

**City of Port Lavaca**  
**Invitation for Bid (IFB) - General Purchases**

(Note: This does not apply to construction contracts or professional services.)

**Cover Letter**

June 14, 2023

Re: Port Lavaca Fire Department  
Breathing Air Compressor

Dear Supplies Providers:

Attached is a copy of the City of Port Lavaca's Invitation for Bid (IFB) for Breathing Air Compressor Fill Station.

The submission requirements for this IFB are also included on the attached Invitation for Bid (IFB) form. Please submit the IFB response to:

City Secretary

202 North Virginia

Port Lavaca, Texas 77979

Email to: slang@portlavaca.org

The deadline for submission a response to this IFB is July 5, 2023 at 2:00 PM Central Time. It is the responsibility of the submitting entity to ensure that the IFB response is received in a timely manner. IFB responses received after the deadline will not be considered for award, regardless of whether or not the delay was outside the control of the submitting provider. The City of Port Lavaca reserves the right to negotiate with any and all service providers submitting timely responses.

City of Port Lavaca is an Affirmative Action/Equal Opportunity Employer. Minority Business Enterprises, Small Business Enterprises, Women Business Enterprises, and Labor Surplus Area firms are encouraged to submit bids.

Sincerely,

*Susan Lang*

Susan Lang, Finance Director

## Invitation for Bid (IFB) for General Purchases

The City of Port Lavaca is seeking to enter into a general purchases and supplies contract with a reputable vendor/supplier. The following are the required elements of this invitation for bid. Information regarding this invitation for bid can be provided by contacting the person listed as the Sole Point of Contact in item 9.

### 1. Consideration of Award

To be considered for award, respondents must adhere to the requirements as set forth within this solicitation and provide all other required information and documentation as set forth in this solicitation.

### 2. Schedule of Events

**Note:** All dates are tentative, and City of Port Lavaca reserves the right to change these dates at any time. At the sole discretion of the Entity events listed in the Schedule of Events are subject to scheduling changes and cancellation. The Entity will make public any changes to the stated schedule.

<b>EVENT</b>	<b>DATE/TIME</b>
Solicitation Release Date	JUNE 14, 2023
Deadline for Submitting Questions	JUNE 28, 2023 at 2:00 p.m Central Time
Deadline for submission of IFB Responses	JULY 5, 2023 at 2:00 p.m Central Time
Evaluation Period	JULY 6, 2023 THROUGH JULY 10, 2023
Anticipated Notice of Award	JULY 10, 2023
Anticipated Purchase Order Release	JULY 17, 2023

### **3. Scope of Work**

The City of Port Lavaca is conducting this procurement to establish a contract for a **NFPA 1901 Compliant Fill Station Breathing Air Compressor for the Port Lavaca Fire Department.** The contract shall be in effect throughout the procurement and warranty period of the product.

Please see the attached Exhibit A for a complete listing of items and specifications, and instructions to Respondents.

All responsible and responsive offers received prior to the closing date and time of this IFB will be considered. The responding respondent(s) shall submit a written copy of all warranty information prior to final acceptance by Entity.

Respondent(s) shall include any descriptive literature such as illustrations, drawings, and/or a clear reference to previously furnished descriptive data or technical specifications for all items. All components shall be free from defects in materials and workmanship at the time of final acceptance by Entity.

### **4. Contract Award**

As a result of this IFB, The City reserves the right to award one Firm Fixed Price Contract. Interested parties may submit the bid by July 5, 2023. Questions or Clarifications are due for this IFB by June 28, 2023.

### **5. Other Applicable Conditions**

In all contracts, recipients, vendors, contractors, and other applicable sources must specifically refer to the project or provide detailed information regarding the purchase or work being funded. In addition to other State provisions required, all contracts must address, if applicable, any contract provisions provided in Exhibit E.

### **6. Changes, Amendment or Modification to Solicitation**

The Entity reserves the right to change, amend or modify any provision of this solicitation, or to withdraw this solicitation, at any time prior to award, if it is in the best interest of the Entity and make public any changes, amendment, or modification. It is the responsibility of the respondent to periodically check the City website to ensure full compliance with the requirements of this solicitation.

### **7. Irregularities**

Any irregularities or lack of clarity in this solicitation should be brought to the attention of the Point of Contact listed in this solicitation as soon as possible so corrective addenda may be furnished to prospective respondents.

### **8. Informalities**

The City of Port Lavaca reserves the right to waive minor informalities in a solicitation response if it is in the best interest of the Entity. A “minor informality” is an omission or error that, in the Entity’s determination if waived or modified when evaluating solicitation responses, would not give a respondent an unfair advantage over other respondents or result in a material change in the solicitation response or solicitation requirements.

## 9. Sole Point of Contact

All requests, questions, or other communication about this solicitation shall be made in writing to the Entity, addressed to the person listed below (Sole Point of Contact). Additionally, a phone number is provided for purposes such as instructing a potential respondent through matters referenced in this solicitation. Communications via telephone are not binding.

Respondents seeking to contact the Sole Point of Contact should do so via e-mail or telephone in order to receive updated contact information.

<b>Name</b>	Juan Luna
<b>Title</b>	Fire Captain
<b>Phone</b>	361-552-3241
<b>Email</b>	jluna@portlavaca.org

## 10. Prohibited Communication

On issuance of this solicitation, except for the written and/or telephone inquiries described in the Sole Point of Contact section above, the Entity, its representative(s), or partners will not answer any questions or otherwise discuss the contents of this solicitation with any potential respondent or their representative(s). This restriction does not preclude discussions between affected parties for the purposes of conducting business unrelated to this solicitation. **Failure to comply with these requirements may result in disqualification of respondent's solicitation response.**

## 11. Questions

The Entity will allow written questions and requests for clarification of this solicitation. Questions must be submitted in writing and sent by U.S. First Class mail or email to the Point of Contact listed in the Solicitation above. Respondents' names will be removed from questions in any responses released. Questions shall be submitted in the following format. Submissions that deviate from this format may not be accepted:

- a. Identifying Solicitation number, if applicable
- b. Section Number, if applicable
- c. Paragraph Number, if applicable
- d. Page Number
- e. Text of passage being questioned
- f. Question

**Note: Questions or other written requests for clarification must be received by the Point of Contact by the deadline set forth in the solicitation. However, the City of Port Lavaca, at its sole discretion, may respond to questions or other written requests received after the deadline. Please provide company name, address, phone number; fax number, e-mail address, and name of contact person when submitting questions.**

**12. Clarifications**

Respondents must notify the Point of Contact of any ambiguity, conflict, discrepancy, exclusionary specifications, omission, or other error in the solicitation in the manner and by the deadline for submitting questions. If a respondent fails to properly and timely notify the Point of Contact of such issues, the respondent submits its solicitation at its own risk, and if awarded a Contract: (1) shall have waived any claim of error or ambiguity in the solicitation and any resulting Contract, (2) shall not contest the interpretation by any Entity of such provision(s), and (3) shall not be entitled to additional compensation, relief, or time by reason of ambiguity, error, or later correction.

**13. Responses**

Responses to questions or other written requests for clarification may be posted on the Entity website. The Entity reserves the right to amend answers prior to the deadline of solicitation Responses. Amended answers may be posted on the Entity website. It is the respondent's responsibility to check the Entity website or contact the Point of Contact for updated responses. The Entity also reserves the right to decline to answer any question or questions or to provide a single consolidated response of all questions they choose to answer in any manner at the Entity’s sole discretion.

**14. Solicitation Response Submission and Delivery**

Solicitation responses must be received at the address indicated below and be time-stamped or otherwise acknowledged by the Entity no later than the date and time specified in the Schedule of Events.

The Entity will not be held responsible for any solicitation response that is mishandled prior to receipt by the Entity. The Entity will not be responsible for any technical issues that result in late delivery, inappropriately identified documents, or other submission error that may lead to disqualification (including substantive or administrative) or nonreceipt of the respondent’s response.

**15. Delivery**

Respondents must deliver solicitation responses by one of the methods below. Solicitation responses submitted by any other method will NOT be considered.

U.S. Postal Service	Overnight/Express Mail or Hand Delivery	Email
City Secretary City of Port Lavaca 202 North Virginia Port Lavaca, TX 77979	City Secretary City of Port Lavaca 202 North Virginia Port Lavaca, TX 77979	slang@portlavaca.org

**NOTE:** All solicitation responses become the property of Entity after submission and will not be returned to the respondent. It is the respondent’s responsibility to appropriately mark and deliver the solicitation response to the Entity by the specified date. A U.S. Postal Service (USPS) postmark or round validation stamp; a mail receipt with the date of mailing, stamped by the USPS; a dated shipping label, invoice of receipt from a commercial carrier; or any other documentation in lieu of the on-site time stamp WILL NOT be accepted.

## **16. Alterations, Modifications, and Withdrawals**

Prior to the Solicitation submission deadline, a respondent may: (1) withdraw its solicitation response by submitting a written request to the Point of Contact identified above; or (2) modify its solicitation response by submitting a written amendment to the Point of Contact identified above. The Entity may request solicitation response Modifications at any time.

## **17. Minimum Qualifications**

Respondents must meet the minimum qualifications listed below. Furthermore, solicitation responses that appear unrealistic in terms of technical commitment, that show a lack of technical competence, or that indicate a failure to comprehend the risk and complexity of a potential contract may be rejected, in the sole discretion of the Entity.

- a) Respondents must be a responsible vendor who has adequate financial resources (or the ability to obtain such resources), can comply with the delivery requirements, and is a qualified and established firm regularly engaged in the type of business that provides the items listed herein; and
- b) Respondents must be financially solvent and adequately capitalized; and
- c) Respondent must be authorized to do business in the State of Texas.

## **18. Evaluation Criteria**

The Entity will make the selection on the basis of demonstration of fair and reasonable pricing, and adherence to the minimum specifications and adherence to the requirements of this entire document.

## **19. Specific Criteria**

Solicitation responses shall be consistently evaluated and scored in accordance with the following criteria.

- a) Price [50%]
- b) Experience [10%]
- c) Qualifications [20%]
- d) Acceptance of Requirements, Terms, and Conditions of the IFB [20%]

## **20. Other Information**

The Entity may contact references provided in response to this Solicitation, contact respondent's clients, or solicit information from any available source.

## **21. Initial Compliance Screening**

The Entity will perform an initial screening of all solicitation responses received. Unsigned solicitation responses, and solicitation responses that do not meet the minimum qualifications above and/or do not include all required forms and information may be subject to rejection without further evaluation.

## **22. Additional Evaluation Criteria**

All solicitations will be evaluated based on Responsiveness and Price. Responsiveness means adhering to the Terms and Conditions and specifications of the supplies requested. If respondent(s) who has the lowest

price is deemed to be non-responsive, Entity will disqualify the offer and evaluate the response of the next lowest priced responsive respondent.

**Note: If the respondent is an out-of-state company, a Certificate of Authority from the Secretary of State to do business in Texas must be provided.**

### **23. References**

Respondent shall provide a minimum of three (3) references from similar contracts or projects performed, preferably for state and/or local government, within the last five (5) years. Respondents must verify current contracts. Information provided shall include:

- a) Client name;
- b) Contract/Project Description
- c) Total Dollar amount of contract/project
- d) Key staff assigned to the referenced contract/project that will be designated for work under this solicitation; and
- e) Client contract/project manager name, telephone number, fax number and email address.

### **24. Litigation and Contract History**

Respondents must include in its solicitation response a complete disclosure of any alleged or significant contractual failures. In addition, respondents must disclose any civil or criminal litigation or investigation pending over the last five (5) years that involves respondent or in which respondent has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify respondents. Solicitation response may be rejected based upon respondent's prior history with the State of Texas or with any other party that demonstrates, without limitation, unsatisfactory performance, adversarial or contentious demeanor, or significant failure(s) to meet contractual obligations.

### **25. Conflicts**

Respondents must certify that it does not have any personal or business interests that present a conflict of interest with respect to the IFB and any resulting contract. Additionally, if applicable, the respondent must disclose all potential conflicts of interest. The respondent must describe the measures it will take to ensure that there will be no actual conflict of interest and that its fairness, independence, and objectivity will be maintained. The Entity will determine to what extent, if any, a potential conflict of interest can be mitigated and managed during the term of the contract. Failure to identify actual and potential conflicts of interest may result in disqualification of a solicitation response or termination of a contract.

Please include any activities of affiliated or parent organizations and individuals who may be assigned to this Contract, if any.

**EXHIBIT A - Pricing Sheet**

**Pricing Sheet**

Quantity	Description of Products/Services	Cost per Unit (Ea.)	Extended Price
1	<b>Breathing Air Compressor</b>	\$	
1	<b>Estimated Shipping</b>	\$	
	<b>TOTAL ALL LINE ITEMS</b>	\$	\$

**Minimum Specifications Required :**

- Gauge panel including:
  - Hour meter
  - High air temperature warning light
  - Low oil pressure warning light
  - High air pressure light
  - Emergency stop button
- NFPA 1901 compliant 3 bottle containment fill station
- NFPA 1989 compliant tamperproof carbon monoxide monitor with audible and visual alarms.
- Storage system with 4 6000 psi lifetime cylinders
- Exterior hose reel at least 75 feet in length capable of maximum operating pressure.
- Unit shall be no larger than the following dimensions
  - 8ft tall
  - 10ft wide
  - 5ft deep
- Unit must be delivered and installed by October 1, 2023

Please list any comments/deviation from minimum specifications:

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Manufacturer of Breathing Air Compressor in proposal: \_\_\_\_\_

Model of Breathing Air Compressor in proposal: \_\_\_\_\_

Estimated delivery date once awarded: \_\_\_\_\_



**EXHIBIT B - Insert Certificate of Insurance**

*(Supplied by Proposal Responder/Bidder i.e. Vendor)*

# EXHIBIT C - Conflict of Interest Questionnaire – Form CIQ

<b>CONFLICT OF INTEREST QUESTIONNAIRE</b> For vendor doing business with local governmental entity		<b>FORM CIQ</b>
<p><b>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</b></p> <p>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).</p> <p>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.</p> <p>A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>	<b>OFFICE USE ONLY</b>	
<p><b>1 Name of vendor who has a business relationship with local governmental entity.</b></p>	Date Received	
<p><b>2</b> <input type="checkbox"/> <b>Check this box if you are filing an update to a previously filed questionnaire.</b> (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.)</p>		
<p><b>3 Name of local government officer about whom the information is being disclosed.</b></p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Name of Officer</p>		
<p><b>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.</b></p> <p style="text-align: center;">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?</p> <p style="text-align: center;"> <input type="checkbox"/> Yes      <input type="checkbox"/> No                 </p> <p style="text-align: center;">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?</p> <p style="text-align: center;"> <input type="checkbox"/> Yes      <input type="checkbox"/> No                 </p>		
<p><b>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.</b></p>		
<p><b>6</b> <input type="checkbox"/> 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).</p>		
<p><b>7</b></p> <p style="text-align: center;">                 _____                  Signature of vendor doing business with the governmental entity             </p> <p style="text-align: right; margin-right: 100px;">                 _____                  Date             </p>		

**CONFLICT OF INTEREST QUESTIONNAIRE**  
**For vendor doing business with local governmental entity**

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

**Local Government Code § 176.001(1-a):** "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

**Local Government Code § 176.003(a)(2)(A) and (B):**

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

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(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed;
- or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

**Local Government Code § 176.006(a) and (a-1)**

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.

**EXHIBIT D - Certificate of Interested Parties**

**(To be Completed by Awarded Vendor)**

<b>CERTIFICATE OF INTERESTED PARTIES</b>		<b>FORM 1295</b>																	
Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.		<b>OFFICE USE ONLY</b>																	
<b>1 Name of business entity filing form, and the city, state and country of the business entity's place of business.</b>		Must file online at <a href="http://www.ethics.state.tx.us/File">www.ethics.state.tx.us/File</a>																	
<b>2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.</b>																			
<b>3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.</b>																			
<b>4</b>	<b>Name of Interested Party</b>	<b>City, State, Country (place of business)</b>	<b>Nature of Interest (check applicable)</b>																
			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 2px;">Controlling</td> <td style="text-align: center; padding: 2px;">Intermediary</td> </tr> <tr><td style="height: 15px;"></td><td></td></tr> <tr><td style="height: 15px;"></td><td></td></tr> <tr><td style="height: 15px;"></td><td></td></tr> <tr><td style="height: 15px;"></td><td></td></tr> <tr><td style="height: 15px;"></td><td></td></tr> <tr><td style="height: 15px;"></td><td></td></tr> <tr><td style="height: 15px;"></td><td></td></tr> </table>	Controlling	Intermediary														
Controlling	Intermediary																		
<b>5 Check only if there is NO Interested Party.</b> <input type="checkbox"/>																			
<b>6 UNSWORN DECLARATION</b> My name is _____, and my date of birth is _____. My address: _____ (street) _____ (city) _____ (state) _____ (zip code) _____ (country). I declare under penalty of perjury that the foregoing is true and correct. Executed in _____ County, State of _____, on the _____ day of _____, 20____. <span style="float: right;">(month) (year)</span> <div style="text-align: right; margin-top: 10px;">                         _____                          Signature of authorized agent of contracting business entity                          (Declarant)                     </div>																			
<b>ADD ADDITIONAL PAGES AS NECESSARY</b>																			

**EXHIBIT E - Other Locally Required Forms**

All the required exhibits must be completed and returned along with all attachments and any other information they you feel would be of benefit to your proposal.

**PROPOSAL DOCUMENT**

Having carefully examined the Invitation for Bid (IFB) Notice, General Terms, and Conditions, and Specifications, the undersigned Respondent's Agent hereby proposes and agrees to furnish goods/services in strict compliance with the terms, conditions, and specifications at the prices quoted. The Respondent affirms that, to the best of his knowledge, the proposal has been arrived at independently and is submitted without collusion with anyone to obtain information or gain any favoritism that would in any way limit competition or give them an unfair advantage over other Respondents in the award of this IFB.

**EXCEPTION FORM (If any)**

Please provide any special notes or exceptions to the terms, conditions, or specifications:

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**Respondent will comply with all terms and conditions of this IFB.**

Company Name: \_\_\_\_\_

Name of Authorized Representative: \_\_\_\_\_

Title of Authorized Representative: \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_