

EXHIBIT A
Requirements

REQUEST FOR PROPOSAL

HIDALGO COUNTY

***“Real-Time (Live) Online Auction for Tax Foreclosed
Properties”***

RFP NO: 2020-062-04-08-YZV

Hidalgo County ("County") is seeking Competitive Sealed Proposals (RFP) entitled "Real-Time (Live) Online Auction for Tax Foreclosed Properties" related to the provision of a platform for online tax foreclosure sales on behalf of the County on an as needed basis and at the discretion of the applicable elected office. The County will select the Proposal that offers the "best value" based on the published selection criteria and on its ranking evaluation of submitted proposals.

Sealed proposals will be accepted until **9:30 A.M., Wednesday, April 08, 2020**. ANY RFP RECEIVED AFTER THAT DATE AND TIME WILL NOT BE ACCEPTED AND WILL BE RETURNED UNOPENED.

SECTION I

GENERAL TERMS AND CONDITIONS

ADDITIONAL INFORMATION:

Hidalgo County requires that "Request for Proposals" be routed to Martha L. Salazar, CPPB, Purchasing Agent, at:

US Postal Mail address:

Hidalgo County Purchasing Department
Administration Building
2812 S. Business Hwy. 281
Edinburg, Texas 78539

Physical Address:

Hidalgo County Purchasing Department
Administration Building
2802 S. Business Hwy. 281
Edinburg, Texas 78539

All costs and expenses associated with the preparation and submission of (proposals) shall be the responsibility of the bidder/proposer and no reimbursements for such charges or expenses shall be passed onto Hidalgo County.

PROPOSER'S AFFIDAVIT:

Prior to Contract award, respondents to this RFP must submit a signed Proposer's Affidavit (attached herein in **Exhibit H**) 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 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, color, national origin, sex, age, disability or any other protected class under law (except as allowed in the case of bona fide occupational qualifications). By submitting a response to this Request, Submitter certifies that it will conform to the provisions of the Federal Civil Rights Act of 1964, as amended and related state and federal law.

PROCESSING TIME FOR PAYMENT:

Submitters are advised that a minimum of thirty (30) days is required to process invoices for payment.

ELECTRONIC TRANSMISSION OF PROPOSALS:

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 hours prior to the time set for the opening. These criteria also apply to requirements that are ambiguous.

HAND DELIVERED PROPOSALS:

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

SIGNING OF PROPOSALS:

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.

Hidalgo

SUBCONTRACTING:

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

RFP QUESTIONS AND ANSWERS:

Any protest(s) or question(s) regarding the requirements and procedures must be received in the Purchasing Department **via e-mail: yolanda.velasquez@co.hidalgo.tx.us BY NO LATER THAN **Monday, March 30, 2020 at 5:00 p.m.** Responses will be sent to all applicants VIA EMAIL by **Wednesday, April 01, 2020 at 5:00 p.m.** TELEPHONE INQUIRIES WILL NOT BE ACCEPTED.**

TERM OF CONTRACT:

The term of this RFP will be for a period of one (1) year period with the County's sole discretion to extend the contract for an additional two (2) additional one (1) year terms under the same rates/fees, terms and conditions.

Hidalgo County reserves the right to continue this RFP for an additional sixty (60) day grace period at the end of the contract for any unforeseen delay in the award of a new bid for the next contract term.

NUMBER OF COPIES TO BE SUBMITTED:

Hidalgo County requires **one (1) original submittal and one (1) copy and three (3) USB'S/CD's.**

DAVIS BACON ACT or HIDALGO COUNTY ADOPTED PREVAILING WAGE RATE: (If Applicable)

In accordance with Chapter 2258 of the Texas Government Code, as well as any other applicable laws, all selected and awarded firms are required to include the appropriate prevailing wage rate (Davis Bacon Act rates or the rates adopted by the County of Hidalgo) when advertising and developing project specifications.

SECTION II RFP REQUIREMENTS

SCOPE OF SERVICE:

Hidalgo County ("County") invites you to submit a response to a Request for Proposals (RFP) entitled: "Real-Time (Live) Online Auction for Tax Foreclosed Properties" as permitted under Subchapter E of Chapter 34 of the Texas Tax Code. All public auctions, both online and live, shall be conducted simultaneously pursuant to the requirements of Chapter 34 of the Texas Tax Code. Thus, online bidders will be invited to bid alongside bidders who are present at the designated location for all Hidalgo County real time auctions. Consideration will be given to the firm who can provide a seamless process for allowing both online and real time auctions to occur simultaneously.

SIMULTANEOUS AUCTION PROCESS:

County conducts "Foreclosed properties" auctions the first Tuesday of every month from 10:00 a.m. to 4:00 p.m. The Sheriff/Constables and County's legal representatives will be responsible for the auction processes for bidders participating in real time auctions in person. Fees paid by participating real time bidders (not online) will still be collected as they are currently. The Hidalgo County Commissioners Court has adopted *Hidalgo County Rules for Conducting a Public Auction for Tax Sales Using Online Bidding and Sale*, which can be found attached as Attachment "A". Real time auctions are currently being held at the following designated location:

Hidalgo County Administration Building-Westside
(Covered Patio Area outside Purchasing Department)
2802 South Business Highway 281
Edinburg, Texas 78539

COUNTY CONTACT: Points of contact shall be designated by the respective elected office requesting the Service.

FIRM QUALIFICATIONS:

The County of Hidalgo is seeking to contract with a qualified/competent Online Auction firm *authorized to practice in the State of Texas* which has had experience in, but not limited to the following areas.

- Real-Time Online Auction Experience
- Pre-Auction Services and Setup in accordance with Hidalgo County Rules and Regulations
- Implementation Phases in working together with the Sheriff/Constable of Hidalgo County responsible for running the auctions
- Implementation Phases in working together with the legal representation for Hidalgo County for all auction services
- All Reporting Requirements in relation to Online Tax Sale Foreclosures for Hidalgo County
- Auction Day Phase Services
- Close-out of Auction Day with immediate access to all auction details

Respondent shall designate an ***Online Foreclosure Auction Manager (OFAM)*** to serve as the Auction Project Management representative for Hidalgo County and will assist in providing oversight of the auction process, from pre-auction through auction close-out each month, utilizing full-time representation on site if required in accordance with the Rules and Regulations of Hidalgo County. In addition, Respondent will be responsible for the following;

- a. Input of all county auctions including pertinent data
- b. Call center support

- c. Monitoring auctions during the Auction day.
- d. Clearing of Auction Data after Auction Day
- e. Fulfilling any/all reports requests made by County Officials

Auctions shall be conducted in accordance with Chapter 34 of the Texas Tax Code, the Hidalgo County Rules for Conducting Public Auctions and will be coordinated by the Elected Office requesting services.

RESPONDENT(S) REQUIREMENTS:

Respondent(s) is to provide independent (self-sustained) website services for the County to advertise for auction of tax foreclosed properties including pictures, maps, legal descriptions, disclosures and any other due diligence information as needed for **between ___ to ___ properties at one time.**

- Respondent(s) are to make certain that **bidders** are registered and approved by County and have been provided a bidder ID prior to bidding on property in the County whether live or online.
- Respondents shall possess all permits, licenses, and professional credentials necessary to perform services as specified under this RFP. Respondents must provide proof or copies of the required documents with their response.
- Respondents shall have knowledge and experience with State of Texas Laws and Federal Laws regarding tax foreclosed properties.
- Respondent shall provide a secure website for the County. The website shall allow the County to log-in and watch the property bids live.
- Respondent shall provide at least one (1) generic log-in to use.
- Respondent shall provide a secure website for the public.
- Respondent is responsible for maintaining the websites and there shall be no down-time. If the website were to go down or malfunction, the County shall be able to have the ability to extend the property bid period at no additional cost to the County.

PERSONNEL AND STAFFING:

This section shall include a description of the firm's project personnel. 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 shall be provided for all proposed personnel. There is a one (1) page limit for each biographic summary provided.

REQUIRED EDUCATION/MINIMUM YEARS OF SERVICE:

This section will contain the coursework, and/or degrees/diplomas earned from an accredited university/college etc. in the United States specifically pertaining to this Science. *Hidalgo County will accept Online County/State Services Management experience in lieu of education. Two years' experience may be substituted for each year of education. A minimum of a Bachelor's Degree plus five (5) years' experience or equivalent is required (i.e. A Business related field plus a total of ten (10) years of varied Online State/County Management experience).*

REFERENCES:

Respondent(s) will provide three (3) Texas client references (preferably public entities) in the last few years for this type of process for auctions.

FEE SCHEDULE:

Respondent(s) must propose a fee schedule for all proposed services. Explain the applicable fee structure and how it is applied, including any ancillary/incidental charges or reimbursement sought. Explain who bears responsibility for payment under the proposed fee structure.

SECTION III

SELECTION, EVALUATION AND AWARD

The Evaluation system consists of a 100-point system. However, after the 100 point evaluation, Hidalgo County Commissioner's Court may elect to narrow the participating firms by requesting a presentation.

Hidalgo County Commissioner's Court and/or an Evaluation Committee (selected and/or designated by Commissioner's Court) will review, score and evaluate the Proposals received in response to this Hidalgo County request.

After the RFP's have been reviewed, scored and evaluated, a grid will be presented to Commissioner's Court for the purposes of ranking.

Categories are further detailed in the Selection Criteria (Exhibit "B") section of the RFP.

NEGOTIATION PROCESS:

The number one ranked proposal will be contacted to submit a "Best and Final Offer" (BAFO). If negotiations prove unsuccessful, Commissioner's Court will terminate negotiations with the firm and will contact the next highest ranked respondent to open negotiations. The County reserves the right to reject any and all RFP's.

TERMINATION OF SERVICES:

Any contract awarded to a qualified respondent 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 thirty (30) days written notice prior to cancellation.