



**REQUEST FOR PROPOSALS**  
**For**  
**Public Sector Procurement Consulting Services**  
**RFP # 2021-083**

Sealed proposals will be accepted until **2:00 PM CT, Tuesday, November 23, 2021**, and then publicly opened and read aloud thereafter.

Carol Cooper, C.P.M., CPPO, CPSM dba N&C Consulting  
Legal Name of Proposing Firm

Carol Cooper Owner

Contact Person Title

214-202-5903 cacooper@tx.rr.com

Telephone Number E-Mail Address

7509 Oakhurst Trail Garland, TX 75044

Street Address of Principal Place of Business City/State Zip

same

Complete Mailing Address City/State Zip

Acknowledgment of Addenda: #1 \_\_\_x\_\_\_ #2 \_\_\_x\_\_\_ #3 \_\_\_x\_\_\_ #4 \_\_\_x\_\_\_ #5 \_\_\_

By signing below, you hereby certify that the information contained in this proposal and any attachments is true and correct, and may be viewed as an accurate representation of proposed services to be provided by this

organization. You agree that failure to submit all requested information may result in rejection of your company's proposal as non-responsive. You certify that no employee, board member, or agent of the North Central Texas Council of Governments has assisted in the preparation of this proposal. You acknowledge that you have read and understand the requirements and provisions of this solicitation and that the organization will comply with the regulations and other applicable local, state, and federal regulations and directives in the implementation of this contract. And furthermore that I certify that I am legally authorized to sign this offer and to submit it to the North Central Texas Council of Governments, on behalf of said offeror by authority of its governing body.

I UNDERSTAND ANY RESULTING CONTRACT WILL BE AVAILABLE TO ALL SHARE MEMBERS AND TO SHARE ITSELF. MY QUALIFICATIONS ARE FOUND UNDER TAB D AND BRIEFLY SUMMARIZED IN TAB B.

  
\_\_\_\_\_  
Signature Authorized

**N&C Consulting**  
**Government Procurement & Compliance**

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TAB B

Executive Summary

My company is singularly focused on public procurement and all that it entails. My tag line “Government Procurement and Compliance” covers the core and ancillary responsibilities and tasks needed in public procurement. As a consultant I provide governmental entities with any help they may need with any area of the procurement process, from identification of need through contract close out. My experience is based on best practices and Texas law. As a trainer the goal is the same. I have been training procurement professionals, end users, conference attendees, government officials and vendors for a couple of decades now. I enjoy working with purchasers from all types of governmental entities, sharing knowledge, figuring out what law applies and how to comply, collaborating on solutions, writing and/or reviewing specifications, solicitations, policy and procedures, terms and conditions and all the forms it takes to achieve a successful public procurement.

I am my company so let me tell how you how I got started. Upon retirement from the City of Garland I pictured myself as finished with the purchasing world. Then my friend and associate, Narita Holmes, contacted me to collaborate with her on a job with a private sector vendor who was trying to respond to an RFP. We had known each other for years through purchasing associations and conferences. We had so much fun on that first project we decided to continue to work together sharing our knowledge and experience with the procurement community. Since that beginning, we have worked both together and alone. (We decided to stay as sole proprietors for our business presence.) More details of how my career in purchasing started and grew are found under TAB D – Qualifications.

The solutions offered to any of my clients are collaborative. I ask questions, research, ask more questions, suggest, ask more questions – till the client and I are satisfied with the requested product. I offer options so they can go the route best for their culture (and within the law). I treat every engagement as a learning situation not only for the client but for me. I want them to understand the WHY. I have found people are happier with the rules and regulations of public procurement when they know why. This is not just the purchasers but the customers of purchasers. Basically, I enjoy spreading my knowledge and my experiences and those of the village of peers/friends I have developed over the years. I am also a self-professed geek in that I collect all types of procurement documents, examples, forms that are shared with my clients.

What’s in it for them (WIIFT)? Whether it be consulting or training, I hope peace of mind. Knowing I have left no stone unturned in finding the right solution for their current needs or including the right information in the presentations. Knowing whatever is presented is compliant with the State of Texas Laws and the best practices in the procurement world infused with real world practical experience.

Options or alternatives? I discussed training in TAB D. I am also getting creative on the pricing sheet. Sometimes hourly rates do not seem to me to be the best way to provide solutions.

**N&C Consulting**  
**Government Procurement & Compliance**

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Major requirements not currently able to fulfill?

- Anything Federal
- Very little and old experience with setting up or running a Disadvantaged Business Enterprise Program
- The actual, physical act of negotiating.

See Tab D for more details.

## TAB C: Key Personnel

Narita Holmes is mentioned as my associate within this proposal response.

We work together when there is a large or complex engagement and when training. She could/would be brought on as my associate in such circumstances. She has targeted County experience, is a Certified Public Accountant and a Certified Internal Auditor. Her employment background is very diverse, bringing experiences that compliment my public/private sector procurement knowledge. Her involvement in the public procurement industry has given her a wide range of knowledge for all levels of public procurement. The following is her biography.

Narita Holmes, MBA, C.P.A., CIA  
[naritaholmes@utexas.edu](mailto:naritaholmes@utexas.edu)  
432-349-0116



**NARITA K. HOLMES**, MBA, C.P.A., CIA, Lecturer in Accountancy and Compliance and Title IX Coordinator, the University of Texas of the Permian Basin, and Purchasing Consultant

A C.P.A. in the state of Texas since 1971, Narita has extensive experience in both the financial and purchasing sectors. She served as Ector County Purchasing Agent from 1987 until she retired in 2004. Her employment includes three years with a big-eight accounting firm, fifteen years as chief financial officer for financial institutions and most recently Director of Audit and Compliance for The University of Texas of the Permian Basin. Narita has been an accounting instructor at the college level and also has taught a variety of management courses including Purchasing Management. She speaks frequently on a variety of topics for workshops, conferences, and in-service training. A graduate of the University of Texas at Austin with a BBA in Accounting, she earned an MBA in Management at the University of Texas of the Permian Basin. Narita is a Charter member of TxPPA and is co-founder of N&C Consulting, specializing in procurement solutions for governmental entities.

**TAB D**  
**Technical Response**

**Section 5: Specifications**

- **5.0 Scope of Work**
- **5.1 Qualifications**
- **5.5 New Services**
- **5.7 Examples**

**Exhibit B**

## Tab D Technical Proposal

The language in the RFP under Tab D Technical Proposal has six questions which I have summarized below. More information applicable to these questions is found throughout this response.

### 1. What is your experience in the industry?

Briefly my years of experience include:

- 22 years in public purchasing working with the City of Richardson and Garland
- 10 years purchasing in the private sector
- 10+ years as a consultant and trainer in public sector procurement

More details of my experience in the industry is described above and within the responses to the specific Exhibit B sections.

### 2. References are provided under Tab E.

### 3. How do you find and select vendors to be notified of solicitations?

For finding vendors, those entities that have electronic solicitation delivery software it would be easy to rely on vendors interested enough in doing business with the entity to register with in your system. But often that does not suffice. Many other ways to find vendors are available. They can include :

- Submittal from the stakeholder departments
- Trade Shows, both external and internal
- Internet search
- Trade Associations
- Minority (HUB) Associations
- Peer recommendations
- Cooperatives – either finding an applicable vendor/contract or discovering to whom the coop has awarded like or similar contracts and contacting the directly.

Competent competition is imperative.

Selecting vendors includes a variety of processes either dictated by statute or fair, open, transparent policies. This would include selecting the lowest responsible vendor, the evaluation process using objective, applicable criteria, or the qualification process for services such as professional services. The procedures involved with selection is critical to awarding the right vendor for the success of any procurement.

### 4. What services do you provide throughout the process?

I am willing to discuss with any member entities and SHARE hands on through advisory types of services and everything in between. Hands on would be like actually writing specifications, terms and conditions, policy, and procedure. Advisory would be services such as reviewing and suggesting/advising on revisions or topics to be included etc. It could also include "auditing" processes and procedures such as P-Card programs, efficiency processes or compliance with state and local laws. (audit is in quotes because I am not a CPA. Thus, I would use the word "review" in any official documents) Really anything that has to do with the responsibilities of a Purchasing Department. I have experience in all areas both when employed and as a consultant. I do want to note that I am not interested in physically filling-in when an entity employee is out, or the position is open. While willing to travel to an entity to confer, meet, participate in evaluations, interviews with hiring candidates or vendors, training of purchasers, end users and/or vendors, I would prefer to do the majority of any services electronically.

5. How will you involve our team and business in the RFP process?

Any services provided to SHARE members would be provided to SHARE.

6. How will you manage and secure NCTCOG and client data?

By secure do you mean protect the data that resides on my computer? If so, I have Webroot Secure Anywhere installed on my device. It uses threat intelligence and starts automatically when the PC is booted. It is ISO certified.

**At Webroot, we practice what we preach. As such, we have pursued compliance with ISO/IEC 27001:2013, also known as ISO 27001.**

**We are pleased to announce we have received a Certificate of Registration for operating an Information Security Management System that complies with the requirements of ISO 27001:2013.**

Additionally, Microsoft provides a second layer of virus and threat protection. I use very secure passwords. By "manage" if you mean how is documentation managed, I have a system of software files and hard copy files secured in my home office.

I am the primary and only contact for receiving orders from Participating Entities



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## **SECTION 5: SPECIFICATIONS**

### **5.0 SCOPE OF WORK**

The typical tasks listed in this section along with the types of procurements represent the core basic business of a public purchasing department. We all know there are so many more hats public purchasers wear but if the basics are not executed according to law and internal policy and procedures the trust and reputation of the purchasers involved are, at the least, severely damaged. My 22 years of experience gainfully employed in the public sector and my post-retirement career as a public procurement consultant and trainer since 2011 has shown me example after example of how taking the easy road leads to just having to execute a redo. Even my ten years in the public sector reinforced the best practices and common-sense procedures of public procurement.

SHARE and its members would be able to access not only the experiences the years have rendered but also my knowledge and the knowledge of a network of public purchasers. I often say, "I have learned more about public procurement since retirement than in all the years before". This is because I am not putting out fires and responding to emergencies. I have time to research, gather opinions, options, and the knowledge of other seasoned public purchasers. As a consultant/trainer I listen closely to the needs and wants of clients with the goal of helping get what they need in the most efficient and effective way available within the law. I have worked with cities, counties, school districts, public junior colleges. I have worked with the purchasing departments, their end users, and vendors. As my knowledge and experience grows, I delight in collaborating on solutions. In fact, one of the things I love most about public purchasing is the way everyone is willing to share basically everything; knowledge, good and bad experiences, brainstorming, solutions, failures, and successes.

I am providing a detailed, focused response to my capabilities in the public procurement world in Exhibit B under Tab D.

I do work closely with my associate, Narita Holmes. Besides being a public purchaser, she is a CPA and a CIA. These skills fit perfectly with my public purchasing certifications



(noted in Tab G). We consult both separately and together. If a project is complex or required knowledge and skills I do not currently have I could include others who do.

I am ready, willing, and able to provide all of the requirements listed under this Scope of Work.

## 5.1 QUALIFICATIONS

My procurement professional certifications are documented in Tab G as is my degree from the University of Texas at Dallas.

- Certified Purchasing Manager (C.P.M.) 1983 with Lifetime Certification – Institute for Supply Management Certificate #10030 issue date November 1, 1983
- Certified Public Purchasing Officer (CPPO) 2008 with Lifetime Certification – Universal Public Purchasing Certification Council National Institute for Governmental Purchasers issued May 6, 2008, Certificate #1551
- Certified Professional in Supply Management (CPSM) 2008 current – Institute for Supply Management Certificate #631 issued October 20, 2008 – Expires October 29, 2023
- Other certifications received include a Certificate of Achievement in Executive Excellence for the University of Texas at Dallas, Certificate in Supervision and Instructor Certificate both from the City of Garland.

My first purchasing experience was in Chickasha, Oklahoma where I worked at a mobile home manufacturing plant. That was short lived as it was a temporary, 3-month job. But it gave me a taste of what it took to be sure everyone had what they needed to do their jobs. My second taste was with the Census Bureau in Maryland where I learned what not to do with a budget. The Census Bureau performs a wide variety of censuses continually. Usually small and focused. We wrote the budget for these after they were complete and the expenses from the census takers had been submitted. Even in my naivety I knew this was not the best way, easy but worthless when trying to forecast what the next budget year will cost.

My career in public purchasing got serious when I was hired as a purchasing assistant at the City of Garland, Texas. One of my major responsibilities was to open and distribute the mail (back in snail mail days). If you have never had this responsibility, you would not believe how much you can learn and know before anyone else in the department is aware. Yes, I read the mail. Here, my first “real” procurement boss was a stickler for process and procedure and following the letter of the law. He created my foundation as a public purchaser. Here I learned the importance of standardization, consistency, and documentation. I have carried these principals throughout my journey.

After three years as a purchasing assistant in Garland, I was hired at the City of Richardson as the one and only buyer. This was a small department of four, the

Purchasing Director, me and two administrative assistants. I was either involved or responsible for it all. The solicitation process, evaluations, preparing Council award documentation, warehouse and fleet inventory, vendor and end user relationship and management, twice a year auctions and all the logistics that entails, and building and moving into a new City Hall. NOTE: I use the term solicitation to include the complete process from recognition of need through award.

From Richardson I went into procurement in the private sector for 10 years. During that time, I created a purchasing department for two different companies using the knowledge and skills learned in Garland and Richardson.

In 1994 I was hired as the Purchasing Director for the City of Garland. When I left Garland previously, I had a dream of coming back to my hometown as the Purchasing Director. Dreams do come true. All the past experience, obtaining a bachelor's degree, working in the ISM purchasing association both local and nationally came together for this opportunity. I retired from this position in 2011 but while there I created or managed;

RPF/ITB/RFQ/RFI – Soliciting and Awarding:

- Everything from Car Wash Services to Towing Services to Professional Services for Architects, Engineers, Testing, Consultants of all sorts, Property Sales, Salvage and Surplus Sales, Auctioneer; Live and Electronic, Software, Alternative Construction Delivery Methods (Bids to JOC), Wide Variety of Goods and Services including some unique ones like a RFP for alcohol sales and a 20 megawatt turbine.

Created and Implemented Documentation such as;

- Templates and Standard Documents, Terms and Conditions for Bids, Requests for Qualifications, Requests for Proposals, Requests for Competitive Proposals, Requests for Information
- Internal "Desktop" Procedures for all Procurement Functions
- Directives Governing Municipal Procurement Policy and Procedure
- P-Card Issue, Use, Review and Audit Policy and Procedures up to and Including Termination
- Salvage and Surplus Procedures
- Live and Internet Auction Terms and Conditions and Procedure
- Electronic Procurement RPF, Selection, Implementation, Policy and Procedures
- Matrix of Qualified Best Value Criteria – picked up and used by multiple entities in Texas

Cross-Functional Teams

- Committ2Wellenss – active team member appointed by city management to create and implement a wellness program designed to help employees proactively address the rising cost of healthcare claims.

- Professional Services –team lead to define professional services and flow chart the processes for procuring services from the GC 2254 professionals as well as other professional services and personal services
- Cost Reduction – active team member to create and implement a city-wide program to address waste, implement and reward cost saving and efficiency ideas submitted by employees
- Inventory Management – team lead to create and implement strategy balancing the level of inventory at the city warehouse with the needs of its customers. Inventory was reduced from approximately \$8 million to an average of \$3.5 million with a fill rate of 99%
- Communications – This team addressed the rising cell phone costs, considered the IRS implications, and recommended a strategy to administration
- Employee Performance Measures – active team member to implement performance measures across the board including incentives and rewards

#### Legislative

- Lead professional procurement efforts to standardize laws from the government codes involving city, county, education, and special district statutes. This included writing bills for submission to Representatives and Senators. During my active years, 50% of the bills submitted were passed into law. During these years, numerous presentations were made to fellow professionals at local dinner meetings, state and regional conferences and workshops, to City Council and to legislative committees

#### E-Procurement

- Lead for a 17-member entity group to solicit and select an electronic bid system. Agencies included city, county and schools
- Implemented chosen system for City of Garland, Texas
- Managed the electronic procurement process for Finance software, including requisition, purchase order and warehouse inventory, through the testing and implementation of the selected vendor.

#### Procurement Card

- Implemented city-wide procurement card program in three Phases.
- Issued, Managed and Monitored an average of 900 cards
- Monthly purchases averaged \$500,000
- Wrote all policy and procedure and use instructions city-wide
- Wrote training and trained all cardholders
- Set up continuous training to keep cardholders current

- Created, managed, and documented p-card review on a monthly and annual basis

#### Investment Recovery Savings-Sales

- Implemented sales/salvage, cost avoidance and revenue strategies resulting in a combined \$1 Billion savings/revenue over a period of 15 years for the City of Garland, Texas.

#### Historically Underutilized Business – Procurement Inclusion Program

- Created and Implemented Procurement Inclusion Program (HUB), City of Garland, Texas
- Conducted Internal and External HUB Training
- Served on Board of Directors - North Central Texas Regional Certification Agency
- Purchasing Department received Employer of the Year from Metro HUB organization as a result of our outreach program

#### Excellence in Innovative Supply Management (EISM)

Created, implemented and managed a process improvement program for company members of the Institute for Supply Management Southwest Forum. Companies who achieved the EISM award met or exceeded qualifying criteria. This criterion progressed each year encouraging companies to continue to grow and becoming increasingly professional. Awarded companies presented their best practices each year at the Southwest Forum Conference. Garland received this award all the years it existed.

Garland also received the Achievement of Excellence in Procurement (AEP) award while I was Director for all but the initial year of the award. (we were implementing Financial software that first year 😊). I am telling you this because that award reflects best practices in procurement and an entity cannot receive it without proof of practice, and a department director that takes the procurement and fiduciary responsibilities seriously.

Upon retiring from the City of Garland in 2011, I began consulting and training in the public procurement field. Examples of working with clients will be described in Exhibit B and TAB D 5.5, New Services.

As you can read, I have extensive experience in local government procurement during and post employed years. While I have not consulted with any state agencies, I did train contract managers for all state agencies for approximately 2 ½ years. This was at the beginning of the state law requiring all contract managers to be state certified in Contract Management. The section of training I conducted was the Contract Management two-day course. Additionally, I am familiar with the Government Code procurement laws. A

couple of the classes I currently teach is “Where Did That Law Come From”, which points out all the procurement laws found in approximately 20 different state statutes. And the “Legislative Update” after every legislative session informing purchasers of the new laws that affect their every day procurement lives.

I have very little actual federal procurement experience. The grants I worked with in Garland was pre-stimulus/pandemic grants.

## **5.5 NEW SERVICES**

### **TRAINING**

I did not see training described in the RPF. I have extensive experience in researching, writing, creating, and presenting public procurement topics. The topics “in the can” include the majority of those listed under Scope of Work and Exhibit B. I have provided procurement training, both live and via Zoom for purchasing associations, purchasing conferences, individual entities, government officials, cooperatives, Texas Municipal League, Government Finance Officers Association of Texas, state agencies, end users and vendors. Many of topics were created at the request of the client, others were developed when a need was recognized. The fee charges are by the engagement, not per person. This is done to help the clients save money. Fees can be proposed all-inclusive, or the travel expenses can be separated out and reimbursed by GSA and IRS rates. The client is given a choice.

Topics are updated as new laws are enacted or new resources become available. New or enhanced topics are researched and created at the request of clients. Usually, they are to address concerns or deficiencies in the knowledge of their target audience. These concerns are included in the session in a very subtle manner. Case studies or examples are used that fit the situation but is not directly from the client’s entity. Questions and comments are encouraged, and healthy discussions follow.

### **CONTRACT MANAGEMENT**

I did not see contract management and administration described in the RFP either. This is an area that completes the solicitation process, ensuring successful results. I have written contract manuals and training for to be used by both the procurement staff and the end users.

## 5.7 EXAMPLES OF SPECIFIC PROCUREMENTS

1. **Example of Construction procurement** – In 2001 the legislature consolidated the majority of the construction statutes from all entities and agencies into GC 2267 which later became GC 2269. The City of Garland was preparing to construct a new Police Complex and a new Performing Arts Center. We were interested in the new construction delivery methods Construction Manager – Agent, and Construction Manager at Risk. So, we decided to conduct the procurements for these projects using Construction Manager – Agent for the Performing Arts Center and Construction Manager at Risk for the Police complex. The senior construction buyer took the Police project, and I took the Performing Arts center. We closely studied the statute for each method, prepared our RFQ's and moved forward. *I regret to say I do not have those documents.* But I have carried the lessons learned throughout the rest of my career. As Director of the department, I made it a practice to personally handle several procurements myself each year. I picked unique, or potential controversial or complex projects. I felt I could not direct staff or ask staff to do anything I could not or would not do myself. This kept me current on everything from manipulating the software to the major players at the department level.

2. **Example - Excerpt for review and suggested changes to solicitation.**

**SUBMIT TO:**

CITY OF XXXXXX  
 XXXXXXX OFFICE  
 XXXXXXXXXXXXXXXXXXXX  
 XXXXXX, TX XXXX

# Request for Proposal (RFP)

**Commented [cc1]:** There is new legislation about critical infrastructure and foreign owned companies. See the attached. I don't know but think a SCADA system might meet the definition of critical infrastructure.

**Commented [cc2]:** The term bid and **FB** is used in this document but it is a proposal. Wonder if you would want to find and replace? Also, in definitions #7 could be revised or made more generic to incorporate all types of solicitations. (in my opinion, bids are what entities send out – offers are what vendors send in response) Generally I have seen "bid" defined and used as meaning any type of solicitation.

**MAILING DATE**

**Xxxx XX,  
2021**

**TITLE**

SCADA SYSTEM  
 INSTALLATION  
 AND INTEGRATION

**NUMBER**

**2021-XX-XX**

**BID****WRITER**

XXXXXXXX

**CLOSING DATE & TIME**

**2:00pm CST,  
 XXXXDAY XXXX  
 XX, 2021**

**SCOPE OF WORK**

The City of XXXXXX is requesting sealed proposals from qualified vendors to provide and install an aboveground fuel tank at the Public Works Complex, XXXXXX, Texas and remove the existing underground storage tank. (actually The project location is xxxxx XXXXXX Rd. XXXXXX, TX . Project(s) shall be compliant with the Industry Standards, the Laws of the State of Texas, and local government codes.

**Commented [cc3]:** Change to summary for SCADA system

**PRE-BID DATE, TIME, AND LOCATION**

**Commented [cc4]:** add pre-bid info

**NAME OF PARTNERSHIP, CORPORATION, OR INDIVIDUAL****TAXPAYER IDENTIFICATION NUMBER****MAILING ADDRESS**

**NO BID: If not submitting a bid, state reason below and return one copy of this form**

**CITY-STATE-ZIP****PH:****EMAIL:****FX:****WEB ADDRESS:****TOTAL BID AMOUNT:**

**Delivery:** Calendar days after receipt of Purchase Order:

\_\_\_\_\_days (ARO)

Bids are firm for Acceptance for 90 days

**Payment Terms:**

☐ Yes ☐ No ☐ Other

% , net \_\_\_\_\_

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same materials, supplies, or equipment and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder. In submitting a bid to the City of XXXXXX the bidder offers and agrees that if the bid is accepted, the bidder will convey, sell, assign or transfer to the City of XXXXXX all rights, titles and interest in and to all causes to action it may now or hereafter acquire under the Anti-trust laws of the United States and the State of TX for price fixing relating to the particular commodities or services purchased or acquired by the City of XXXXXX. At the City's discretion, such assignment shall be made and become effective at the time the City tenders final payment to the bidder.

AUTHORIZED  
SIGNATURE

DATE

PRINTED NAME/TITLE

*Please initial by all that apply. I acknowledge receipt of the following addendum:*

Addendum #1 \_\_\_\_\_ Addendum #2 \_\_\_\_\_  
Addendum #3 \_\_\_\_\_ Addendum #4 \_\_\_\_\_

Please note the following:

- This page must be completed and returned with your bid
- Bids must be submitted in a sealed envelope, marked with bid number & closing date.
- Bids received after the above closing date and time will not be accepted.

**Commented [cc5]:** suggest add "bid title"

## SPECIAL CONDITIONS

### 1. SPECIAL REQUIREMENTS

- a. All the following requirements must be met by the Contractor prior to bidding this Project. If the following qualifications are not met by the successful Contractor, the Contractor shall be responsible for procuring the required services (and that Contractor shall meet the qualifications of Specification) at no additional cost to the Owner. Furnish Engineer with copies of the above listed certifications and personal to work on this Project.

**Commented [cc6]:** Submit with response (not to Engineer) Also – there is no above listed certifications and personal. If you are talking about #3 above put this statement with that requirement. #3 does not ask for certifications, licenses etc.

### 2. PROCESS INSTRUMENTATION AND CONTROL SYSTEM (PICS) SCADA INTEGRATOR QUALIFICATIONS:

**Commented [cc7]:** How do you want proof of all these requirements? i. thru xv.

- a. The Process Instrumentation and Control System (PICS) SCADA System Integrator shall be a "Systems Integrator" regularly engaged in the design, installation and maintenance of instrumentation and control systems specifically for the Water and Wastewater industry. Subject organizations shall meet or exceed all the following requirements:
- Have been in business under the same ownership/management for a minimum of 10 years.
  - Have adequate financial resources to successfully execute the work.
  - Employ at least one full-time licensed and registered Professional Engineer (P.E.).
  - Employ at least one full-time licensed Master Electrician.
  - Employ an adequate number of full-time degreed engineers and technicians who have a minimum of 10-years' experience working on projects and systems of similar size and complexity.
  - Employ at least one full-time professional dedicated to Quality Assurance/Quality Control (QA/QC Manager).
  - Employ an adequate number of full-time engineers and technicians who have been factory certified on the proposed major products and software.
  - Have successfully completed at least ten projects of similar size and complexity in the last five most recent years.
  - Have and maintain a permanent, fully staffed, and equipped service facility with full-time employees capable of designing, fabricating, installing, calibrating, programming, and testing

**Commented [cc8]:** Not an expert on SCADA by any means but wonder if this is necessary. Maybe a range of years? Could be same management/people but different owner? Just a thought. Could it be perceived as limiting responses?

**Commented [cc9]:** How do you want proof of this?

**Commented [cc10]:** Want name and resume and copy of license and registration? Throughout project? Same person?

**Commented [cc11]:** Ditto above

**Commented [cc12]:** Again the 10 years. Do you want a list of names and their registrations?

**Commented [cc13]:** Would this and the above required personnel be part of #3 above under Proposal for Provider?

**Commented [cc14]:** Language needs to be same in both locations where you used LOCAL AREA above and here



of the actual products and systems anticipated to be utilized for this Project.

- x. Have and maintain a permanent, fully staffed, and equipped service facility within 100 miles of the project capable of providing on-site response within 24 hours.
- xi. Have and maintain a stand-alone "Service Department/Division" with a proven history of actively pursuing and executing on-going maintenance service contracts including emergency services 24/7. Organizations which do not have a history of providing and successfully maintaining on-going support services shall not be considered for pre-bid approval.
- xii. Capable of furnishing IT services capable of performing and supporting IT and related networking/communications project requirements.
- xiii. Have and maintain a minimum of 10,000 square feet of environmentally controlled spaced dedicated to the production, assembly, and check-out of custom control panels. Organization must be a certified UL-508A control panel facility.
- xiv. Be a Schneider Electric Systems Integrator.
- xv. Be a Certified Integrator for the Proposed Software.

**Commented [cc15]:** Is this necessary? Same questions as above

### 3. MINIMUM SPECIFICATIONS

All improvements shall meet the City of XXXXXX specifications.

**Commented [cc16]:** Improvements? Isn't this a replacement

### 4. MAJOR EQUIPMENT ITEMS

- a. In connection with major items of equipment to be furnished and installed under the contract, the Undersigned expressly agrees to the following provisions:
- b. That the Proposal stated includes the furnishing and installing of equipment furnished by one of the suppliers listed in the specifications, and that the particular suppliers of equipment which the Undersigned proposes to furnish is listed as an Acceptable Manufacturer. The equipment manufacture shall be named below for each major equipment item.
- c. In the event that the Offeror lists more than one manufacturer's name, the OWNER shall have sole right to select one of the manufacturers.
- d. In the event that the Offeror fails to list an approved manufacturer's name, the Owner shall have the sole right to select one of the manufacturers from respective specification section.
- e. That the installed price of equipment includes the cost (if any) of changes in the structure, piping, wiring, electrical controls, accessories, and incidentals necessary to accommodate the particular equipment proposed.

**Commented [cc17]:** ????? is there an industry list of "acceptable"?

### 5. EVALUATION CRITERIA

- a. The following are key issues in the Owner's selection decision, not in order of priority:

Criteria	Points
Total Project Cost	30

References	15
Extent to which the goods or services meet the municipality’s needs	20
Prior experience working on similar projects	15
Contractor’s previous work history with the City of XXXXXX	20
Total Possible Points	100

**Commented [cc18]:** This seems high to me. One could have the perception the 20 points could be slanted toward a specific vendor. If this is a complete replacement????

### 3. Example – Comprehensive Procurement Policy and Procedures Manual

Below is the table of contents I created for a rapidly growing decentralized city in Texas. This city did not have any purchasing procedures for the department personnel to follow. The only policy was in the charter and was not known by the end users. After lots of collaboration the below was approved by the City Manager and Council. Once official, the entity had me come to their City Hall to train all department heads on the content of the manual.

Unfortunately, the page numbers are interactive within the manual and did not save. I can provide further documentation if needed. The sections shown below encompass the requirements of the SHARE RFP and more.

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This is a very comprehensive Policy and Procedure Manual. I have both written and revised purchasing and contract manuals for other entities.



## EXHIBIT B

### Description of Deliverable Topics

Items **A** through **F** in the narrative describes areas in the procurement process that must be known and practiced by any competent public purchaser. How could I supplement existing procurement personnel in procuring desired goods or services? My accumulation of experience, knowledge, skills and techniques have been built in two distinct phases of my life, 1. My employed years and 2. The consulting years post retirement from the City of Garland.

1. As Director of Materials Management (Purchasing and Warehouse) I managed a staff of five buyers, three administrative assistants, a warehouse manager and warehouse staff of six to eight depending on the budget. The purchasing department was responsible for all procurements made by the City, including the electric department. This department, Garland Power and Light (GP&L) consists of power plants, transmission, and distribution. In other words, basically a separate company within the umbrella of the City Council. Garland also owns and operates two landfills, residential and commercial sanitation operations, water and wastewater operations, a 72-hole golf course, transportation and street department, and all the service departments that go along with being the among the 15 largest cities in Texas. We also managed the storage and sale of all salvage and surplus.

Our purchasing department employed every type of procurement process legally permitted, every type of specification from design to standard. We worked with the end users as partners in developing solicitations that clearly explained our needs, musts and wants. We collaborated with the end users on developing evaluation criteria that was specific to the project, objective and pinpointed the “must haves” to successfully select the right vendor for the project. When I say “we” or “our” I mean just that. The department worked in concert with everyone sharing information, knowledge, techniques and skills. My goal was to have everyone know everything. To illustrate – one of my proudest moments happened one day with a phone call from an end user. He asked a purchasing question. I answered. He replied “Well, that is what all your buyers said”. He had been shopping for the answer he wanted. Instead, he got the same, legally correct yet helpful answer for everyone of us. When there was information to share with staff I would call a meeting-in-the-middle. That meant we all gathered in the middle of the office for some important piece of information. That phone call prompted a meeting-in-the-middle to tell staff how proud I was of them.

That is a pretty long story to tell you that sharing information is really pretty much my thing. I believe everyone knowing the same thing is so much better than just one or two holding key information. And it made my trips to conferences more pleasant. 😊 I was not the one receiving phone calls during sessions because my staff could and did make the right decisions in my absence.

2. After retirement in 2011, I really wanted to keep in touch with my extended purchasing friends. I had been active in several purchasing professional associations and knew folks from all over Texas and beyond. This developed into a surprise for me. I had no intentions of continuing in the purchasing field after retirement. But phone calls came for help and before I really realized what was happening, I had a consulting business. Purchasing is my expertise and helping friends let me continue to share knowledge. And not only that, I had the time to research, gather examples of solicitations, terms and conditions, policy and procedures, evaluation processes, all types of procurement related information and develop new relationships. My business has developed by word of mouth. I do have a LinkedIn presence, but no other social media connected to my consulting adventure. Some of the projects I have completed for clients include working with entities to;

- write or review solicitations
- research and recommend insurance language requirements
- perform the complete procurement process while the entities were in the search and hire mode, revising and streamlining, documenting processes, updating compliance
- advise purchasing departments on various topics
- research cooperative opportunities
- perform vendor searches for specific projects
- conduct use surveys
- review/audit P-Card policy, procedures, and transactions
- create policy and procedure for decentralized entities
- create a contract management manual that included management of contracts for goods, services and revenue
- review, revise policy, procedure and p-card manuals for several entities
- work with private vendor in response to solicitations from public entities
- review and revise terms and conditions
- create policy and procedures manual for an airport system
- participate in short list vendor interviews
- participate in procurement job interview process
- create job descriptions
- provide procurement training, both live and via Zoom for purchasing associations, purchasing conferences, individual entities, government officials, cooperatives, Texas Municipal League, state agencies, end users and vendors
- participate with entities on the TxPPA MemberConnect chat feature

Some specifics.

1. Worked with a River Authority purchasing manager and end users to develop specifications, revise standard terms and conditions, create and issue solicitations.
2. Performed annual comprehensive p-card review/audit for a school system four consecutive years (2018 – 2021)

3. Contracted with the company that provided Contract Management training for all state agencies. This, combined with my City of Garland contract management experience, provided me with the knowledge and experience to write a Contract Management manual for a large Texas city. I feel this is a strong area for me in supplementing entity personnel.

I feel this is a strong area for me in supplementing entity personnel.

**G. Statutory Interpretation and Compliance.** I mentioned my very first purchasing boss earlier. He instilled in me the absolute need to know what the state law allows and what it does not. Local Government Code 252, 253, 271, 176 as well as the Government Codes and other Codes not specific to purchasing were always at my elbow and was noted in our policy and procedures for clarity to the user departments when they wondered why we did what we did. Government Code 2269 came into existence while I was still at Garland. We immediately studied each section and captured the musts and shalls in a matrix. I shared this matrix with my colleagues and was surprised and pleased to find it being used in the manual of one of the largest Texas cities a few years later. The use of this statute is discussed in section 5.7 Examples. I feel this is a strong area for me in supplementing entity personnel.

Once I began consulting, I had to know what all the other local government laws say. As well as Education Code 44.031 and 130, a growing number of Government Codes, Penal Code, Insurance, and on and on. There are close to 20 codes a procurement professional needs to be aware of and know how to find them when needed. Each legislative session there is a group of us who track the bills and inform our peers. After the sessions are over and the bills have become law my associate and I create a power point detailing all the new laws and how they affect procurement lives.

**H. Disadvantaged Business Enterprise Programs.** I did create and implement a Procurement Inclusion Program for the City of Garland. Beyond that I have kept informed of the requirements and additions of eligible businesses for the State of Texas. I do now there are different requirements for Federal grants but have not delved into the specifics.

**I. Procurement of Goods and Services with Federal Grants.** I claim no expertise in this area. Obviously, I am aware of 2 CFR 200 but have not schooled myself on the specifics. When I was with the City of Garland, we had few grants. I was there during Katrina and did learn those specifics. But have not kept up since leaving Garland.

**J. Procurement of Construction Related Services.** I have written above about my solid knowledge of Government Code 2269 which remains current. I understand this area is asking about more than the laws. My Garland hands on expertise continues in my consulting years. The majority of the solicitations I have written, reviewed, revised and advised on as a consultant has been various types of construction related solicitations. I talk with my clients about the results of the solicitation; making sure the expectations and outcomes are clear, the musts are included, that it is clear what the vendor must provide

or perform for the entity to consider the completed project a success. Together we make sure all questions are answered before the solicitation is released. I also make sure the requirements are allowed within the law. The 87<sup>th</sup> legislative session added lots of musts and shalls to some of the construction delivery processes. I am making sure they are not using older specifications nor are the engineers/architects using older specifications that do or do not include the new statutory requirements. I also talk to them about performance measures, including the measures that will allow both the vendor and entity to know when phases, tasks, requirements are final and acceptable. And I talk about having the tools for construction management in the solicitation and resulting contract. In other words, plan ahead. I ask a ton of questions and reserve my right to keep asking question till we are all satisfied the solicitation is the best product we can create. I am not afraid to say I will have to research something nor to ask for help from my peers when I am gathering information. I'm not sure what else to say. I do feel this is a strong area for me in supplementing entity personnel.

#### **K. Competitive Solicitation Process Exemptions.**

State – I am fully aware of the exemptions for city, county, and schools. I also know that being listed as an exemption does not necessarily mean an entity cannot perform a competitive process. Professional Services as listed in GC 2254 are an exception to last statement.

There are a great many statutes that could possibly be called exemptions. I call some of them prohibitions. Like, local preference could be either in the right conditions. Not boycotting Israel, gun manufacturers or energy companies too. Not contracting with terrorists on the other hand, to me, is a prohibition. So I am aware and share this information with clients and peers.

Federal – Again, not my area of expertise. Not saying that could not change in the future with all the grant money available.

**L. Cooperative Procurement.** I do my best to keep current with the ever changing state, regional and national cooperatives. I have been award contracts from both Allied States (ESC 19) and Choice Partners. I have been and am a fan of cooperatives and interlocals from day one of my public purchasing career. In Garland, properly vetted and verified cooperatives were our first go-to in many cases. We had a procedure to compete the coops with all applicable solicitations and put in our standard terms and conditions the clause that would allow other entities to “piggyback” any of our awards. Garland belonged to a long list of interlocal agreements and cooperatives. So much so that the Council gave the Purchasing Director the authorization to sign procurement related interlocal agreements. I feel this is a strong area for me in supplementing entity personnel.

**M. Public Procurement Negotiation.** When conferring with clients about a solicitation process that allows negotiations, I advise them to think about what they might want from a negotiation and include those points in the solicitation. If they are looking to take advantage of a vendors experience or unique knowledge, put in language and evaluation

points for that. I tell them to be sure they are all on the same page about what is a must and cannot be negotiated and where the wiggle room. I tell them that more than price can be negotiated and suggest areas where the project could be made better by going through the negotiation process. I also tell them when a process cannot be negotiated or if say the competitive sealed bid method would perhaps have the advantage for the entity. I tell them if they have to negotiate with the highest ranked first or if more than one vendor can be negotiated with simultaneously. There are lots of entities in Texas that do not have the staff, time or expertise to even know about the ins and outs of the different procurement processes and how to use them to their advantage. I try to help them understand, in plain, common language how to use the system to get the very best projects for their constituents. So, the negotiations could be with the end users, administration, stakeholders before the solicitation is finalized or it could be after the RFP/RPQ responses are in. Planning for a negotiation is all important. Having the entity negotiation team be synchronized is all important. I help with that. I do not become involved with the actual negotiations.

## Tab E: References

<p>City of Garland 200 N. Fifth Street Garland, TX 75040 Bryan Bradford, City Manager 972-205-2000 <a href="mailto:Bradford@garlandtx.gov">Bradford@garlandtx.gov</a></p>
<p>Travis County 700 Lavaca Street Austin, Tx 78701 Bonnie Floyd, Purchasing Agent 512-854-4173 <a href="mailto:bonnie.floyd@traviscountytexas.gov">bonnie.floyd@traviscountytexas.gov</a></p>
<p>City of Red Oak 200 Lakeview Parkway, Red Oak, TX 75154 Gloria Platt, Director of Finance 469-218-1206 <a href="mailto:gplatt@redoaktexas.org">gplatt@redoaktexas.org</a></p>
<p>North Texas Municipal Water District 501 E. Brown Street Wylie, TX 75098 Nicole C. Mucha, MA, CPSM, CPPO Purchasing Manager 469-626-4872 <a href="mailto:nmuch@ntmwd.com">nmucha@ntmwd.com</a></p>
<p>Harris County Department of Education 6300 Irvington Boulevard Houston, TX 77022 Dr. Jesus J. Amezcua, Ph.D., CPA, RTSBA Assistant Superintendent for Business 713-696-1371 <a href="mailto:jamezcua@hcde-texas.org">jamezcua@hcde-texas.org</a></p>
<p>Texas Municipal League Intergovernmental Risk Pool 1821 Rutherford Lane Austin, TX 78754 Scott Houston, Intergovernmental Relations Manager 512-491-2323 <a href="mailto:scott.houston@tmlirp.org">scott.houston@tmlirp.org</a></p>

And just for fun, I am including an email I got November 17, 2021. As a lifetime member of the Texas Public Purchasing Association, TxPPA, I participate in the list serve and have developed relationships with purchasers state-wide. Read from the bottom up.

Thank you so much Carol! You really are Awesome!

---

On Nov 17, 2021, at 10:09 AM, Carol Cooper <[cacooper@tx.rr.com](mailto:cacooper@tx.rr.com)> wrote:

Not specifically. But in 252 for a sealed bid, you award to the lowest RESPONSIBLE vendor. For proposals you award to the vendor that provides best value for the city. Either way I think a case could be made that the litigating vendor would not equal a responsible vendor offering best value.

Get attorney to agree. Then write a policy and procedure about how you can bar a vendor just in case something like this comes up again. Attached is an example

Good Luck,

Carol Cooper, C.P.M., CPPO, CPSM  
N&C Consulting

[cacooper@tx.rr.com](mailto:cacooper@tx.rr.com)

214-202-5903

*Specializing in Government Procurement and Compliance*

---

**From:** Gerardo Noriega <[gnoriega@mcallen.net](mailto:gnoriega@mcallen.net)>

**Sent:** Wednesday, November 17, 2021 9:37 AM

**To:** Carol Cooper <[cacooper@tx.rr.com](mailto:cacooper@tx.rr.com)>

**Subject:** Vendor previously suing the City

Good morning Ms. Cooper!

Do you know if there is any law in the govt code that you have run in too that allows a municipality to not award a contract to a vendor who was recently involved in litigation with the City? I couldn't find anything in 252 or the TML Procurement laws made easy.

Any information would be greatly appreciated!

Respectfully,  
Gerardo Noriega, CPPB  
Director of Purchasing & Contracting  
City of McAllen

1300 Houston Avenue,

McAllen, Texas 78501

Office: 956-681-1130

Fax: 956-681-1138

***Integrity Accountability Commitment***

## TAB F: Proposal Pricing

### EXHIBIT C Pricing Proposal (Individual Consultant)

The Respondent shall furnish a unit rate for its services. Please provide a unit rate for services described in the Scope of Work and attach it to your submission. Include any other cost categories that should be considered within the “other” category. Attach extra sheets, as necessary. Respondents are encouraged to offer additional Public Sector Procurement Consulting functions and services as options for retainer under this solicitation. All rates should be presented as fully loaded hourly rates.

Electronic services provided is fully loaded. If travel to the site is desired or required, travel expenses would be reimbursed at the GSA and IRS rates at the time.

Item	Description	Offered Price
1	Individual Consulting – Procurement and Contract Management – short term	\$150.00/hr
2	Writing, reviewing, or revising solicitations, specifications and scope of work by the hour OR by project with a defined scope of work. If scope expanded beyond agreement fee would be at the \$150.00/hr	\$150.00/hr  quoted on a not-to-exceed basis
3	Process review, manual review, compliance review, p-card review, etc. by the hour OR by project with a defined scope of work. If scope expanded beyond agreement fee would be at the \$150.00/hr	\$150.00/hr  quoted on a not-to-exceed basis
4	Writing a Contract Management, Purchasing and Procedures Manual, or P-Card Manual with a defined scope of work. If scope expanded beyond agreement fee would be at the \$150.00/hr  Reviewing and revising manuals	quoted on a not-to-exceed basis  \$150.00/hr or priced as a project on a not-to-exceed basis
5	Monthly retainer for on-call questions, compliance issues or clarifications - not project	\$130.00/hr
6	Training – staff/vendors/end users/administrative officials/elected officials – on site or by Zoom – up to 7-hour day Training is by agreed fee and there is no limit on attendees	\$500.00/hr



7	Two-day training – up to 14 hours Training is by agreed fee and there is no limit on attendees	\$450.00/hr
8	Providing services electronically is preferred. If travel to the site is desired or required, travel expenses would be reimbursed at the GSA and IRS rates at the time	
9	Should there be a need to bring on an associate for large or complex projects	\$130 per hour or as negotiated if there is a per project price

All hourly fees can be negotiated for a per project not-to-exceed price.

Along with the above fees, the hiring entity would be responsible for furnishing, as an example, the following. They include but are not limited to:

- Workspace
- Entity coordinator contacts
- Internet access

For training: as needed

- Wireless microphone or one with very long cord
- Large projector screen
- Table
- Projector
- Heavy duty extension cord
- Power strip
- Podium
- Copy of hand-outs per attendee
- White board or flip chart
- Backup laptop
- 

The following clause would be included in any member or SHARE agreements.

Although an opinion may be offered about possible results regarding the subject matter of this agreement, I cannot guarantee/warranty any particular result. The ENTITY recognizes and accepts Ms. Cooper has made no representations or promises about the outcome and that any opinion offered will not constitute a guarantee and/or warranty regarding the successful implementation of the project.

**ATTACHMENT I:  
INSTRUCTIONS FOR PROPOSALS COMPLIANCE AND SUBMITTAL**

**Compliance with the Solicitation**

Submissions must be in strict compliance with this solicitation. Failure to comply with all provisions of the solicitation may result in disqualification.

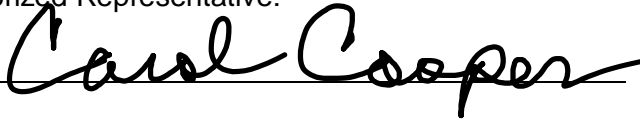
**Acknowledgment of Insurance Requirements**

By signing its submission, Offeror acknowledges that it has read and understands the insurance requirements for the submission. Offeror also understands that the evidence of required insurance may be requested to be submitted within ten (10) working days following notification of its offer being accepted; otherwise, NCTCOG may rescind its acceptance of the Offeror's proposals. The insurance requirements are outlined in Section 6.04.

Name of Organization/Contractor(s):

\_\_\_\_\_  
Carol Cooper

Signature of Authorized Representative:

\_\_\_\_\_  


Date: November 28, 2021

**ATTACHMENT II:  
CERTIFICATIONS OF OFFEROR**

Name of Organization/Contractor(s):

Carol Cooper

Signature of Authorized Representative:



Date: November 28, 2021

Carol Cooper, C.P.M., CPPO, CPSM

Proof of certifications

**From the ISM.ws website**



**Carol J Cooper, CPSM,  
C.P.M.**



ISM-Dallas, Inc.

## Your Certifications

### CPSM Recertification

Certification Date: Oct, 30, 2020

Certification End Date: Oct 29, 2023

### C.P.M. Lifetime Certification

Certification Date: May, 30, 1997

Certification End Date: May 30, 2097

### From the UPPCC certification directory

Certification #	Name	Certification	Status	Expiration Date	City	State/Province	Country
Certified Public Procurement Officer (CPPO) - Total : 1							
1551	Carol J. Cooper	Certified Public Procurement Officer (CPPO)	Lifetime		Garland	TX	USA

Bachelor Degree - 1983

# The University of Texas at Dallas

And Certifies That

Carol Annelle Brown

has completed the required course of study and is therefore awarded  
the degree of

**Bachelor of General Studies**

with all the rights and privileges thereto appertaining.

In Witness Whereof, this diploma is granted by the Board of Regents upon the recommendation  
of the Faculty.

Presented at Dallas, Texas, on this twenty-first day of May, nineteen hundred eighty-three.

*John A. Nease*  
President, Board of Regents

*Carol Walker*  
President, Faculty

*Robert H. Gault*  
President, Faculty

*Robert H. Gault*  
President, Faculty

**ATTACHMENT III:  
CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY  
MATTERS**

This certification is required by the Federal Regulations Implementing Executive Order 12549, Debarment and Suspension, 45 CFR Part 93, Government-wide Debarment and Suspension, for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Parts 85, 668, 682), Department of Health and Human Services (45 CFR Part 76).

The undersigned certifies, to the best of his or her knowledge and belief, that both it and its principals:

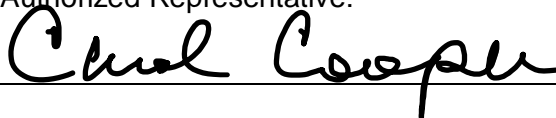
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency;
2. Have not within a three-year period preceding this contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction, violation of federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false Proposals, or receiving stolen property;
3. Are not presently indicated for or otherwise criminally or civilly charged by a government entity with commission of any of the offense enumerated in Paragraph (2) of this certification; and,
4. Have not within a three-year period preceding this contract had one or more public transactions terminated for cause or default.

Where the prospective recipient of federal assistance funds is unable to certify to any of the qualifications in this certification, such prospective recipient shall attach an explanation to this certification form.

Name of Organization/Contractor(s):

\_\_\_\_\_  
Carol Cooper

Signature of Authorized Representative:

\_\_\_\_\_  


Date: November 28, 2021

#### **ATTACHMENT IV: RESTRICTIONS ON LOBBYING**

Section 319 of Public Law 101-121 prohibits recipients of federal contracts, grants, and loans exceeding \$100,000 at any tier under a federal contract from using appropriated funds for lobbying the Executive or Legislative Branches of the federal government in connection with a specific contract, grant, or loan. Section 319 also requires each person who requests or receives a federal contract or grant in excess of \$100,000 to disclose lobbying.

No appropriated funds may be expended by the recipient of a federal contract, loan, or cooperative agreement to pay any person for influencing or attempting to influence an officer or employee of any federal executive department or agency as well as any independent regulatory commission or government corporation, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered federal actions: the awarding of any federal contract, the making of any federal grant, the making of any federal loan the entering into of any cooperative agreement and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

As a recipient of a federal grant exceeding \$100,000, NCTCOG requires its subcontractors of that grant to file a certification, set forth in Appendix B.1, that neither the agency nor its employees have made, or will make, any payment prohibited by the preceding paragraph.

Subcontractors are also required to file with NCTCOG a disclosure form, set forth in Appendix B.2, if the subcontractor or its employees have made or have agreed to make any payment using nonappropriated funds (to include profits from any federal action), which would be prohibited if paid for with appropriated funds.

**LOBBYING CERTIFICATION  
FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS**

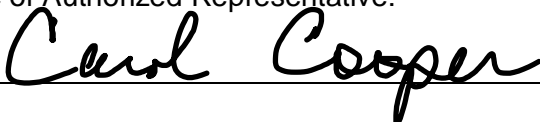
The undersigned certifies, to the best of his or her knowledge or belief, that:

1. No federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an officer or employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal loan, the entering into of any cooperative Contract, and the extension, continuation, renewal, amendment, or modification or any federal contract, grant, loan, or cooperative contract; and
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, and or cooperative contract, the undersigned shall complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying”, in accordance with the instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers and that all sub-recipients shall certify accordingly.

Name of Organization/Contractor(s):

\_\_\_\_\_  
Carol Cooper

Signature of Authorized Representative:

\_\_\_\_\_  


Date: November 28, 2021



**ATTACHMENT V:  
DRUG-FREE WORKPLACE CERTIFICATION**

The Carol Cooper (company name) will provide a Drug Free Work Place in compliance with the Drug Free Work Place Act of 1988. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on the premises of the Carol Cooper (company name) or any of its facilities. Any employee who violates this prohibition will be subject to disciplinary action up to and including termination. All employees, as a condition of employment, will comply with this policy.

**CERTIFICATION REGARDING DRUG-FREE WORKPLACE**

This certification is required by the Federal Regulations Implementing Sections 5151-5160 of the Drug-Free

Workplace Act, 41 U.S.C. 701, for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Parts 85, 668 and 682), Department of Health and Human Services (45 CFR Part 76).

The undersigned subcontractor certifies it will provide a drug-free workplace by:

Publishing a policy Proposal notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the consequences of any such action by an employee;

Establishing an ongoing drug-free awareness program to inform employees of the dangers of drug abuse in the workplace, the subcontractor's policy of maintaining a drug-free workplace, the availability of counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed on employees for drug violations in the workplace;

Providing each employee with a copy of the subcontractor's policy Proposal;

Notifying the employees in the subcontractor's policy Proposal that as a condition of employment under this subcontract, employees shall abide by the terms of the policy Proposal and notifying the subcontractor in writing within five days after any conviction for a violation by the employee of a criminal drug abuse statute in the workplace;

Notifying the Board within ten (10) days of the subcontractor's receipt of a notice of a conviction of any employee; and,

Taking appropriate personnel action against an employee convicted of violating a criminal drug statute or requires such employee to participate in a drug abuse assistance or rehabilitation program.

Name of Organization/Contractor(s):

Carol Cooper

Signature of Authorized Representative:

Carol Cooper

Date: November 28, 2021

**ATTACHMENT VI:**  
**CERTIFICATION REGARDING DISCLOSURE OF CONFLICT OF INTEREST**

The undersigned certifies that, to the best of his or her knowledge or belief, that:

“No employee of the contractor, no member of the contractor’s governing board or body, and no person who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of this contract shall participate in any decision relating to this contract which affects his/her personal pecuniary interest.

Executives and employees of contractor shall be particularly aware of the varying degrees of influence that can be exerted by personal friends and associates and, in administering the contract, shall exercise due diligence to avoid situations which give rise to an assertion that favorable treatment is being granted to friends and associates. When it is in the public interest for the contractor to conduct business with a friend or associate of an executive or employee of the contractor, an elected official in the area or a member of the North Central Texas Council of Governments, a permanent record of the transaction shall be retained.

Any executive or employee of the contractor, an elected official in the area or a member of the NCTCOG, shall not solicit or accept money or any other consideration from a third person, for the performance of an act reimbursed in whole or part by contractor or Department. Supplies, tools, materials, equipment or services purchased with contract funds shall be used solely for purposes allowed under this contract. No member of the NCTCOG shall cast a vote on the provision of services by that member (or any organization which that member represents) or vote on any matter which would provide a direct or indirect financial benefit to the member or any business or organization which the member directly represents”.

No officer, employee or paid consultant of the contractor is a member of the NCTCOG.

No officer, manager or paid consultant of the contractor is married to a member of the NCTCOG.

No member of NCTCOG directly owns, controls or has interest in the contractor.

The contractor has disclosed any interest, fact, or circumstance that does or may present a potential conflict of interest.

No member of the NCTCOG receives compensation from the contractor for lobbying activities as defined in Chapter 305 of the Texas Government Code.

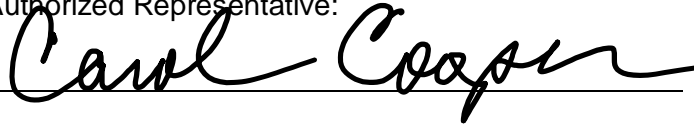
Should the contractor fail to abide by the foregoing covenants and affirmations regarding conflict of interest, the contractor shall not be entitled to the recovery of any costs or expenses incurred in relation to the contract and shall immediately refund to the North Central Texas Council of Governments any fees or expenses that may have been paid under this contract and shall further be liable for any other costs incurred or damages sustained by the NCTCOG as it relates to this contract.

Name of Organization/Contractor(s):

\_\_\_\_\_  
Carol Cooper

SEE ADDENDUM 2 – COI ATTACHED THERE

Signature of Authorized Representative:

\_\_\_\_\_  


Date: November 28, 2021

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

## OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

\_\_\_\_\_  
Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐

Yes

☐

No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐

Yes

☐

No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

\_\_\_\_\_  
Signature of vendor doing business with the governmental entity

\_\_\_\_\_  
Date

**ATTACHMENT VII:  
CERTIFICATION OF FAIR BUSINESS PRACTICES**

That the submitter has not been found guilty of unfair business practices in a judicial or state agency administrative proceeding during the preceding year. The submitter further affirms that no officer of the submitter has served as an officer of any company found guilty of unfair business practices in a judicial or state agency administrative during the preceding year.

Name of Organization/Contractor(s):

\_\_\_\_\_  
Carol Cooper

Signature of Authorized Representative:

\_\_\_\_\_  


Date: November 28, 2021

**ATTACHMENT VIII:  
CERTIFICATION OF GOOD STANDING  
TEXAS CORPORATE FRANCHISE TAX CERTIFICATION**

Pursuant to Article 2.45, Texas Business Corporation Act, state agencies may not contract with for profit corporations that are delinquent in making state franchise tax payments. The following certification that the corporation entering into this offer is current in its franchise taxes must be signed by the individual authorized on Form 2031, Corporate Board of Directors Resolution, to sign the contract for the corporation.

The undersigned authorized representative of the corporation making the offer herein certified that the following indicated Proposal is true and correct and that the undersigned understands that making a false Proposal is a material breach of contract and is grounds for contract cancellation.

Indicate the certification that applies to your corporation:

N/A The Corporation is a for-profit corporation and certifies that it is not delinquent in its franchise tax payments to the State of Texas.

N/A The Corporation is a non-profit corporation or is otherwise not subject to payment of franchise taxes to the State of Texas.

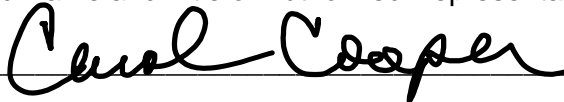
Type of Business (if not corporation): ☒ Sole Proprietor  
☐ Partnership  
☐ Other

Pursuant to Article 2.45, Texas Business Corporation Act, the North Central Texas Council of Governments reserves the right to request information regarding state franchise tax payments.

Carol Cooper Owner

(Printed/Typed Name and Title of Authorized Representative)

Signature



Date: November 28, 2021

**ATTACHMENT IX:  
HISTORICALLY UNDERUTILIZED BUSINESSES, MINORITY OR WOMEN-OWNED OR  
DISADVANTAGED BUSINESS ENTERPRISES**

Historically Underutilized Businesses (HUBs), minority or women-owned or disadvantaged businesses enterprises (M/W/DBE) are encouraged to participate in the solicitation process. Representatives from HUB companies should identify themselves and submit a copy of their certification.

NCTCOG recognizes the certifications of both the State of Texas Program and the North Central Texas Regional Certification Agency. Companies seeking information concerning HUB certification are urged to contact:

State of Texas HUB Program  
Texas Comptroller of Public Accounts  
Lyndon B. Johnson State Office Building  
111 East 17th Street  
Austin, Texas 78774  
(512) 463-6958  
<http://www.window.state.tx.us/procurement/prog/hub/>

Local businesses seeking M/W/DBE  
certification should contact:

North Central Texas Regional Certification Agency  
624 Six Flags Drive, Suite 100  
Arlington, TX 76011  
(817) 640-0606  
<http://www.nctrca.org/certification.html>

**Submitter must include a copy of its minority certification documentation as part of this solicitation.** If your company is already certified, attach a copy of your certification to this form and return with your proposal.

**Indicate all that apply:**

\_\_\_\_ Minority-Owned Business Enterprise  
\_\_\_\_ Women-Owned Business Enterprise  
\_\_\_\_ Disadvantaged Business Enterprise

**ATTEST TO Attachments of Certification:**

**N/A** \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed Name Date  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ (month), 20\_\_ in  
\_\_\_\_\_ (city), \_\_\_\_\_ (county), \_\_\_\_\_ (state).

\_\_\_\_\_  
Notary Public in and for \_\_\_\_\_ (County),  
State of \_\_\_\_\_ Commission expires: \_\_\_\_\_

**SEAL**

**ATTACHMENT X:  
PROHIBITED TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR  
EQUIPMENT CERTIFICATION**

This RFP and any resulting Contract is subject to the Public Law 115-232, Section 889, and 2 Code of Federal Regulations (CFR) Part 200, including §200.216 and §200.471, for prohibition on certain telecommunications and video surveillance or equipment.

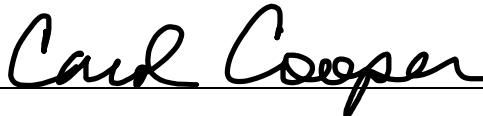
Public Law 115-232, Section 889, identifies that restricted telecommunications and video surveillance equipment or services (e.g. phones, internet, video surveillance, cloud servers) include the following:

- A) Telecommunications equipment that is produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliates of such entities).
- B) Video surveillance and telecommunications equipment produced by Hytera Communications Corporations, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliates of such entities).
- C) Telecommunications or video surveillance services used by such entities or using such equipment.
- D) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, Director of the National Intelligence, or the Director of the Federal Bureau of Investigation reasonably believes to be an entity owned or controlled by the government of a covered foreign country.

The entity identified below, through its authorized representative, hereby certifies that no funds under this RFP or any resulting Contract will be obligated or expended to procure or obtain telecommunication or video surveillance services or equipment or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as a critical technology as part of any system prohibited by 2 CFR §200.216 and §200.471, or applicable provisions in Public Law 115-232 Section 889.

☒ The Respondent hereby certifies that it does comply with the requirements of 2 CFR §200.216 and §200.471, or applicable regulations in Public Law 115-232 Section 889.

SIGNATURE OF AUTHORIZED  
PERSON:

  
\_\_\_\_\_

NAME OF AUTHORIZED PERSON: Carol Cooper

NAME OF COMPANY: Carol Cooper

\_\_\_\_\_  
\_\_\_\_\_

DATE: November 28, 2021

-OR-

\_\_\_\_\_  
\_\_\_\_\_

☐ The Respondent hereby certifies that it cannot comply with the requirements of 2 CFR §200.216 and §200.471, or applicable regulations in Public Law 115-232 Section 889.



SIGNATURE OF AUTHORIZED PERSON:

---

NAME OF AUTHORIZED PERSON:

---

NAME OF COMPANY:

---

DATE:

---

## EXHIBIT A

## Service Area Designation Forms

<b>RFP 2021-083</b>	<b>Texas Service Area Designation or Identification</b>			
<b>Proposer Name:</b>	Carol Cooper			
<b>Notes:</b>	<b>Indicate in the appropriate box whether you are proposing to service the entire State of Texas</b>			
	Will service the entire State of Texas	Will not service the entire State of Texas		
	YES			
	<b>If you are not proposing to service the entire State of Texas, designate on the form below the region you are proposing to provide goods and/or services to. By designating a region or regions, you are certifying that you are willing and able to provide the proposed goods and services.</b>			
<b>Item</b>	<b>Region</b>	<b>Metropolitan Statistical Areas</b>	<b>Designated Services</b>	
1.	North Central Texas	16 counties in the Dallas-Fort Worth Metropolitan area		
2.	High Plains	Amarillo Lubbock		
3.	Northwest	Abilene Wichita Falls		
4.	Upper East	Longview Texarkana, TX-AR Metro Area Tyler		
5.	Southeast	Beaumont-Port Arthur		
6.	Gulf Coast	Houston-The WoodlandsSugar Land		
7.	Central Texas	College Station-Bryan Killeen-Temple Waco		
8.	Capital Texas	Austin-Round Rock		
9.	Alamo	San Antonio-New Braunfels Victoria		
10.	South Texas	Brownsville-Harlingen Corpus Christi Laredo McAllen-Edinburg-Mission		

11.	West Texas	Midland Odessa San Angelo	
12.	Upper Rio Grande	El Paso	

RFP 2021-083	<b>Nationwide Service Area Designation or Identification Form</b>		
<b>Proposer Name:</b>			
<b>Notes:</b>	<b>Indicate in the appropriate box whether you are proposing to provide service to all Fifty (50) States.</b>		
	Will service all Fifty (50) States	Will not service Fifty (50) States	
	<p><b>If you are not proposing to service to all Fifty (50) States, then designate on the form below the States that will provide service to. By designating a State or States, you are certifying that you are willing and able to provide the proposed goods and services in those States.</b></p> <p><b>If you are only proposing to service a specific region, metropolitan statistical area (MSA), or city in a State, indicate as such in the appropriate column box.</b></p>		
<b>Item</b>	<b>State</b>	<b>Region/MSA/City</b>	<b>Designated as a Service Area</b>
1.	Alabama		
2.	Alaska		
3.	Arizona		X
4.	Arkansas		
5.	California		
6.	Colorado		
7.	Connecticut		
8.	Delaware		X
9.	Florida		

10.	Georgia		
11.	Hawaii		
12.	Idaho		
13.	Illinois		
14.	Indiana		
15.	Iowa		
16.	Kansas		
17.	Kentucky		
18.	Louisiana		
19.	Maine		
20.	Maryland		X
21.	Massachusetts		
22.	Michigan		
23.	Minnesota		
24.	Mississippi		
25.	Missouri		
26.	Montana		
27.	Nebraska		
28.	Nevada		
29.	New Hampshire		
30.	New Jersey		
31.	New Mexico		X
32.	New York		
33.	North Carolina		X
34.	North Dakota		

35.	Ohio		
36.	Oregon		
37.	Oklahoma		X
38.	Pennsylvania		
39.	Rhode Island		
40.	South Carolina		X
41.	South Dakota		
42.	Tennessee		
43.	Texas		X
44.	Utah		X
45.	Vermont		
46.	Virginia		X
47.	Washington		
48.	West Virginia		X
49.	Wisconsin		
50.	Wyoming		X