx.us)>, "Darlene H. Betancourt" <[darlene.betancourt@co.hidalgo.tx.us](mailto:darlene.betancourt@co.hidalgo.tx.us)>, "yvette salinas" <[yvette.salinas@co.hidalgo.tx.us](mailto:yvette.salinas@co.hidalgo.tx.us)>  
Sent: Tuesday, November 21, 2017 5:14:24 PM  
Subject: Fwd: Message from "RNP00267387E6A6"

Counselors:

In our yearly procedure to acquire authority to advertise our Professional Services Pool of providers, we are requesting your assistance in improving our Scoring/Grading/Evaluation and Selection Criteria and Procedures. As you are aware, when HC found itself with an "average" score in ranking the two architectural firms for the new HC Courthouse Project, it resulted in a tie which created a delay in determining the final ranking of the two firms. Upon legal's recommendation, [Atlas, Hall & Rodriguez] it was determined by accessing each grader's score to determine #1 and each grader's score to determine #2. We ask that you assist us in clarifying our instructions using what we have historically included in the Professional Services RFQ packets [attached for your review and comment]. I have also attached the instructions on scoring/grading/ranking and selection on the CMAR packet.

IN ADDITION, WE NEED TO MEET TO RECEIVE AND DISCUSS THE CFR POLICIES THAT MR. VINA HAS DRAFTED FOR US SO AS TO ME THE EFFECTIVE DATE OF 01-01-18. PLEASE PROVIDE US AT LEAST TWO DATES AND TIME THAT ARE CONVENIENT FOR YOU SO AS TO CONFIRM AND SCHEDULE. DON'T KNOW IF THESE NEW FEDERAL CFR REGS. WILL AFFECT OUR PROCUREMENT PACKETS INCLUDING THE PROFESSIONAL SERVICES HEREIN.

YOURS TRULY,  
MARTY SALAZAR

----- Forwarded Message -----

From: [purchasing@co.hidalgo.tx.us](mailto:purchasing@co.hidalgo.tx.us)  
To: "Martha Salazar" <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)>  
Sent: Tuesday, November 21, 2017 2:26:49 PM  
Subject: Message from "RNP00267387E6A6"

This E-mail was sent from "RNP00267387E6A6" (MP C4503).

Scan Date: 11.21.2017 15:26:48 (-0500)  
Queries to: [purchasing@co.hidalgo.tx.us](mailto:purchasing@co.hidalgo.tx.us)

----- Forwarded message -----

From: Yvette Salinas <[yvette.salinas@co.hidalgo.tx.us](mailto:yvette.salinas@co.hidalgo.tx.us)>  
To: "Martha L. Salazar" <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)>  
Cc: "Leticia H. Saenz" <[leticia.saenz@co.hidalgo.tx.us](mailto:leticia.saenz@co.hidalgo.tx.us)>  
Bcc:  
Date: Tue, 21 Nov 2017 16:18:46 -0600 (CST)  
Subject: statement of qualifications grading and ranking protocol  
Ms Marty,

Please see attached "Statement of Qualifications Grading and Ranking Protocol" as requested.

Yvette Salinas  
Contract Manager  
Hidalgo County Purchasing Department  
2812 S. Business Highway 281  
Edinburg, Texas 78539  
[956-318-2626](tel:956-318-2626)  
[yvette.salinas@co.hidalgo.tx.us](mailto:yvette.salinas@co.hidalgo.tx.us)

----- Forwarded message -----

From: Robert Vina <[robert.vina@da.co.hidalgo.tx.us](mailto:robert.vina@da.co.hidalgo.tx.us)>  
To: martha salazar <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)>  
Cc: Josephine Ramirez <[josephine.ramirez@da.co.hidalgo.tx.us](mailto:josephine.ramirez@da.co.hidalgo.tx.us)>, Valde Guerra <[valde.guerra@co.hidalgo.tx.us](mailto:valde.guerra@co.hidalgo.tx.us)>  
Bcc:

Date: Wed, 8 Nov 2017 15:18:43 -0600

Subject: Recommendations re: 2 CFR 200-Uniform Guidance-New Procurement Standards

Good Afternoon Ms. Salazar,

Pursuant to your request to review correspondence sent to your office from the County Auditor regarding 2 CFR 200-Uniform Guidance-new procurement standards from the Federal Office of Management and Budget, and to advise as to what [if anything] needs modifications, please find the following recommendations below. Essentially, the new provisions discuss maintaining competitive and efficient procurement procedures by those governmental entities which receive federal funds.

1. The 2017 OMB compliance supplement and 2 CFR 200.317 provides that Non-Federal entities other than States, including those operating Federal programs as subrecipients of States, must follow the procurement standards set out at 2 CFR sections 200.318 through 200.326.
2. The entire OMB compliance supplement (2 CFR 200 - Compliance Supplement), may be found at: [https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A133/2017/Compliance\\_Supplement\\_2017.pdf](https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A133/2017/Compliance_Supplement_2017.pdf).
3. Please find attached complete versions of the relevant provisions as highlighted/discussed in the Auditor's letter:
  - a. OMB Compliance Supplement: Section I. Procurement and Suspension and Debarment (cover page & pp. 3.2-I-1 through 3.2-I-6-guidance) It is recommended to pay particular attention to the suggested audit procedures starting on p. 3.2-I-4, which reflect what auditors will be looking for in the Department's procedures; and
  - b. 2 CFR 200: Subpart D, Post Federal Award Requirements Procurement Standards: §§ 200.317-200-326.
4. It is recommended that at a minimum, the items referenced in section 3 above be reviewed by the purchasing department in an effort to become familiar with the new guidance requirements and to confirm compliance with the same. We also recommend a training on the subject.
5. We recommend that language regarding these changes applicable to federal grants be incorporated into the current purchasing policy and that other applicable documentation be considered for adoption by the Purchasing Department to assist in complying with the new provisions.

**In an effort to aid you with this, we are finalizing a proposed draft policy to address the procurement standards and other recommended documentation for the Department's review. We would like to meet with you in the later half of next week to review and discuss these items. Please forward date and times of when you may be available to meet. It would be beneficial to review the items in section 3 (a) above prior to our meeting.**

Also, the Auditor's Office has informed us that in addition to required purchasing modifications, there are several other policies which need to be adopted to go into effect on January 1, 2018, county wide. At this time, we are verifying this information as to how it may affect the Purchasing Department.

Please let us know if you have any questions,  
Thank you,

**Robert Viña III**

*Assistant District Attorney*  
Civil Litigation Division

**Office of the Criminal District Attorney**

Hidalgo County, Texas

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----- Forwarded message -----

From: [purchasing@co.hidalgo.tx.us](mailto:purchasing@co.hidalgo.tx.us)  
To: Martha Salazar <[martha.salazar@co.hidalgo.tx.us](mailto:martha.salazar@co.hidalgo.tx.us)>  
Cc:  
Bcc:  
Date: Fri, 26 Jan 2018 14:47:51 -0500  
Subject: Message from "RNP00267387E6A6"  
This E-mail was sent from "RNP00267387E6A6" (MP C4503).

Scan Date: 01.26.2018 14:47:50 (-0500)  
Queries to: [purchasing@co.hidalgo.tx.us](mailto:purchasing@co.hidalgo.tx.us)