City of Brownsville
Purchasing & Contract Services Department

INVITATION FOR BIDS
FOR THE PURCHASE AND DELIVERY OF VEHICLES FOR THE CITY OF BROWNSVILLE

BID # HDV-27-0317

PRE-BID MEETING: March 16, 2017
PRE-BID TIME: 10:00 A.M.

BID DUE DATE: March 23, 2017
BID DUE TIME: 2:00 P.M.
INVITATION FOR BIDS FOR THE PURCHASE AND DELIVERY OF VARIOUS VEHICLES FOR THE CITY OF BROWNSVILLE

Bid # HDV-27-0317
March 23, 2017 at 2:00 P.M.

Please submit this page upon receipt.

For any clarifications, please contact Mr. Roberto C. Luna Jr., Purchasing & Contract Services Director, Purchasing Department, at the City of Brownsville Purchasing Department at (956) 548-6081 or e-mail: Purchasing@cob.us

Please fax or mail this page upon receipt of bid package

Fax: (956) 546-2711

If you are unable to respond on this item, kindly indicate your reason for “Not Responding” below and fax back. This will insure you remain active on our vendor list.

Date: ___________

( ) Yes, I will be able to submit a Bid Proposal.

( ) No, I will not be able to submit a Bid Proposal for the following reason:

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

Name: __________________________

Company: __________________________

Phone #: __________________________   Fax #: __________________________

E-mail address: __________________________

PLEASE NOTE:

Please take a moment to register your Company with the City of Brownsville Purchasing Department or update your registration on our new form at the following web site address: http://purchasing.cob.us / https://idp.bidnetdirect.com
I. GENERAL INTENT, REQUIREMENTS AND CONDITIONS

1.0 GENERAL INTENT - It is the intent of the City of Brownsville to solicit sealed competitive bids for the purchase of 2017 new model vehicles for use by the City of Brownsville Departments.

2.0 GENERAL CONDITIONS -

A. It is the requirement of the bidders to acquaint themselves fully with the conditions of the specifications and the type of vehicle expected. The failure or omission of any bidder to examine any form, instrument, or document shall in no way relieve him from any obligation of this bid invitation.

B. All bid quotations must be submitted on the bid quotation form supplied with this specification. Partial bid will not be accepted. A bid may be withdrawn, however, and resubmitted anytime prior to the closing time for receipt of bids.

C. Bidders are advised that all City contracts are subject to all legal requirements provided for in the City charter and or City ordinances and State and Federal statutes.

D. Bids not submitted on these forms will not be considered.

E. The City of Brownsville by receipt of bid proposals and/or execution of a contract with the successful bidder does not guarantee any minimum purchase of the items bid upon. If a minimum quantity is specified in the proposal, it shall be the minimum amount of purchase for each purchase order.

D. No City employee or elected official of the City of Brownsville shall have a financial interest, direct or indirect, in any contract with the City or shall be financially interested directly or indirectly, in the sale to the City of any materials, supplies or services.

Proposer must remain in full compliance with Article 5, Administrative Provisions, Sub-Section 4, Qualifications of the City of Brownsville City Charter:

“The mayor, commissioners, and other officers and employees shall not hold any other public office of emolument and shall not be interested in the profits or emoluments of any contracts, job, work, or service for the municipality, or interested in the sale to the city of any supplies, equipment, material, or articles purchased.”

For more information please review the full text at: https://www.municode.com/library/tx/brownsville/codes/code_of_ordinances?nodeId=PTICH_ARTVADPR_S4QU

3.0 USE OF BRAND NAMES – Specifications contained herein, in some cases, may refer to brand names. Brand names and numbers are used ONLY to set forth and convey to prospective bidders the general style, type, character and quality of the equipment desired. It should be understood that specifying a brand name, component, and/or equipment in this specification shall not relieve the supplier from his responsibility to produce the product in accordance with the performance warranty and contractual requirements. The supplier is responsible for notifying the City of any inappropriate brand name, component, and/or
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CITY OF BROWNSVILLE

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equipment that may be called for in the specification, and to propose a suitable substitute for consideration.

4.0 PREPARATION OF BIDS -

A. Unit prices shall be shown and where there is an error in extension of prices, the unit price shall govern.
B. A delivery date in days including Sundays and holidays is required with proposal where multiple items or groups of items are bid; a delivery date is required of each item or group of items.
C. Do not include Federal Taxes or State of Texas Limited Sales Excise Tax. The City of Brownsville is exempt from payment of such taxes, and will issue exemption certificates upon request.

5.0 BID REJECTION OR PARTIAL ACCEPTANCE – The CITY OF BROWNSVILLE reserves the right to reject any or all bids. It further reserves the right to waive technicalities and formalities in bids, as well as to accept in whole or in part such bid or bids where it deems it advisable in protection of the best interests of the City.

6.0 TERMS – Net 30 days after delivery, inspection, and receipt of invoices.

7.0 BID FORM – Each bidder must submit a bid on the blank line adjacent to the bid item. The bidder shall sign the bid correctly and initial each page. Bid(s) may be rejected if they show any omissions, alterations of form, additions not requested, conditional bid or any irregularities. Bids not submitted on these forms will not be considered.

8.0 FILING OF BIDS

A. Sealed Bids must be filed with the Purchasing & Contract Services Director, City of Brownsville, prior to the time and date set for the bid opening. It is the bidder’s responsibility to make sure the bids are delivered directly to the Purchasing & Contract Services Director prior to the bid opening. Bids received after bid opening time will not be considered regardless of any delays, regardless of any cause and will be returned unopened.

B. Bid and changes thereto shall be enclosed in a sealed envelope and addressed to:
   (Do not send bids by registered or certified mail.)

   Mr. Roberto C. Luna Jr.
   Purchasing & Contract Services Director
   Purchasing & Contract Services Department
   City of Brownsville
   City Hall 1001 E. Elizabeth Street – 1st Floor, Suite 101
   Brownsville, TX 78520

   One (1) original (marked original), and one (1) electronic version (Acrobat PDF format only, to be submitted up to 24 hours after the bid due date and time) of your bid
package will be accepted at same address stated above by no later than 2:00 P.M. March 23, 2017. Proposals received after the time and date specified will not be considered.

C. Lower left hand corner shall be marked as follows:

OFFICIAL BID FOR:

Invitation for Bids
for the Purchase & Delivery of
Vehicles for the Brownsville Police Department

BID # HDV-27-0317

OPENING DATE: March 23, 2017 AT 2:00 P.M.

D. Telegraphic or telefaxed bids will not be considered.

E. Bids may not be withdrawn after the bid opening.

F. If “No Bidding” please explain. No response will be basis for removal from vendor list.

9.0 BASIS OF BID AWARD – The bid will be awarded to the responsible and responsive bidder meeting the specifications and having the lowest possible unit price, consistent with the quality needed for effective use. All prices quoted will be firm. Award to successful bidder will be made by Commission action, based on lowest delivered cost per vehicle category. This bid shall not necessarily be awarded on low overall total cost for all solicited vehicle.

10.0 ASSURANCE OF COMPLIANCE - EQUAL EMPLOYMENT OPPORTUNITY AND SMALL AND/OR MINORITY BUSINESS ENTERPRISE REQUIREMENTS.-

A. Bidder agrees that if bid is accepted, vendor will not engage in employment practices which have the effect of discriminating against employees or prospective employees because of race, color, religion, national origin, sex, age, handicap, political belief or affiliation. In addition, bidder agrees that he/she will abide by all applicable terms of the minority business enterprise program of the City of Brownsville.

11.0 PATENTED MATERIAL, DEVICES AND PROCESSES. -

A. If the awarded bidder is required or desires to use any design, device, material or process covered by letters of patent or copyright he/she shall provide for such use by suitable agreement with the patentee or owner. The awarded bidder and the surety shall indemnify and save harmless the City of Brownsville from any and all claims for infringement by reason of the use of any patented design, device, materials or process or any trademark or copyright used in connection with the work and they shall indemnify the City of Brownsville against any cost, expense or damages which it may be obliged to pay by reason of such infringement, at any time during the prosecution or after the completion of the work.
12.0 **ACCESSORIES** - The vehicle manufacturer’s standard advertised/published accessories and other options shall be chassis-factory installed, if available, on the vehicle.

13.0 **LOGOS AND DECALS** - Do not place decals or markings of any type pertaining to advertisement other than manufacturer’s name or model designation normally installed by manufacturer on equipment delivered to the City of Brownsville.

14.0 **MANUALS** - The successful bidder will include in the vehicle(s), an owner’s or operator’s manual. This will include all standard manufacturer/vendor literature normally furnished and as required by law with the purchase of a new vehicle(s).

15.0 **NEW MODEL** - The vehicle(s) furnished under this specification shall be **2017 new model(s)** and shall be of good quality workmanship and material. The bidder represents that the unit offered under this specification shall meet or exceed the minimum requirements specified for the vehicle(s).

16.0 **SERVICING AND EQUIPPING** - The vehicle(s) shall be completely assembled, serviced, adjusted, and all equipment including standard and optional equipment shall be installed and the units made ready for continuous operation. Standard equipment means those components and accessories usually and ordinarily furnished without additional cost on regular production models.

17.0 **VEHICLE INSPECTION** - The successful bidder shall have the vehicle(s) properly inspected to meet Texas Department of Public Safety requirements prior to delivery to the City of Brownsville.

18.0 **PRE-DELIVERY SERVICE** - Unit shall include new vehicle pre-delivery service.

18.1 The following services shall be performed before the vehicle(s) is/are delivered to the City of Brownsville

18.1.1 All fluid levels checked and maintained with the proper grade and type of fluids.
18.1.2 Pre-delivery inspection and service on chassis.
18.1.3 The interior and exterior of vehicle shall be clean and washed.

19.0 **WARRANTY SERVICE AND SERVICE CONTRACTS**:

19.1 New Vehicle(s) - The successful bidder shall furnish the City of Brownsville a manufacturer’s New Vehicle Warranty, which will be honored by any of the manufacturer’s authorized dealers. This warranty shall be comparable to or better than those offered to the general public.

20.0 **DELIVERY REQUIREMENTS** – Delivery of vehicle shall be made no later than 120 days or less ARO, F.O.B. Destination to Brownsville Fleet Administration, 6035 Jaime J. Zapata Rd, Brownsville, TX 78521. All equipment shall be offloaded onto City of Brownsville Fleet Administration Office property at vendor’s expense.
20.1 If the vehicle(s) is/are canceled for non-delivery, the needed vehicle(s) may be purchased elsewhere and the vendor may be charged full increase, if any, in cost and handling.

20.2 Unless a delivery extension is granted for acceptable reasons due to circumstances beyond the vendor's control, liquidated damages of $150.00 per vehicle will be deducted from the invoice for every working day after the expiration of the number of days shown on the purchase order until the units are delivered. This provision is not intended as a penalty but as liquidated damages.

20.3 The vehicles will be examined by personnel from the City of Brownsville, Fleet Maintenance Division to determine compliance with the specifications outlined in this invitation to bid, prior to being accepted for purchase by the City of Brownsville.

21.0 QUANTITY – The City of Brownsville plans to purchase approximately Twenty-Five (25) Vehicles minimum to be used by the City of Brownsville Department. The City reserves the right to purchase additional equipment of the same model & make for the period of 365 days, for the same price as bid. The City of Brownsville reserves the right to increase or decrease to none the quantities of items described on this bid.
II. TECHNICAL AND PERFORMANCE SPECIFICATION

22.0 GENERAL SPECIFICATIONS

A. Any items specified by name or manufacturer’s reference is merely descriptive and not restrictive unless otherwise noted, and is used only to maintain a definite standard of quality and style.

B. Bidders are required to state exactly what they intend to furnish; otherwise they shall be required to furnish the items as specified.

C. Vehicle specified is to be new, no less than one-year factory warranty from date of acceptance. Also, include information on extended warranties available for the vehicle.

D. All parts, service, and technical support shall be available locally.

E. Vehicle specified shall be delivered fully assembled, checked, ready for use and free from defects unless otherwise specified.

F. Vendor shall be responsible with his carrier for any concealed damages. Damaged items shall be replaced or repaired to new condition.

G. Upon receipt of each item, inspection will be made to check for compliance to the specification of bid. If a unit is rejected the bidder shall be required to pick up rejected item at the point of delivery and/or provide necessary repairs or replacements by returning unit in new condition to the original point of delivery.

H. Bidder agrees to provide professional instructions in the operation and maintenance of vehicle. Bid proposals shall include adequate brochures, latest printed specifications and advertising literature, describing the product(s) offered in such a fashion as to permit ready comparison with the specifications on an item-by-item basis where applicable.

23.0 DEFINITIONS AND ABBREVIATIONS:

The following definitions and abbreviations are used throughout these specifications.


23.2 BCI: Battery Council International.


23.4 COMMISSION or GSC: General Services Commission.

23.5 DOT: U.S. Department of Transportation.

23.6 DPS: Texas Department of Public Safety

23.7 EPA: U.S. Environmental Protection Agency.
23.9 IFB: Invitation for Bids.
23.10 MANUFACTURER: A fabricator of automobile trucks, bodies, chassis, or components.
23.11 MSO: Manufacturer's Statement of Origin.
23.13 NGV: Natural Gas Vehicle Coalition.
23.14 OEM: Original Equipment Manufacturer.
23.15 OSHA: U.S. Occupational Safety and Health Administration.
23.16 SAE: Society of Automotive Engineers.
23.17 VENDOR: A manufacturer's representative or dealer authorized to make sales and supply parts and service in Texas.
23.18 VTCS: Vernon's Texas Civil Statutes. (Replaced by the Texas Government Code, Title 10)

24.0 APPLICABLE SPECIFICATIONS, STANDARDS, RULES AND REGULATIONS:

24.1 EXHAUST EMISSION STANDARDS: Vehicle furnished to these specifications shall meet the applicable requirements of the EPA's Exhaust Emission Standards (40 CFR 85, 86, and 88) and all revisions as issued under authority of the Clean Air Act, as amended (42 USC 1857).

24.2 FEDERAL MOTOR VEHICLE SAFETY STANDARDS (PUBLIC LAW 89-563): Automobiles and trucks shall meet or exceed the minimum requirements of this specification and all applicable requirements of the FMVSS. All requirements of this specification shall be met unless they are in conflict with the applicable FMVSS.

24.4 MOTOR VEHICLE COMMISSION CODE: (Texas Revised Civil Statute, Annotated, Article. 4413(36) and 4413(36a) "...any entity or person that manufactures, distributes, converts new motor vehicle (or represents any entity that manufactures, distributes, or converts new motor vehicle) or is in the business of buying, exchanging, or selling new motor vehicle is required to be licensed by the Motor Vehicle Division of the Texas Department of Transportation.

24.5 OTHER SPECIFICATIONS AND STANDARDS: Reference to specifications, standards and test methods shall be to those in effect on the date of the
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Bid # HDV-27-0317 March 23, 2017 at 2:00 P.M.

Invitation for Bid. The following publications form a part of this specification to the extent that they meet all of OSHA’s requirements and others as specified herein.

24.6 AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM), 1916 Race Street, Philadelphia, Pennsylvania 19103:


24.8 NATIONAL TRUCK EQUIPMENT ASSOCIATION (NTEA), 25900 Greenfield Rd. #410, Oak Park, MI:

24.9 NTEA -- Hydraulic Conversion Hoist Classification Chart.

24.10 SOCIETY OF AUTOMOTIVE ENGINEERS (SAE), 400 Commonwealth Drive, Warrendale, Pennsylvania 15906:


24.12 SAE J544b -- Recommended Practice for Starting Motor and Generator Curves


24.15 CFR, Title 40, Part 85 -- Control of Air Pollution from New Motor Vehicle and New Motor Vehicle Engines, Environmental Protection Agency.


24.17 FMVSS (Public Law 89-563):

24.18 FMVSS No. 108 -- Lamps, Reflective Devices and Associated Equipment

24.19 FMVSS No. 209 -- Seat Belt Assemblies for Passenger Cars, Multipurpose Passenger Vehicle, Trucks And Buses

24.20 FMVSS No. 210 -- Seat Belt Assembly Anchorages -Passenger Cars, Multipurpose Passenger Vehicle, Trucks And Buses.

24.21 FMVSS No. 301 -- Fuel System Integrity.
25.0 **FEDERAL STANDARDS:**

25.1 No. 595a -- Colors.

25.2 No. TT-C-5208 -- Coating Compound, Bituminous, Solvent Type, Underbody (for Motor Vehicle).

25.3 U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA):

25.4 Construction Safety and Health Regulations Section 1926.601 -- Motor Vehicle.

26.0 **STATE OF TEXAS:**

26.1 GENERAL SERVICES COMMISSION (GSC), Purchasing Division, P. O. Box 13047, Austin, TX 78711-3047:


26.4 RAILROAD COMMISSION OF TEXAS (RRC), Liquefied Petroleum Gas Division, P.O. Box 12967, Austin, TX 78711-2967:

26.5 Regulations for Compressed Natural Gas (current edition).


26.7 VERNON'S TEXAS CIVIL STATUTES (VTCS), West Publishing Company, St. Paul, MN:

26.8 VTCS 6701d -- Uniform Act Regulating Traffic on Highways.

26.9 VTCS 4413(36) -- Texas Motor Vehicle Division Code of the Texas Department of Transportation.

27.0 **GENERAL INFORMATION AND REQUIREMENTS:**

27.1 ACCESSORIES, REQUIRED AND OPTIONAL: Unless otherwise specified in the Invitation for Bid, vehicle manufacturer's standard advertised/published accessories and other options shall be chassis- factory installed, if available, on all vehicles except medium-duty cab and chassis units (but including light-duty cab and chassis units).
Vehicle manufacturer's standard advertised/published accessories for medium-duty cab and chassis units shall be chassis-factory installed. Requested optional equipment on medium-duty cab and chassis units shall be furnished and installed by the chassis manufacturer or they shall be furnished and installed by other manufacturers, provided all specified minimum requirements are met.

27.2 BATTERIES: Calcium hybrid type batteries shall be standard on all vehicle furnished to this specification. Permanently sealed batteries without antimony are acceptable.

27.3 COMPARABLY EQUIPPED VEHICLE: An attempt has been made to ensure that manufacturer's models in each Series are furnished with comparable equipment (whether optional or standard as provided by the manufacturer). Any imbalance in the requirements for a listed series, i.e., an item that is an optional accessory for one brand and standard on another, should be called to the attention of the Purchasing Division immediately.

27.4 EQUIPMENT MOUNTING: No equipment mounted on State of Texas trucks shall, under any circumstances, be welded to the vehicle frame at any point between the front of the front spring hanger and the rear of the rear spring hanger. In addition, all holes for bolting must be drilled in the accepted manner and the burning of said holes shall not be acceptable under any condition. Further, no holes shall be drilled in top or bottom flange of truck frame unless drilling is confined to the section behind the rearmost attachment of the rear spring hangers or for pre-formed factory-made frame rail bolt holes for subsequent body installation. Welding or torch cutting shall be confined to "boxing" the rear end of truck frame (as required for dump equipment to allow full dumping angle). All such work shall be confined to area behind rear spring hangers. Mounting strip between hoist sub-frame of dump body and truck frame may have flame cut holes to countersunk rivets on truck frame. Chassis frame rivets shall not be removed or cut flush with frame for any reason.

27.5 EQUIPMENT, SAFETY PLAQUES (OR DECALS): Equipment safety plaques (or decals) shall be furnished on both sides of the special truck bodies, and shall be affixed at the operator's station and at any hazardous area. These safety plaques (or decals) shall include necessary warnings and precautions. Permanent plaques are preferred to decals.

27.6 SAFETY PLAQUES OR DECALS: Safety plaques or decals shall be furnished and shall be affixed at any hazardous area. The safety plaques or decals shall describe the nature of the hazard, level of hazard seriousness, how to avoid the hazard, and the consequence of human interaction with the hazard. Permanent plaques are preferred to decals. Type, size and locations of product safety plaques or decals shall be in accordance with ANSI 535.4-1995, or latest revision thereto.

27.7 HORN: Each vehicle shall have one or more horns meeting the requirements of SAE J377.
27.8 LAMPS, SIGNALS, AND REFLECTORS (ALL): Quantities, color, mounting and other requirements for lamps, signals, and reflectors shall be as specified for vehicle by FMVSS No. 108. Automobile and trucks furnished to this specification shall be provided with lamps, signals and reflectors as specified in the Texas "Uniform Act Regulating Traffic on Highways," (VTCS 6701d).

27.9 LAMPS, SIGNALS, AND REFLECTORS (SERIES 650-991): Reflectors, clearance, side-marker, and identification lamps for Series 650-991 vehicle shall also meet the following requirements. Reflectors must be housed type with screw or bolt type mounting; stick-on type is not acceptable. Surface-mounted clearance and side-marker lamps shall be metal armored type. Recess-mounted side marker and clearance lamps must be recessed sufficiently to provide protection for the lens. Lenses for side-marker and clearance lamps shall be secured to the lamp by a fastening method which required a tool to remove the lens.

27.10 LICENSE PLATE ATTACHMENT: Each vehicle, except cab and chassis units, shall be furnished with means and adequate space for attaching the rear license plate without modification. Illumination for the license plate shall be provided to meet DPS requirements.

27.11 LOGOS AND DECALS: Do not place decals or markings of any type pertaining to advertisement other than manufacturer's name or model designation normally installed by manufacturer on equipment delivered to any state agency.

27.12 MANUALS: Each successful bidder will include in each vehicle an owner's or operator's manual. This will include all standard manufacturer/vendor literature normally furnished and as required by law with the purchase of a new vehicle.

27.13 MUD FLAPS: See Accessory Specifications (Section D.) for mud flaps prescribed by law.

27.14 NEW MODELS: The vehicle furnished under this specification shall be new 2009 models and shall be of good quality workmanship and material. The bidder represents that all units offered under this specification shall meet or exceed the minimum requirements specified for each vehicle Series listed.

27.15 ODometer STATEMENT: The Truth in Mileage Act requires the selling dealer to furnish a complete odometer statement to the purchaser. This statement must be complete and shall include mileage accrued at the point of delivery. In addition to the signature of the seller/agent certifying the odometer reading, both the dealership and the name of the agent shall be printed on the Odometer Disclosure Statement. The odometer statement on the MSO will satisfy this requirement. NOTE: ODometer STATEMENT IS NOT REQUIRED ON CAB AND CHASSIS MODELS WITH A GROSS VEHICLE WEIGHT RATING OF 16,000 POUNDS OR MORE.

27.16 SERVicing AND EQUIPPING: Successful bidders shall furnish automobiles and
trucks meeting or exceeding the minimum requirements in the appropriate Series table and equipped exactly as listed for makes and models in the various tables of this specification and with any other requirements specified in the Invitation for Bid. The vehicle shall be completely assembled, serviced, adjusted, and all equipment including standard and optional equipment shall be installed and the units made ready for continuous operation. Standard equipment means those components and accessories usually and ordinarily furnished without additional cost on regular production models.

27.17 SPEEDOMETER: Each vehicle shall be equipped with a speedometer having an odometer as an integral part. The speedometer drive mechanism must be properly calibrated in relation to each axle ratio and tire size to give accurate readings.

27.18 TIRES: Tires shall be of the type of construction specified under the applicable table or general requirements for each series. All tires shall be new, the tread style shall be the tire manufacturer’s standard design, and the brand normally furnished on regular production orders, unless otherwise specified in the Invitation for Bid. All tires shall be "ORIGINAL EQUIPMENT LINE" quality. All tires and wheels shall be properly balanced prior to delivery to receiving agency, except balancing of tires and wheels on medium duty-trucks, Series 930 through 991, is not required. (Note: out-of-round tolerance requirements for medium-duty truck tires in Section C.9.)

*EXCEPTION: UNLESS OTHERWISE SPECIFIED IN THE INVITATION FOR BID, RAISED WHITE LETTERS ARE NOT ACCEPTABLE ON LIGHT-DUTY TRUCK AND TRUCK TYPE TIRES. VEHICLE EQUIPPED WITH RH50 MULTIPLE PIECE CENTER-LOCKING RIMS ARE NOT ACCEPTABLE.

27.19 WIRING: With the exception of factory-installed wiring, all electrical wiring shall be insulated and enclosed in a fibrous loom, plastic loom, or flexible conduit for protection from external damage and short circuits. It shall be securely fastened at sufficient intervals to prevent sagging and to ensure clearance of mechanical parts. Routing of the wiring through the cab, frame, body, compartment box, and the like shall be placed in such a manner so as not to interfere with normal operation and use, or present a safety hazard. Rubber grommets shall be used wherever wires, hoses or harness pass through metal. (Refer to Section F.4.6 for the wiring requirements for dump bodies.)

27.20 UNACCEPTABLE INTERIOR COLORS: Black and White interior trim including upholstery is not acceptable.

28.0 CERTIFICATION AND COMPLIANCE:

28.1 EXCEPTIONS AND DEVIATIONS: Failure on the part of the bidder to comply with any and all requirements and conditions of this specification will result in rejection of the bid. No exceptions to or deviations from this specification will be considered unless each exception or deviation is specifically stated by the bidder as an exception with a detailed statement completely defining the exception and/or exceptions. This
detailed exception must be listed on a separate sheet of paper, clearly labeled as an exception and attached to the bid. The make and model number must be shown on each bid; however, that information will not be sufficient evidence that the bidder is making an exception. If no exceptions or deviations are shown, the bidder will be required to furnish vehicle and equipment exactly as specified herein. The burden of proof of compliance with this specification shall be the vendor’s.

28.2 SUBMITTAL OF LITERATURE: Bidders must submit with their bids, the latest printed literature on equipment the bidder proposes to furnish. This literature shall include an engine chart showing SAE gross horsepower, SAE gross torque rating, and other operating characteristics.

29.0 INSPECTION:

29.1 1,000-MILE INSPECTION: Not required unless otherwise specified in the Invitation for Bid.

29.2 VEHICLE INSPECTION: The successful bidder shall have vehicle (except cab and chassis units) properly inspected to meet DPS requirements prior to delivery to the receiving agency.

29.3 AGENCY CHECK-IN INSPECTION: Receiving Department shall check the vehicle upon delivery to ensure compliance with this specification and any other specific requirements. The vendor shall deliver with the vehicle a vehicle-specific line-setting ticket, manufacturer's invoice, or any official documentation to verify the fact that ordered options, GVWR rating, and other requirements have been met. Unless otherwise specified in the Invitation for Bid, Departments are permitted a maximum of five working days to complete this inspection. Failure to provide this information may cause the delay of department processing of payment.

30.0 INTENT OF SPECIFICATIONS: The following conditions have been adopted by the City of Brownsville from standard state of Texas bid requirements: Vendors shall note that any reference to the “State” shall imply standards adopted by the City of Brownsville.

30.1 GENERAL: The vehicle covered by this specification is categorized into eight general classifications. Each classification is further divided into sub-classifications, which are specifically identified by generic title and description and by an assigned vehicle Series number. For example, Series 352 represents a 2-door Small Compact Automobile under the classification of "General Purpose Automobiles" as categorized by the state. The table of each vehicle Series contains the make, model, and other specifications for each vehicle submitted by manufacturers for sale to the state of Texas. It should be understood that vehicle listed as "Full Size" are not acceptable as "Intermediate" automobiles. It should also be further understood that any vehicle bid which fail to meet the minimum requirements of the Series number will not be...
considered for purchase. The purpose of listing vehicle in a given Series is so that the user will have the information necessary to match requirements with available vehicle. However, the fact that a vehicle is not listed in a given Series will not preclude its being purchased by the City of Brownsville provided that (1) it is determined to be the lowest and best bid, (2) it meets the requirements of the Series number by which the City of Brownsville classifies vehicle, and (3) it is approved by the Commission. The following examples will clarify the intent of these specifications.

30.2 COMPANION VEHICLE: If the City of Brownsville request bids on a Small Compact Automobile, Series 352a, a Mercury Topaz would be considered for purchase even though it is not listed in the Series 352a table. The Topaz is considered a Small Compact by the state as the Mercury version of the Ford Tempo, sold by different divisions of Ford.

30.3 ENGINE SUBSTITUTION: If the City of Brownsville requests bids on an Intermediate Station Wagon listed in Series 555 (which requires a 6-cylinder engine), a vehicle listed in this table but having an 8-cylinder engine would not be acceptable. It is assumed that the using agency requires a 6-cylinder engine unless it is stated on the Invitation for Bid that an 8-cylinder engine would be acceptable.

30.4 EXCEEDING SPECIFICATIONS: Bidders may exceed chassis specifications on medium-duty trucks only when the ordering entity requests heavier components, which are only provided on the next larger size.

30.5 MODEL SUBSTITUTION: If the state requests bids for a Series 350, Subcompact Automobile, for example, then an Intermediate Automobile normally purchased under Series 360 will not be acceptable. In this instance, the state's intent is clearly to purchase a subcompact automobile.

31.0 MANUFACTURER'S STATEMENT OF ORIGIN: Successful bidder shall furnish the receiving agency a MSO (Certificate of Title will not meet this requirement). This Statement of Origin shall be furnished at the time of delivery to the receiving agency, shall be made out in the name of the individual agency, and shall provide the following:

NOTE: Vendor should contact the ordering agency to obtain proper Agency name and address for assignment of the MSO.

31.1 GVWR for the particular model specified, or;

31.2 The GVWR required for the agency's written exception, or;

31.3 A greater GVWR required by extra equipment, and;

31.4 Nominal weight rating (in tons),

31.5 Odometer Disclosure Statement (See Section 27.15).

32.0 PRE-DELIVERY SERVICE: All units (including complete vehicle and cab and chassis
units) shall include new vehicle pre-delivery service

32.1 The following service shall be performed before the units are delivered to the receiving agency:

32.2 All fluid levels checked and maintained with the proper grade and type of fluids.

32.3 Pre-delivery inspection and service on chassis.

32.4 The interior and exterior of units shall have been cleaned and washed.

32.5 When so specified in the Invitation for Bid, the vendor or their representative who is responsible for the final delivery shall attach signed certificates to the units stating that the above service was performed and that inspection indicates they are in good condition and ready for delivery.

32.6 Unless specifically permitted by the ordering entity, vehicle shall be equipped with all accessories as stated in the purchase order prior to delivery. Generally, the up fitting or servicing have ordered vehicle on the premises of the ordering entity is not permitted.

32.7 All shipping tickets shall reference the applicable agency requisition number. Shipping tickets shall accompany each delivery shipment.

33.0 **WARRANTY, SERVICE, AND SERVICE CONTRACTS:**

33.1 ACCESSORIES: The successful bidder shall furnish a copy of the manufacturer’s standard warranty on major accessories such as Dump, Stake, Platform and Utility Bodies, side-mounted tool compartments and toolboxes at the time of delivery to the receiving agency.

33.2 NEW VEHICLE: The successful bidder shall furnish the receiving agency a chassis manufacturer’s New Vehicle Warranty, which will be honored by any of the manufacturer’s authorized dealers. This warranty shall be comparable to or better than those offered to the general public. Passenger cars and light-duty trucks shall have a minimum warranty offered to the general public (not commercial trade).

33.3 WARRANTIES, DELAYED: Delayed warranties are available on vehicle. Specifying them on the Invitation for Bid will give the vendors advance notification of this requirement. Requests for delayed warranties over six months after delivery are not acceptable.

33.4 WARRANTIES, EXTENDED: When so specified on the Invitation for Bid, an extended warranty shall be provided to cover the period of time from the expiration of the standard warranty to a period of four years and 70,000 miles, whichever comes first.
33.5 WARRANTIES, DEALER INSTALLED ITEMS: Dealerships shall warrant all dealer installed options/components (100% of parts and labor at FOB location) for quality and workmanship for a period of at least twelve (12) months, beginning on the date of acceptance of vehicle (s) by the agency.

34.0 Unless otherwise specified, all units shall be furnished complete with standard equipment and factory-installed accessories as listed in the manufacturer’s printed literature for the model specified herein. The following items are minimum requirements for the model specified herein, and shall be provided whether shown as optional or standard equipment by the manufacturer. The following are some of those standard features or additional features as listed for these model. Please note any additional requirements following the table for each series number.

A). **Body:**

1. **Air Bags:** Driver’s side air bag required. If front passenger seat is provided, then dual air bags required.

2. **Air Conditioning:** Manufacturer's standard.

3. **Arm Rests:** Left door only. (Both right and left arm rests are required if right front seat is provided.)

4. **AM/FM Radio:** Manufacturer's standard.

5. **Cigar Lighter:** Automatic pop-out type.

6. **Heater and Defroster:** (See Accessory Specifications.)

7. **Rearview Mirrors:** Nominal 4” x 6” below eye level or, largest factory installed available left and right sides.

8. **Seat Belts (with restraints for Driver and Right Front Seat Passenger):** Installed for each passenger space to meet the requirements for FMVSS Nos. 209 and 210.

9. **Sun Visor:** Driver’s side only: Dual sun visors are required if right front seat is provided.

10. **Glass:** Windshield and all windows.

11. **Windshield Wipers:** Dual electric 2-speed type with intermittent feature windshield washers.
B). **Chassis:**

1. Brakes, ABS, required, Manufacturer's standard; front disc, 2 or 4 wheel. (including rear dual wheels).


4. Ground Ratings: As required for the GVWR certified.

5. Jack, Handle, and Lug Wrench:


7. Spare Wheel and Tire (mounted on carrier): Manufacturer's standard. Must be IDENTICAL IN BRAND NAME, TYPE AND SIZE OF TIRE to those on the vehicle.

8. Tires (**including spare**): Steel belted radial type tubeless tires.


C). **Cargo Weight:**

1. Approximate Payload Allowance: The payload allowance is the weight of cargo that may be carried by the standard, base vehicle. It is found by adding the weight of the driver and all passengers (150 pounds each) to the curb weight and subtracting the total from the GVWR.

35.0 **PLEASE READ YOUR SPECIFICATIONS THOROUGHLY AND BE SURE THAT THE VEHICLE COMPLIES WITH ALL THE REQUIREMENTS.** State exceptions or deviations from the specifications.

36.0 **BASE BID DESCRIPTION:** SPECIFICATIONS FOR THE PURCHASE AND DELIVERY OF POLICE PATROL VEHICLES AND PICK-UP TRUCKS TO BE USED BY THE BROWNSVILLE POLICE DEPARTMENT, SHALL NOT BE LESS THAN THE FOLLOWING SPECIFICATIONS, BUT MAY EXCEED THEM.

37.0 **GENERAL INTENTION:**
The intention of the following specifications is to describe the type of vehicle as follows:

**EXAMPLE:** Chevrolet, Ford, GMC, Dodge, Chrysler, etc.

**NOTICE TO BIDDER:** The examples shown is to show the type and class of equipment desired. Standard industry specifications for similar types of equipment and options will be considered “on specifications” and responsive, if the general intention requirements are fulfilled. Basis of bid award shall be determined by equipment, which results in the highest degree of cost effectiveness, not necessarily the lowest amount bid.
38. **SPECIFICATIONS FOR:** Three (3) New 2017 Model, 3/4 Ton, Single Cab, Standard Bed, Two Wheel Dive, Pick Up Truck. (Gasoline Engine)

**MINIMUM SPECIFICATIONS:**

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>02) ENGINE:</td>
<td>V8 minimum; <strong>Gasoline engine</strong>- Flexible Fuel Vehicle.</td>
</tr>
<tr>
<td>03) WHEEL BASE:</td>
<td>Minimum of 142” inches or available.</td>
</tr>
<tr>
<td>04) TRANSMISSION:</td>
<td><strong>Automatic</strong> - Heavy-duty, electronically controlled w/overdrive, Separate transmission cooler.</td>
</tr>
<tr>
<td>05) STEERING:</td>
<td>Heavy-duty power steering Fluid cooler (external)</td>
</tr>
<tr>
<td>06) TIRES:</td>
<td>Standard size tires available</td>
</tr>
<tr>
<td>07) RIMS:</td>
<td>(5) Heavy-duty steel safety rim wheels, standard available.</td>
</tr>
<tr>
<td>08) COLOR: Exterior white color only. COLOR: Interior standard available (black, gray and tan colors) if other, please specify…</td>
<td></td>
</tr>
<tr>
<td>09) AIR CONDITIONING:</td>
<td>Factory-installed Mounted w/outlets through dash (not mounted under dash)</td>
</tr>
<tr>
<td>10) GLASS:</td>
<td>Standard glass available (Factory tinted windows)</td>
</tr>
<tr>
<td>11) FUEL TANK:</td>
<td><strong>29 – Gallon capacity minimum.</strong></td>
</tr>
<tr>
<td>12) BRAKES:</td>
<td>Heavy-duty Power with Anti-lock Brake System (ABS)</td>
</tr>
<tr>
<td>13) RADIATOR:</td>
<td>Heavy-duty core Largest-capacity cooling system available</td>
</tr>
</tbody>
</table>

**BIDDER’S SPECIFICATIONS:**

*(Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).*

<p>| | |</p>
<table>
<thead>
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<tbody>
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<tr>
<td>02) ENGINE:</td>
<td></td>
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<tr>
<td>03) WHEEL BASE:</td>
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<tr>
<td>07) RIMS:</td>
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<tr>
<td>08) COLOR: Exterior</td>
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</tr>
<tr>
<td></td>
<td>COLOR: Interior</td>
</tr>
<tr>
<td>09) AIR CONDITIONING:</td>
<td></td>
</tr>
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<td>13) RADIATOR:</td>
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</table>
INVITATION FOR BIDS FOR THE PURCHASE AND DELIVERY OF VARIOUS VEHICLES FOR THE CITY OF BROWNSVILLE

Bid # HDV-27-0317

March 23, 2017 at 2:00 P.M.

MINIMUM SPECIFICATIONS:

14) MAXIMUM HANDLING PACKAGE:
   Heavy-duty front & rear:
   Springs
   shock absorbers
   chassis
   stabilizing bar

15) ELECTRICAL SYSTEM:
   Heavy-duty:
   "maintenance-free" battery
   160 amp. High-output alternator or available

16) GAUGES:
   Oil pressure
   Ammeter
   Temperature
   Fuel

17) FLOORING:
   Heavy-duty vinyl floor covering (no carpet)

18) SEATS:
   Front 40/20/40, heavy-duty cloth upholstery

19) Fuel management:
   EFI (Electronic Fuel Injection)

20) UNDERCOATING:
   Rust-proofing & undercoating w/minimum four-year (4-year) written guarantee.

21) MISCELLANEOUS ACCESSORIES AND REQUIREMENTS:
    a) State inspection

BIDDER’S SPECIFICATIONS:

(please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

14) POLICE MAXIMUM HANDLING PACKAGE:
   __________________________________________
   __________________________________________
   __________________________________________
   __________________________________________

15) ELECTRICAL SYSTEM:
   __________________________________________
   __________________________________________
   __________________________________________
   __________________________________________

16) GAUGES:
   __________________________________________
   __________________________________________
   __________________________________________
   __________________________________________

17) FLOORING:
   __________________________________________

18) SEATS:
   __________________________________________
   __________________________________________
   __________________________________________
   __________________________________________

19) Fuel management:
   __________________________________________

20) UNDERCOATING:
   __________________________________________

21) MISCELLANEOUS ACCESSORIES AND REQUIREMENTS
    a) ________________________________________

BIDDER’S INITIALS: ________________________
MINIMUM OPTIONS:

b) Outside left & right side view mirrors

c) Two (2) turn indicator lights

d) Traffic hazard switch

e) Electric 2-speed windshield wipers

f) Windshield washer

g) Sun visor left and right

h) Heater (w/heavy-duty type core) and defroster

i) Rear window defroster

j) AM/FM radio

k) Electric window & door lock

l) Handles on front and rear

m) Airbags – Standard available

n) Pedals – Standard available

BIDDER’S SPECIFICATIONS:

( Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

b) __________________________

c) __________________________

d) __________________________

e) __________________________

f) __________________________

g) __________________________

h) __________________________
i) __________________________

j) __________________________

k) __________________________
l) __________________________
m) __________________________

n) __________________________

BIDDER’S INITIALS: __________________________

S: __________________________

DEPT - Purchasing

DEPT - Purchasing - 212

Purchasing - Private

FY2017

Departments

Purchasing

Vehicles for Various Department (1).doc

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Bid # HDV-27-0317
## INVITATION FOR BIDS FOR THE PURCHASE AND DELIVERY OF VARIOUS VEHICLES FOR THE CITY OF BROWNSVILLE

Bid # HDV-27-0317  March 23, 2017 at 2:00 P.M.

### BID FORM

<table>
<thead>
<tr>
<th>SECTION 38.0</th>
<th>ITEM DESCRIPTION</th>
<th>UNIT PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ITEMS #1 – 21 (a-n)</td>
<td>New 2017 Model, 3/4 Ton, Single Cab, Standard Bed, Two Wheel Dive, Pick-Up Truck</td>
<td>$__________</td>
</tr>
<tr>
<td>Estimated number of vehicles 3+ trucks</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Unit Price in words: __________________________________________________________
Total Price in words: _______________________________________________________________________

Make and Model: ___________________________ Year of manufacture: ____________
Servicing Dealer in Brownsville: ___________________________ Phone #: ____________

### Alternative Options:

<table>
<thead>
<tr>
<th>Unit Price:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) V8 Diesel Engine _____ liter</td>
</tr>
<tr>
<td>b) 4x4 Package</td>
</tr>
<tr>
<td>c) Trailer Towing Package _______ lb. capacity minimum.</td>
</tr>
<tr>
<td>f) Long Bed (8ft minimum)</td>
</tr>
<tr>
<td>g) Crew Cab (4 full door)</td>
</tr>
</tbody>
</table>

Delivery Date Guarantee – I agree to furnish the above equipment (Police Patrol Vehicles) in the number of calendar days indicated below, following the date of issuance of a purchase order by the City. I understand purchase orders may be canceled due to late delivery unless a determination of due cause can be made.

Calendar days required for delivery (not to exceed 120 business days) (To be filled in by bidder)

The bid prices quoted on this form are firm bids which are good for **Three-hundred and Sixty-Five (365)** following the opening of bid proposals and are not subject to price adjustments. I have attached and initialed a copy of the City’s specifications for the item(s) bid on this form to clarify my understanding as to what features shall be required in the equipment.

Signed ___________________________ Title ___________________________

Company ___________________________ Date ___________________________

MINIMUM SPECIFICATIONS:

<table>
<thead>
<tr>
<th>Specification</th>
<th>Details</th>
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<tbody>
<tr>
<td>01) YEAR / MODEL</td>
<td>New 2017 Model, 1/2 Ton, Single Cab, Standard Bed, Two Wheel Drive, Pick-Up Truck</td>
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<tr>
<td>02) ENGINE</td>
<td>V6 minimum; Gasoline engine- Flexible Fuel Vehicle</td>
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<td>08) COLOR: Exterior</td>
<td>Exterior white color only</td>
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<td>COLOR: Interior standard available (black, gray and tan colors) if other, please specify…</td>
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<td>09) AIR CONDITIONING</td>
<td>Factory-installed</td>
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<td>10) GLASS</td>
<td>Standard glass available. Factory tinted windows.</td>
</tr>
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<td>29 – gallon minimum capacity or available</td>
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<td>12) BRAKES</td>
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<tr>
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<td>Power with Anti-lock Brake System (ABS)</td>
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<tr>
<td>13) RADIATOR</td>
<td>Heavy-duty core</td>
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<tr>
<td></td>
<td>Largest-capacity cooling system available</td>
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</table>

BIDDER’S SPECIFICATIONS:

(Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

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<td>_____________________________________________________________________</td>
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</table>

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**MINIMUM SPECIFICATIONS:**

14) HANDLING PACKAGE:
   Heavy-duty front & rear:
   Springs
   shock absorbers
   chassis
   stabilizing bar

15) ELECTRICAL SYSTEM:
   Heavy-duty:
   “maintenance-free” battery
   160 amp. High-output alternator or available

16) GAUGES:
   Oil pressure
   Ammeter
   Temperature
   Fuel

17) FLOORING:
   Heavy-duty vinyl floor covering (no carpet)

18) SEATS:
   Front 40/20/40, heavy-duty cloth upholstery

19) Fuel management:
   EFI (Electronic Fuel Injection)

20) UNDERCOATING:
   Rust-proofing & undercoating w/minimum four-year (4-year) written guarantee.

21) MISCELLANEOUS ACCESSORIES AND REQUIREMENTS:
   a) State inspection

---

**BIDDER’S SPECIFICATIONS:**

(Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

14) HANDLING PACKAGE:

15) ELECTRICAL SYSTEM:

16) GAUGES:

17) FLOORING:

18) SEATS:

19) Fuel management:

20) UNDERCOATING:

21) MISCELLANEOUS ACCESSORIES AND REQUIREMENTS:
   a) State inspection
MINIMUM OPTIONS:

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>b)</td>
<td>Outside left &amp; right side view mirrors</td>
</tr>
<tr>
<td>c)</td>
<td>Two (2) turn indicator lights</td>
</tr>
<tr>
<td>d)</td>
<td>Traffic hazard switch</td>
</tr>
<tr>
<td>e)</td>
<td>Electric 2-speed windshield wipers</td>
</tr>
<tr>
<td>f)</td>
<td>Windshield washer</td>
</tr>
<tr>
<td>g)</td>
<td>Sun visor left and right</td>
</tr>
<tr>
<td>h)</td>
<td>Heater (w/heavy-duty type core) and defroster</td>
</tr>
<tr>
<td>i)</td>
<td>Rear window defroster</td>
</tr>
<tr>
<td>j)</td>
<td>AM/FM radio</td>
</tr>
<tr>
<td>k)</td>
<td>Electric window &amp; door lock</td>
</tr>
<tr>
<td>l)</td>
<td>Handles on front and rear</td>
</tr>
<tr>
<td>m)</td>
<td>Airbags – Standard available</td>
</tr>
<tr>
<td>n)</td>
<td>Pedals – Standard available</td>
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BIDDER’S SPECIFICATIONS:

(Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

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INVITATION FOR BIDS FOR THE PURCHASE AND DELIVERY OF VARIOUS VEHICLES FOR THE CITY OF BROWNSVILLE

Bid # HDV-27-0317
March 23, 2017 at 2:00 P.M.

BID FORM

SECTION 39.0
ITEMS #1 – 21 (a-n)

ITEM DESCRIPTION
New 2017 Model, 1/2 Ton, V6 Engine, Single Cab, Standard Bed, Two Wheel Dive. Estimated number of vehicles 17+ trucks

UNIT PRICE
$_________

Unit Price in words: ____________________________________________________________

Total Price in words: __________________________________________________________

Make and Model: ____________________________________________________________

Year of manufacture: ______________________

Servicing Dealer in Brownsville: __________________________________

Phone #: ______________________

Alternative Options:

   d) V8 Gasoline Engine _____ liter $_________
   e) 4x4 Package $_________
   f) Trailer Towing package _______ lb. capacity minimum. $_________
   f) Long bed (8ft minimum) $_________
   G) Crew Cab (4 full door) $_________

Delivery Date Guarantee – I agree to furnish the above equipment (Police Patrol Vehicles) in the number of calendar days indicated below, following the date of issuance of a purchase order by the City. I understand purchase orders may be canceled due to late delivery unless a determination of due cause can be made.

Calendar days required for delivery (not to exceed 120 business days) (to be filled in by bidder)

The bid prices quoted on this form are firm bids which are good for Three-hundred and Sixty-Five (365) calendar days following the opening of bid proposals and are not subject to price adjustments. I have attached and initialed a copy of the City’s specifications for the item(s) bid on this form to clarify my understanding as to what features shall be required in the equipment.

Signed________________________________ Title_____________________________

Company________________________________ Date_____________________________

**MINIMUM SPECIFICATIONS:**

01) YEAR / MODEL: 
2017 – New Model, Full Size, High Roof, 15 Passenger Van with

02) ENGINE: 
V6 gasoline engine minimum- Flexible Fuel Vehicle

03) WHEEL BASE: 
Minimum of 148” inches or available.

04) TRANSMISSION: 
Automatic - Heavy-duty, electronically controlled w/overdrive and separate transmission cooler.

05) STEERING: 
Heavy-duty power steering 
Fluid cooler (external)

06) TIRES: 
Standard size tires available

07) RIMS: 
(5) Heavy-duty steel safety rim wheels, standard available.

08) COLOR: Exterior "White" only
COLOR: Interior standard available (black, gray and tan colors) if other, please specify…

09) AIR CONDITIONING: 
Factory-installed (Front and Rear A/C) 
Mounted w/outlets through dash.

10) GLASS: 
Standard glass available (Factory tinted windows)

11) FUEL TANK: 
29 – gallon capacity minimum

12) BRAKES: 
Heavy-duty 
Power with Anti-lock Brake System (ABS)

13) RADIATOR: 
Heavy-duty core 
Largest-capacity cooling system available

**BIDDER’S SPECIFICATIONS:**

(Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

01) YEAR / MODEL: 

02) ENGINE: 

03) WHEEL BASE: 

04) TRANSMISSION: 

05) STEERING: 

06) TIRES: 

07) RIMS: 

08) COLOR: Exterior 
COLOR: Interior

09) AIR CONDITIONING: 

10) GLASS: 

11) FUEL TANK: 

12) BRAKES: 

13) RADIATOR: 


---

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BIDDER’S INITIALS: ____________________
MINIMUM SPECIFICATIONS:

14) MAXIMUM HANDLING PACKAGE:
   Heavy-duty front & rear:
   Springs
   shock absorbers
   chassis
   stabilizing bar

15) ELECTRICAL SYSTEM:
   Heavy-duty:
   "maintenance-free" battery
   160 amp. High-output alternator or available

16) GAUGES:
   Oil pressure
   Ammeter
   Temperature
   Fuel

17) FLOORING:
   Heavy-duty vinyl floor covering (no carpet)

18) SEATS:
   All heavy-duty cloth upholstery to accommodate 15 passengers.

19) Fuel management:
   EFI (Electronic Fuel Injection)

20) UNDERCOATING:
   Rust-proofing & undercoating w/minimum four-year (4-year) written guarantee.

21) MISCELLANEOUS ACCESSORIES AND REQUIREMENTS:
   a) State inspection sticker

BIDDER’S SPECIFICATIONS:
(Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

14) HANDLING PACKAGE:

15) ELECTRICAL SYSTEM:

16) GAUGES:

17) FLOORING:

18) SEATS:

19) Fuel management:

20) UNDERCOATING:

21) MISCELLANEOUS ACCESSORIES AND REQUIREMENTS
   a) ______________________________

BIDDER’S INITIALS: ______________________________

Bid # HDV-27-0317
MINIMUM OPTIONS:

b) Outside left & right side view mirrors

c) Two (2) turn indicator lights

d) Traffic hazard switch

e) Electric 2-speed windshield wipers

f) Windshield washer

g) Sun visor left and right

h) Heater (w/heavy-duty type core) and defroster

i) Rear window defroster

j) AM/FM radio

k) Electric window & door lock

l) Handles on front and rear

m) Airbags – Standard available

n) Pedals – Standard available

o) Backup Camera, Factory Installed.

BIDDER’S SPECIFICATIONS:

(Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

b) __________________________________________

c) __________________________________________

d) __________________________________________

e) __________________________________________

f) __________________________________________

g) __________________________________________

h) __________________________________________

i) __________________________________________

j) __________________________________________

k) __________________________________________

l) __________________________________________

m) __________________________________________

n) __________________________________________

o) __________________________________________
BID FORM

<table>
<thead>
<tr>
<th>SECTION</th>
<th>ITEM DESCRIPTION</th>
<th>UNIT PRICE</th>
</tr>
</thead>
</table>

Unit Price in words: ____________________________________________________________
Total Price in words: __________________________________________________________

Make and Model: __________________________________ Year of manufacture: __________

Servicing Dealer in Brownsville: ___________________________ Phone #: __________

Alternative Options:

<table>
<thead>
<tr>
<th>Unit Price:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) V8 Gasoline Engine _____ liter $_________</td>
</tr>
<tr>
<td>b) Diesel Engine _____ Liter $_________</td>
</tr>
</tbody>
</table>

Delivery Date Guarantee – I agree to furnish the above equipment (Police Patrol Vehicles) in the number of calendar days indicated below, following the date of issuance of a purchase order by the City. I understand purchase orders may be canceled due to late delivery unless a determination of due cause can be made.

Calendar days required for delivery (not to exceed 120 business days) (To be filled in by bidder)

The bid prices quoted on this form are firm bids which are good for Three-hundred and Sixty-Five (365) calendar days following the opening of bid proposals and are not subject to price adjustments. I have attached and initialed a copy of the City’s specifications for the item(s) bid on this form to clarify my understanding as to what features shall be required in the equipment.

Signed_____________________________ Title_____________________________

Company___________________________ Date____________________________
41.0 SPECIFICATIONS FOR: Four (4) New 2017 Model, Four Cylinder, Mid-Size, Crew Cab (Four Full Door), Standard Bed Pick-Up Truck

MINIMUM SPECIFICATIONS:

01) YEAR / MODEL: 
New 2017 Model, Mid-Size, Crew Cab (Four Door), Short Bed Pick-Up Truck

02) ENGINE: 
4 cylinder minimum; Gasoline engine, Flexible Fuel Vehicle

03) WHEEL BASE: 
Minimum of 140” inches or available.

04) TRANSMISSION: 
Automatic - Heavy-duty, electronically controlled w/overdrive with separate transmission cooler

05) STEERING: 
Heavy-duty power steering 
Fluid cooler (external)

06) TIRES: 
Standard size tires available

07) RIMS: 
(5) Heavy-duty steel safety rim wheels, standard available.

08) COLOR: Exterior white color only 
COLOR: Interior standard available (black, gray and tan colors) if other, please specify…

09) AIR CONDITIONING: 
Factory-installed Mounted w/outlets through dash (not mounted under dash)

10) GLASS: 
Standard glass available, Factory tint installed.

11) FUEL TANK: 
21 – gallon capacity minimum.

12) BRAKES: 
Heavy-duty Power with Anti-lock Brake System (ABS)

13) RADIATOR: 
Heavy-duty core Largest-capacity cooling system available

BIDDER’S SPECIFICATIONS:

(please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

01) YEAR / MODEL:

02) ENGINE:

03) WHEEL BASE:

04) TRANSMISSION:

05) STEERING:

06) TIRES:

07) RIMS:

08) COLOR: Exterior
COLOR: Interior

09) AIR CONDITIONING:

10) GLASS:

11) FUEL TANK:

12) BRAKES:

13) RADIATOR:
## MINIMUM SPECIFICATIONS:

14) **MAXIMUM HANDLING PACKAGE:**  
   Heavy-duty front & rear:  
   - Springs  
   - shock absorbers  
   - chassis  
   - stabilizing bar  

15) **ELECTRICAL SYSTEM:**  
   Heavy-duty:  
   - "maintenance-free" battery  
   - 160 amp. High-output alternator or available  

16) **GAUGES:**  
   - Oil pressure  
   - Ammeter  
   - Temperature  
   - Fuel  

17) **FLOORING:**  
   Heavy-duty vinyl floor covering (no carpet)  

18) **SEATS:**  
   All heavy-duty cloth upholstery.  

19) **Fuel management:**  
   - EFI (Electronic Fuel Injection)  

20) **UNDERCOATING:**  
   Rust-proofing & undercoating w/minimum four-year (4-year) written guarantee.  

21) **MISCELLANEOUS ACCESSORIES AND REQUIREMENTS:**  
   a) State inspection

## BIDDER’S SPECIFICATIONS:  

**Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification.**

14) **HANDLING PACKAGE:**  

15) **ELECTRICAL SYSTEM:**  

16) **GAUGES:**  

17) **FLOORING:**  

18) **SEATS:**  

19) **Fuel management:**  

20) **UNDERCOATING:**  

21) **MISCELLANEOUS ACCESSORIES AND REQUIREMENTS**
   a) __________________________________________________________

---

BIDDER’S INITIALS: _____________________  

Bid # HDV-27-0317
**MINIMUM OPTIONS:**

<p>| | |</p>
<table>
<thead>
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<tbody>
<tr>
<td>b)</td>
<td>Outside left &amp; right side view mirrors</td>
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<tr>
<td>c)</td>
<td>Two (2) turn indicator lights</td>
</tr>
<tr>
<td>d)</td>
<td>Traffic hazard switch</td>
</tr>
<tr>
<td>e)</td>
<td>Electric 2-speed windshield wipers</td>
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<tr>
<td>f)</td>
<td>Windshield washer</td>
</tr>
<tr>
<td>g)</td>
<td>Sun visor left and right</td>
</tr>
<tr>
<td>h)</td>
<td>Heater (w/heavy-duty type core) and defroster</td>
</tr>
<tr>
<td>i)</td>
<td>Rear window defroster</td>
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<tr>
<td>m)</td>
<td>Airbags – Standard available</td>
</tr>
<tr>
<td>n)</td>
<td>Pedals – Standard available</td>
</tr>
</tbody>
</table>

**BIDDER’S SPECIFICATIONS:**

(Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

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<table>
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<td>n)</td>
<td></td>
</tr>
</tbody>
</table>
## BID FORM

### SECTION 41.0

<table>
<thead>
<tr>
<th>ITEMS #1 – 21 (a-n)</th>
<th>ITEM DESCRIPTION</th>
<th>UNIT PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Four (4) New 2017 Model, Four Cylinder, Mid-Size, Crew Cab (Four Full Door), Standard Bed Pick-Up Truck. Estimated number of vehicles 4+ trucks</td>
<td>$_________</td>
</tr>
</tbody>
</table>

**Unit Price in words:** __________________________________________________________

**Total Price in words:** __________________________________________________________

Make and Model: __________________________________________ Year of manufacture: __________

Servicing Dealer in Brownsville: ____________________________ Phone #: ___________________

### Alternative Options:

<table>
<thead>
<tr>
<th>Unit Price:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) V6 Gasoline Engine _____ liter $ __________</td>
</tr>
<tr>
<td>b) 4x4 Package $ __________</td>
</tr>
<tr>
<td>c) Trailer Towing package _______ lb. capacity minimum. $ __________</td>
</tr>
<tr>
<td>c) Long bed $ __________</td>
</tr>
</tbody>
</table>

Delivery Date Guarantee – I agree to furnish the above equipment (Police Patrol Vehicles) in the number of calendar days indicated below, following the date of issuance of a purchase order by the City. I understand purchase orders may be canceled due to late delivery unless a determination of due cause can be made.

**Calendar days required for delivery** (not to exceed 120 business days) (To be filled in by bidder)

The bid prices quoted on this form are firm bids which are good for Three-hundred and Sixty-Five (365) calendar days following the opening of bid proposals and are not subject to price adjustments. I have attached and initialed a copy of the City’s specifications for the item(s) bid on this form to clarify my understanding as to what features shall be required in the equipment.

**Signed** ____________________________ **Title** ____________________________

**Company** ____________________________ **Date** ____________________________

---

BIDDER’S INITIALS: ____________________________

Bid # HDV-27-0317
III. MISCELLANEOUS

42.0 **TERMINATION BY THE CITY** - The City of Brownsville reserves the right of unilateral termination of the contract by providing a thirty (30) day written notice of such intent.

43.0 **POINT OF CONTACT** – All information regarding the specifications or bidding procedures please contact Mr. Roberto C. Luna Jr., Purchasing & Contract Services Director, Purchasing/Contracting Department, at (956) 548-6087.

44.0 **DISCLOSURE OF INTEREST FORM** - Please complete the attached Disclosure of Interest Form and submit with your bid proposal.

45.0 **STATEMENT OF NON-COLLUSION FORM** - Enclosed is a Statement of Non-Collusion which must be completed by the vendor and submitted with the bid.

45.0 **BID OPENING DATE** - Bid opening date will be at 2:00 P.M., March 23, 2017 at the Purchasing Department, located at City of Brownsville, City Hall, 1001 E. Elizabeth Street, 1st Floor, Suite 101, Brownsville, Texas.

46.0 **ADDENDA**

The following Addenda have been received. The modifications to the Contract Documents noted therein have been considered and all costs thereto are included in the Bid Price.

Addendum No. ____________ Dated________________________

Addendum No. ____________ Dated________________________

Addendum No. ____________ Dated________________________

Addendum No. ____________ Dated________________________

The City of Brownsville reserves the right to reject any and all bids.
GENERAL INFORMATION REQUIRED FROM ALL BIDDERS

The undersigned agrees, if this bid is accepted, to furnish any and all items/materials upon which prices are offered, at the price(s) and upon the terms and conditions contained in the Specifications. The period for acceptance of this Bid Proposal will be thirty (30) calendar days unless a different period is noted by the bidder.

The undersigned affirms that they have read and do understand the specifications and any attachments contained in this bid package.

Date: ____________

COMPANY NAME: _____________________________________________________________

AUTHORIZED REPRESENTATIVE: ________________________________________________

TITLE: ______________________________________________________________________

ADDRESS: ____________________________________________________________________

CITY, STATE, ZIP: ____________________________________________________________

TELEPHONE NO: _________________________ FAX NO. ____________________________
CITY OF BROWNSVILLE
DISCLOSURE OF INTERESTS

City of Brownsville, Texas requires all persons or firms seeking to do business with the City to provide the following information. Every question must be answered. If the question is not applicable, answer with “NA.” Corporations whose shares are publicly traded and listed on national or regional stock exchanges or over-the-counter markets may file a current Securities and Exchange Commission Form 10-K with the City in lieu of answering the questions below. See reverse side for definitions.

FIRM NAME: ________________________________________________________________

ADDRESS: ________________________________________________________________

FIRM is: 1. Corporation ( ) 2. Partnership ( ) 3. Sole Owner ( )
4. Association ( ) 5. Other ( )

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each “employee” of the City of Brownsville having an “ownership interest constituting 10% or more of the voting stock or shares of the business entity or ownership of $2,500 or more of the fair market value of the business entity or employed by the above named “firm.”

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Department</th>
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<tbody>
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</tbody>
</table>

2. State the name of each “official” of the City of Brownsville having an “ownership interest” constituting 10% or more of the ownership in the above named “firm”, or employed by the above named “firm.”

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Department</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

3. State the names of each “board member” of the City of Brownsville having an “ownership interest” constituting 10% or more of the ownership in the above named “firm”, or employed by the above named “firm.”

<table>
<thead>
<tr>
<th>Name</th>
<th>Board, Commission, or Committee</th>
</tr>
</thead>
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<td></td>
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</tbody>
</table>

Page 38 of 55
CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Brownsville, Texas as changes occur.

Certifying Person: ___________________________ Title: ___________________________  
(Type or Print)

Signature of Certifying Person: ___________________________ 

Date: ___________________________ 

DEFINITIONS

The following definitions of terms should be used in answering the questions set forth below:

a. “Board member.” A member of any board, commission, or committee appointed by the City Commission of the City of Brownsville, Texas.

b. “Employee.” Any person employed by the City of Brownsville, Texas either on a full or part-time basis, but not as an independent contractor.

c. “Firm.” Any entity operated for economic gain, whether professional, industrial or commercial, and whether established to produce or deal with a product or service, including but not limited to, entities operated in the form of sole proprietorship, as self-employed person, partnership, corporation, joint stock company, joint venture, receivership or trust, and entities which for purposes of taxation are treated as non-profit organizations.

d. “Official.” The Mayor, members of the City Commission, City Manager, Assistant City Managers, Department and Division Heads, and Municipal Court Judge of the City of Brownsville, Texas.

e. “Ownership interest.” Legal or equitable interest, whether actually or constructively held, in a firm, including when such interest is held through an agent, trust, estate or holding entity. “Constructively held” refers to holdings or control established through voting trusts, proxies, or special terms of venture of partnership agreements.

PLEASE FILL IN INFORMATION NEEDED AND SUBMIT TO:

THE CITY OF BROWNSVILLE  
PURCHASING DEPARTMENT  
P. O. BOX 911 
BROWNSVILLE, TEXAS  78520-0911
INVITATION FOR BIDS FOR THE PURCHASE AND DELIVERY OF VARIOUS VEHICLES FOR THE CITY OF BROWNSVILLE

Bid # HDV-27-0317 March 23, 2017 at 2:00 P.M.

VENDOR ACKNOWLEDGMENT FORMS
CITY OF BROWNSVILLE
NON-COLLUSIVE BIDDING CERTIFICATION

I/We have read instructions to bidder and specifications. My/Our bid conforms with all bid specifications, conditions, and instructions as outlined by CITY OF BROWNSVILLE. Signing the Acknowledgment Form confirms that our company will enter into a binding contract with CITY OF BROWNSVILLE for item(s) awarded to our company. I/We have read instructions to bidder and specifications.

The undersigned Bidder, by signing and executing this bid, certifies and represents to the CITY OF BROWNSVILLE that Bidder has not been offered, conferred or agreed to confer any pecuniary benefit, as defined by §1.07(a)(6) of the Texas Penal Code, or any other thing of value as consideration for the receipt of information or any special treatment or advantage relating to this bid; the Bidder also certifies and represents that Bidder has not offered, conferred or agreed to confer any pecuniary benefit or other things of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this bid; the Bidder certifies and represents that Bidder has neither coerced nor attempted to influence the exercise of discretion by any officer, trustee, agent of employee of the CITY OF BROWNSVILLE concerning this bid on the basis of any consideration not authorized by law; the Bidder also certifies and represents that Bidder has not received any information not available to other bidders so as to give the undersigned a preferential advantage with respect to this bid; the Bidder further certifies and represents that Bidder has not violated any state, federal or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that Bidder will not in the future offer, confer, or agree to confer any pecuniary benefit or other thing of value to any officer, trustee, agent or member of the CITY OF BROWNSVILLE in return for the person having exercised the person's official discretion, power or duty with respect to this bid; the Bidder certifies and represents that it has not now and will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent or member of CITY OF BROWNSVILLE in connection with information regarding this bid, the submission of this bid, the award of this bid or the performance, delivery or sale pursuant to this bid.

Date: ___________________

Company Name: _________________________________

Signature : ____________________________

Title: _______________________________

Note: This form must be filled in and submitted with the sealed bid.
Sec. 252.043. AWARD OF CONTRACT

(a) If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.

(b) In determining the best value for the municipality, the municipality may consider:

1. the purchase price;
2. the reputation of the bidder and of the bidder's goods or services;
3. the quality of the bidder's goods or services;
4. the extent to which the goods or services meet the municipality's needs;
5. the bidder's past relationship with the municipality;
6. the impact on the ability of the municipality to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities;
7. the total long-term cost to the municipality to acquire the bidder's goods or services; and
8. any relevant criteria specifically listed in the request for bids or proposals.

(c) Before awarding a contract under this section, a municipality must indicate in the bid specifications and requirements that the contract may be awarded either to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.

(d) The contract must be awarded to the lowest responsible bidder if the competitive sealed bidding requirement applies to the contract for construction of:

1. highways, roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance facilities, wharves, docks, airport runways and taxiways, drainage projects, or related types of projects associated with civil engineering construction; or
2. buildings or structures that are incidental to projects that are primarily civil engineering construction projects.

(e) If the competitive sealed bidding requirement applies to the contract for construction of a facility, as that term is defined by Section 271.111, the contract must be awarded to the lowest responsible bidder or awarded under the method described by Subchapter H, Chapter 271.

(f) The governing body may reject any and all bids.
INVITATION FOR BIDS FOR THE PURCHASE AND DELIVERY OF VARIOUS VEHICLES FOR THE
CITY OF BROWNSVILLE

Bid # HDV-27-0317 March 23, 2017 at 2:00 P.M.

(g) A bid that has been opened may not be changed for the purpose of correcting an
error in the bid price. This chapter does not change the common law right of a
bidder to withdraw a bid due to a material mistake in the bid.

(h) If the competitive sealed proposals requirement applies to the contract, the
contract must be awarded to the responsible offeror whose proposal is
determined to be the most advantageous to the municipality considering the
relative importance of price and the other evaluation factors included in the
request for proposals.

(i) This section does not apply to a contract for professional services, as that term is
defined by Section 2254.002, Government Code.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th
Leg., ch. 1370, Sec. 4, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1409, Sec. 3, eff.

Submitted,

__________________________________________
(Name of Bidder)

__________________________________________
(Signature)

__________________________________________
(Print)

Date

Note: This page must be filled in and submitted with the sealed bid as an acknowledgement of bid
document requirements by the City
TxDOT – DBE Business Forms

http://www.fta.dot.gov/funding/apply/grants_financing_6018.html

A. DBE Certification

The RESPONDER complies with 49 CFR 26.49 regarding the transit vehicle manufacturer’s overall DBE goal.
http://www.osdbu.dot.gov/
http://www.osdbu.dot.gov/DBEProgram/index.cfm

The South Central Texas Regional Certification Agency (SCTRCA) is a non-profit corporation that represents several public entities in the South Texas area. These entities are committed to enhancing participation for disadvantaged, minority and woman owned businesses in public/government contracting and purchasing activities.

Visit web site link for more information: http://www.sctrca.org/
HISTORICALLY UNDERUTILIZED BUSINESSES SUBMITTAL REQUIREMENTS:

It is the policy of the City of Brownsville Purchasing & Contract Services Department to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, the Purchasing & Contract Services Department has adopted the State of Texas Statewide HUB Program, administered by the Texas Building and Procurement Commission. If the Purchasing & Contract Services Department determines that subcontracting opportunities are probable, then a HUB Subcontracting Plan is a required element of the contract.

Please follow the following link and choose Cameron County to run a HUB search.

http://www.window.state.tx.us/procurement/cmb/cmbhub.html
CERTIFICATION FORM

A) COMPLIANCE WITH REQUIREMENTS FOR THE PARTICIPATION OF DISADVANTAGED BUSINESS ENTERPRISES (DBE's)
The bidder hereby certifies that it will not discriminate on the basis or race, color, national origin, or sex in the performance of this contract. The requirements of 49 CFR Part 26 and U.S. DOT-approved Disadvantage Business Enterprise (DBE) program are incorporated in this contract by reference.

B) DEBARMENT, SUSPENSION, AND OTHER INELIGIBILITY AND VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS
The bidder certifies that neither the bidder, its third party subcontractors, nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

C) CERTIFICATION REGARDING RESTRICTIONS ON LOBBYING
The bidder certifies that no Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, 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 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.

SIGNATURE ___________________________ TITLE ___________________________
COMPANY ___________________________ DATE ___________________________
State of ____________________, County of _________________________________
Subscribed and sworn to before me this ____ day of _____________, 20__.

Notary Public ___________________________

My Appointment Expires: ___________________________
Restrictions on Lobbying Activity

A. Prohibited Contacts During Contract Evaluation

A vendor/contractor or a vendor’s/contractor’s agent/representative is prohibited from contacting city officials, including elected officials, and employees regarding a proposed contract from the time a Request for Proposal (RFP), a Request for Statements of Qualifications (RFQ-SOQ), a Bid Solicitation (IFB) or other solicitation has been released until the contract has been acted on by the City Commission. If contact is required, such contact will be done in accordance with procedures incorporated into the solicitation document. Violation of this provision by contractors, respondents or their agents, including lobbyists, may lead to disqualification of the respondent’s offer.

B. A Lobbyists or Vendor/Contractor May Not Place City Official Under Personal Obligation

A lobbyist or a Vendor/Contractor or any of their agents may not do any act or refrain from any act for the express purpose and intent of placing any city official under personal obligation to the Lobbyist or Vendor/Contractor.

C. False Statements

A lobbyist or the vendor/contractor or any of their agents/representatives cannot intentionally or knowingly make any false or misleading statement of fact to any city official, or cause a copy of a document with false information to be received by an official without notifying the official in writing of the truth. Likewise, a registrant who learns that a statement in a registration form or activity report during the previous 3 years is false must correct that statement within 30 days by written notification to the Office of the City Secretary.

D. Use of False Identification

A lobbyist or the vendor/contractor or any of their agents/representatives cannot communicate with a city official in the name of any fictitious person or in the name of any real person, without that person’s consent.

E. Improper Influence

A lobbyist or the vendor/contractor or any of their agents/representatives cannot cause or influence the introduction of any ordinance, resolution, appeal, application, petition, nomination, or amendment for the purpose of later being employed as a lobbyist to secure its granting, denial, confirmation, rejection, passage, or defeat.

F. Improper Representation

A lobbyist or the vendor/contractor or any of their agents/representatives cannot represent that the person can control or obtain the vote or action of any city official.

1 City Official – the Mayor, members of the City Commission, City Manager, Assistant City Managers, Department and Division Heads, and Municipal Court Judge of the City of Brownsville.
Disclosures and Requirements for City Vendors/Contractors

Lobbyists are often retained for the purpose of assisting vendor/contractor seeking to do business with the city. The standards of conduct applicable to city contractors or other vendor/contractor of lobbyists are discussed below.

A. Prohibited Contacts During Contract Evaluation

A vendor/contractor or a vendor’s/contractor’s agent is prohibited from lobbying activities with city officials, including elected officials, and employees regarding a proposed contract from the time a Request for Proposal (RFP), a Request for statements of Qualifications (RFQ-SOQ), a Bid Solicitation (IFB) or other solicitation has been released until the contract is posted as a City Commission agenda item. If contact is required, such contact will be done in accordance with procedures incorporated into the solicitation document. Violation of this provision by respondents or their agents, including lobbyists, may lead to disqualification of the respondent’s offer. There is a parallel no-contact provision for lobbyists and their agents.

B. The City’s Discretionary Contracts Disclosure Form

When seeking a discretionary\(^2\) city contract, the contractor must submit a form disclosing:

- the identity of all parties to the contract;
- subcontractors;
- partners, parent or subsidiary business entities of any party to the contract;
- any lobbyist or public relations firm that has been employed for a purpose related to the contract.

The vendor/contractor must also disclose all political contributions\(^3\) totaling more than $100 made by the parties or the other individuals or entities listed on the form made directly or indirectly to:

- any current or former member of City Commission, including the Mayor;
- any candidate for City Commission, including the Mayor;
- any political action committee (PAC) that contributes to City Commission elections.

Indirect contributions include contributions made by an individual’s spouse or by the officers, owners, attorneys, or registered lobbyists of the entity.

Indirect contributions do not include contributions by owners of a business entity who hold less than 5% of the fair market value or voting stock of the entity. If a publicly traded corporation seeks to contract with the city, it will not be required to list contributions made by its shareholders whose holdings are less than 5%.

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\(^2\) “Discretionary contract” means any contract other than those which by law must be awarded on a low or high qualified bid process. They do not include contracts subject to Section 252.022(a)(7) of the Texas Local Government Code or those contracts not involving an exercise of judgment or choice.

\(^3\) Political contributions include both campaign and officeholder contributions.
C. **Chapter 176 of the Local Government Code**

Effective January 1, 2006, Chapter 176 of the Local Government Code requires all vendors or those who seek to contract for the sale or purchase of property, goods, or services with a local governmental entity to submit a completed “conflict of interest questionnaire” with the Office of the City Secretary within seven (7) days after the person:

1) begins contract discussions or negotiations; or

2) submits an application, response to a request for proposal or bids, correspondence, or another writing related to a potential agreement with the local government.

The questionnaire requires the vendor/contractor or contract seeker to disclose business or employment relationships with Commissioners, Mayor and the City Manager. The Texas Ethics Commission is responsible for drafting the questionnaire and a link to the form on the Texas Ethics Commission website is posted on the “Forms” page of the city’s ethics webpage. It is subject to change and anyone subject to the requirement should consult the TEC website to obtain the most up-to-date form.

Violation of Chapter 176 of the Local Government Code is a class C misdemeanor. Please consult your own legal counsel for questions about compliance.

D. **Political Contribution Prohibition**

Any person or company official acting as a legal signatory for a proposed “high-profile” city contract cannot make a political contribution to any Commissioner or candidate from the time a Request for Proposal (RFP), Request for Statements of Qualifications (RFQ-SOQ) or Invitation for Bids (IFB) is issued or from the time negotiations or discussions for a contract for which no competitive solicitation begins until thirty (30) days after the contract is awarded.

The designation of “high-profile” is assigned in accordance with the City of Brownsville Purchasing Policy Manual.
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4. “High-Profile”. A designation of profile assessment, based on contract value, level of community interest, non-competitive acquisition, and contract complexity.

Certificate of Interested Parties
House Bill 1295

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least $1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

The Texas Ethics Commission was required to adopt rules necessary to implement that law, prescribe the disclosure of interested parties form, and post a copy of the form on the commission’s website. The commission adopted the Certificate of Interested Parties form (Form 1295) on October 5, 2015. The commission also adopted new rules (Chapter 46) on November 30, 2015, to implement the law. The commission does not have any additional authority to enforce or interpret House Bill 1295.

A business entity must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form and have the form notarized. The completed Form 1295 with the certification of filing must be filed with the governmental body or state agency with which the business entity is entering into the contract.

Follow the hyperlink below to submit electronic filing application Form 1295 (Must be submitted with bid/proposal package to be considered by the City of Brownsville). The Purchasing/Contracting Department requires “CERTIFICATE OF INTERESTED PARTIES FORM 1295” from your firm in order to be considered as per Government Code section §2252.908

HTTPS://WWW.ETHICS.STATE.TX.US/FILE/

Acknowledged by,

(Name of Bidder)

(Signature)

(Print)

Date
CERTIFICATE OF INTERESTED PARTIES

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.

1 Name of business entity filing form, and the city, state and country of the business entity’s place of business.

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

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 goods or services to be provided under the contract.

4 Name of interested Party | City, State, Country (place of business) | Nature of Interest (check applicable) | Controlling | Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

________________________________________
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said ________________________________, this the __________ day of ____________________, 20__________, to certify which, witness my hand and seal of office.

________________________________________
Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

ADD ADDITIONAL PAGES AS NECESSARY

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Protest Procedure

The protest must outline the specific portion of the specification or IFB procedure that had been violated.

Prospective proposers whose direct economic interest would be affected by the award of a contract or by failure to award a contract may file a protest. The purchaser (City of Brownsville) will consider all protests requested in a timely manner regarding the award of a contract, whether submitted before or after an award. All protests are to be submitted in writing to: Roberto C. Luna, Jr., Purchasing & Contract Services Department Director, City of Brownsville Purchasing Department, City Hall, 1001 E. Elizabeth St., First Floor, Suite 101 Brownsville, TX 78520. Protest submissions should be concise, logically arranged, and clearly state the grounds for protest. Protest must include the following information:

(A) name, address, and telephone number of protestor,
(B) identification of contract solicitation number,
(C) a detailed statement of the legal and factual grounds of the protest, including copies of relevant documents, and
(D) a statement as to what relief is requested.

Protest must be submitted to the City of Brownsville Purchasing Department in accordance with these procedures and time requirements must be complete and contain all issues that the protestor believes relevant.

In the procedure outline below, the Purchasing/Contracting Director is considered to be the Contracting Officer.

1.0 Protest Before Opening
Proposal protests alleging restrictive specifications or improprieties which are apparent prior to the proposal deadline or receipt of proposals must be submitted in writing to the Contracting Officer at the address above and must be received at least seven (7) days prior to the proposal deadline or closing date for receipt of proposals. If the written protest is not received by the time specified proposals may be received and award made in the normal manner unless the Contracting Officer determines that remedial action is required. Oral protest not followed up by a written protest will be disregarded. The Contracting Officer may request additional information from the appealing party and information or responses from other proposers, which shall be submitted to the Contracting Officer not less than ten (10) days after the date of the City of Brownsville’s request. So far as practicable, appeals will be decided based on the written appeal, information and written responses submitted by the appealing party and other proposers. In failure of any party to timely respond to a request form information, it may be deemed by the
purchaser that such party does not desire to participate in the proceeding, does not contest the matter, or does not desire to submit a response, and in such case, the protest will proceed and will not be delayed due to the lack of response. Upon receipt and review of written submissions and any independent evaluation deemed appropriate by the purchaser, the Contracting Officer shall either (a) render a decision, or (b) at the sole election of the Contracting Officer, conduct an informal hearing at which the interested parities will be afforded the opportunity to present their respective positions and facts, documents, justification, and technical information in support thereof. Parties may, but are not required to, be represented by counsel at the informal hearing, which will not be subject to formal rules of evidence or procedures. Following the informal hearing, if one is held, the Contracting Officer will render a decision, which shall be final, and notify all interested parties thereof in writing but no later than ten (10) days from the date of the informal hearing.

1.2 Protest After Opening/Prior to Award
Proposal protests against the making of an award by the purchaser must be submitted in writing to the Contracting Officer and received within seven (7) days of the award by the purchaser. Notice of the protest and the basis thereof will be given to all proposers. In addition, when a protest against the making of an award by the purchaser is received and it is determined to withhold the award pending disposition of the protest, the proposers whose proposals might become eligible for award shall be requested, before the expiration of the time for acceptance, to extend or to withdraw the proposal. Where a written protest against the making of an award is received in the time period specified, award will not be made prior to seven (7) days after resolution of the protest unless the purchaser determines that:

(a) the items to be purchased are urgently required
(b) delivery or performance will be unduly delayed by failure to make an award promptly, or
(c) failure to make an award will otherwise cause undue harm to City of Brownsville or the federal government.

1.3 Protest After Award
In instances where the award has been made, the Contractor shall be furnished with the notice of protest and the basis thereof. If the contractor has not executed the contract as of the date of the protest is received by the City of Brownsville; the execution of the contract will not be made prior to seven (7) days after resolution of the protest unless the City of Brownsville determines that:

(a) the items to be purchased are urgently required
(b) delivery or performance will be unduly delayed by failure to make an award promptly, or
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(c) failure to make an award will otherwise cause undue harm to the City of Brownsville or the federal government.

Upon receipt of the material described herein, The City of Brownsville will either request further information or a conference among parties, or will render a decision on the protest.
AUTHORIZED CONTACT FORM:

This *IFB/RFP/SOQ has been issued by City of Brownsville Purchasing & Contract Services Department. The Purchasing & Contract Services Department shall be the vendor’s sole point of contact with regard to the IFB/RFP/SOQ, its content, and all issues concerning it.

All communication regarding this IFB/RFP/SOQ shall be directed to an authorized representative of City Purchasing & Contract Services Department. The Purchasing Director or Assistant Director facilitating this IFB/RFP/SOQ is identified on the cover page, along with his or her telephone number, and he or she shall be the primary point of contact for discussions or information pertaining to the IFB/RFP/SOQ. Contact with any other City representative, including elected officials, for the purpose of discussing this IFB/RFP/SOQ, its content, or any other issue concerning it, is prohibited unless authorized by the Purchasing & Contract Services Department Director or Assistant Director. Violation of this clause, by the vendor having unauthorized contact (verbally or in writing) with such other City representatives, may constitute grounds for rejection by the Purchasing & Contract Services Department of the vendor’s quotation.

The above stated restriction on vendor contact with City representatives shall apply until the City has awarded a purchase order or contract to a vendor or vendors.

SIGNATURE ___________________________ TITLE ___________________________

COMPANY ___________________________ DATE ___________________________

State of ___________________, County of ____________________________

Subscribed and sworn to before me this _____ day of ________________, 20____.

Notary Public ___________________________

My Appointment Expires: ___________________________

* IFB – Invitation for Bids
RFP – Request for Proposals
SOQ – Statements of Qualifications

Note: This page must be filled in and submitted with the sealed bid/proposal as an acknowledgement of bid/proposal document requirements by the City of Brownsville
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NEPOTISM CHART

The chart below shows
  - Affinity Kinship (relationship by marriage)
  - Consanguinity Kinship (relationship by blood) for purposes of interpreting negation as defined in
    VTCA Government Code, Chapter 573, §§573.021 - .025

AFFINITY KINSHIP
Relationship by Marriage

CONSANGUINITY KINSHIP
Relationship by Blood

BIDDER'S INITIALS: ___________________