



Request For Proposal (RFP)

RFP 2020-013

“Agricultural Grazing & Hunting Lease – Cuchillas & Lomas II Pastures”

Due: September 17, 2020 at 9:00 am or before

NOTICE is hereby given that the County of Webb intends to solicit Request for Proposals for a Agricultural Grazing and Hunting lease for the Cuchillas and Lomas II Pasture; designated as Texas School Lands by the State of Texas, containing approximately 2,292.00 acres in accordance with the Texas Local Government Code; Section 263.003 (School Lands) and Section 263.007 (Sale or Lease of Real Property Through Sealed Bid Procedure or sealed-proposal procedure).

The accompanying RFP with its terms, conditions, attachments and all other forms in this RFP package are due by or before 9 a.m. (Central Time) on, September 17, 2020. ***RFP received after the due date and time will not be accepted.*** All RFP meeting the required deadline will be read publicly at the following location in accordance with Webb County Purchasing Policies and Procedures:

Webb County Purchasing Department
1110 Washington St., Ste. 101
Laredo, Texas 78040

This RFP solicitation can be viewed at the following online address. Interested firms may submit their proposals by registering on Webb County’s e-Bid site and uploading their file to our “Response Attachments” tab. Should anyone need assistance please contact Mr. Juan Guerrero, Contract Administrator at (956) 523-4125.

<https://webbcountyebid.ionwave.net/Login.aspx>



Webb County reserves the right to reject any and all RFP, to waive informalities in the RFP process, or to terminate the RFP process at any time, if deemed in the best interest for Webb County.

THIS FORM MUST BE INCLUDED WITH RFP PACKAGE; PLEASE CHECK OFF EACH ITEM INCLUDED WITH RFP PACKAGE AND SIGN BELOW TO CONFIRM SUBMITTAL OF EACH REQUIRED ITEM.

RFP 2020-013

“Agricultural Grazing & Hunting Lease – Cuchillas & Lomas II Pastures”

Proposer Information

Conflict of Interest form (Form CIQ)

Certification regarding Debarment (Form H2048)

Certification regarding Federal lobbying (Form 2049)

Code of Ethics Affidavit

Proof of No Delinquent Tax Owed to Webb County

Bonding Information, if applicable

Authorized Signature of Proposer

Date

Table of Contents

1. Introductionpg. 4

2. Project Location pg. 4

3. Proposal Preparation Cost pg. 4

4. Term of Agreement pg. 4

5. Instructions to Proposers pg. 4-5

6. Disqualifications pg. 5

7. Conflict of Interest pg. 5-6

8. Texas Ethics Commission Notification..... pg. 6

9. Webb County Code of Ethics..... pg. 6

10. General Conditions pg. 6

11. Bonding Information pg. 7

12. RFP Evaluation..... pg. 7

13. RFP Evaluation Team pg. 8

14. RFP Proposal Schedule..... pg. 8

15. Special Accommodations..... pg. 8

16. Proposer Information pg. 9

1. INTRODUCTION

The County of Webb is currently seeking Request for Proposals for an Agricultural Grazing and Hunting lease for the Cuchillas and Lomas II Pasture; designated as Texas School Lands by the State of Texas, containing approximately 2,292.00 acres in accordance with the Texas Local Government Code; Section 263.003 (School Lands) and Section 263.007 (Sale or Lease of Real Property Through sealed bid procedure or sealed-proposal procedure).

The lease that is being offered on the Webb County Texas School lands is exclusive for agricultural grazing and hunting of deer, game birds and other legally harvestable wildlife purposes only and would be for a one (1) year initial term with four (4) one (1) year options to extend for a combined total lease term of five (5) years. *****This property may also be subject to a renewable energy project lease that may be concurrent with the proposed terms of this solicitation (See below).**

Webb County is currently seeking Request for Proposals for renewable energy options such as wind and/or solar projects that would be operational within the tract of land identified in the solicitation, if approved by Webb County. Such renewable energy project may have an impact on the operation of an Agricultural Grazing and Hunting lease. **By submitting a request for proposal the proposer is accepting that the grazing and hunting lease if awarded is fixed for one (1) year term. However, any additional yearly options to extend being offered with this solicitation are not guaranteed by Owner as a result of a potential renewable energy project ear marked for this property known as "Cuchillas and Lomas II Pastures, designated as Texas School Lands and more specifically identified under Project location and legal description.**

Successful proposer agrees that on or before May 31st of each lease term, Webb County will open up discussions with Lessee to address the scheduled option to extend lease term. During this process, Webb County will inform Lessee if it will exercise the lease option to extend or not extend the lease term for the upcoming year/season.

2. PROJECT LOCATION

The Cuchillas and Lomas Pastures containing approximately 2,292.00 acres of land granted to Webb County, Texas as School Lands by the State of Texas being Survey No's. 1687 & 577, Abstract 1890, & Abstract 911, in said County, and located approximately 27 miles east of the City of Laredo on U.S. Hwy. 59 E, a/k/a I-69

3. PROPOSAL PREPARATION COST

The County will not reimburse any proposer for any costs involved in the preparation and submission of proposals, amendments or other relevant documents associated with the RFP.

4. TERM OF AGREEMENT

A fixed period of one (1) year with an additional four (4) 1-year options to extend. Total lease period not to exceed 5 years.

5. INSTRUCTIONS TO PROPOSERS

RFP submittals shall contain all pertinent information requested and will be evaluated based on adherence to the following:

- a) General Requirements
 - ✓ Cover letter
 - ✓ Firm name, address, and telephone number
 - ✓ Point of contact: name and telephone number
- b) Price per acre per year
- c) Capacity to upkeep and maintain County property for proposed use.

- d) Describe wildlife management and conservation plan to be implemented as directed by the Texas Parks and Wildlife Department.
- e) Experience
 - ✓ Provide information documenting relevant experience from other public or private grazing & hunting leases in the State of Texas.
- f) The successful proposer must provide the following insurance requirements:
 - General Liability = \$1,000,000 Combined Single Limit per Occurrence
 - \$2,000,000 General Aggregate
 - \$2,000,000 Products /Completed Operations Aggregate
- g) The successful proposer must provide a letter of credit from a bank that is duly authorized to do business in the State of Texas, for the primary term of lease (one year) (to include the four one year options to extend for a total lease term not to exceed five years). Must be included with RFP, no exceptions.
- h) The successful proposer will practice wildlife conservation and take census data for harvest recommendations, which must be reported quarterly to the County Commissioners Court.
- i) The successful proposer will be required to maintain, repair, and replace perimeter fences and other existing improvements.
- j) The successful proposer shall plow and reseed all previously prepared fields with buffel grass and millet and shall maintain and repair all cattle pens.
- k) The successful proposer will be required to consult with a game biologist to aid in all game surveys and harvests.
- l) The successful proposer will be required to keep and maintain at all times proper hunting permits and harvest records.
- m) The successful proposer must abide by all Texas Department of Parks and Wildlife Game Laws and Regulations.
- n) Day leasing will be strictly prohibited.

Any additional information that will communicate the planned use of the property is welcomed.

6. DISQUALIFICATION

Reasons for disqualification include, but are not limited to:

- Failure to provide any information requested in this solicitation package.
- Failure to submit price per acre per year
- Failure to submit Code of Ethics Affidavit.

7. CONFLICT OF INTEREST

The contract or contracts in this solicitation are subject to Texas Govt. Code Sec. 2261.252(b), which prohibits the Webb County from entering into contracts with certain private vendors in which certain Webb County officers and employees have a financial interest. Each respondent shall include in its proposal a statement that it is not prohibited from entering into a contract with Webb County as a result of a financial interest as defined under Texas Govt. Code Sec. 2261.252(b).

A conflict of interest may involve conflicting incentives with regard to the firm as a whole, or any employee. The conflict may arise between the provider's work under a contract entered as a result of this solicitation and a relationship involving Webb County, a construction contractor, another engineering firm, a materials testing firm, a third party affected by the project, a sub provider for any other consultant or contractor, or any other entity with an interest in a project on which work is performed under a contract entered as a result of this solicitation.

8. TEXAS ETHICS COMMISSION REQUIREMENT NOTIFICATION:

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.

A signed and notarized Form 1295 shall be tendered to Webb County by providers selected to receive a contract prior to contract execution. Webb County will not evaluate the information provided, or respond to any questions on how to interpret the Texas Ethics Commission's rules.

For additional information, please reference the Texas Ethics Commission webpage at <https://www.ethics.state.tx.us/tec/1295-Info.htm>

9. WEBB COUNTY PURCHASING CODE OF ETHICS POLICY

The County of Webb will ensure that it will promote and enforce proper ethical conduct by all Vendors, Procurement Officials, Elected Officials and County employees directly or indirectly involved in the procurement process. All vendors wishing to participate in any solicitation must sign and notarize the affidavit form included as part of this solicitation package and upload with your electronic submission. ***Failure to submit form will disqualify your bid or proposal package from being considered.***

The Ethics Policy can be viewed at the Webb County Purchasing Agents website listed below for vendors to read prior to signing and submitting the affidavit form.

<http://www.webbcountytexas.gov/PurchasingAgent/PurchasingEthicsPolicy.pdf>

The Webb County Purchasing Board approved the Code of Ethics policy on April 19, 2018 and adopted by the Webb County Commissioners Court on May 14, 2018.

When responding to an Active Solicitation, Vendors shall be required to disclose donations and campaign contributions by the Vendor or any individual or entity acting on the Vendor's behalf to the Purchasing Agent or his designee made within six (6) months prior to the date of the Active Solicitation. ***Failure by a Vendor to accurately disclose such contributions may result in the Vendor's disqualification, debarment, or contract voidance as per Section 18 of the Ethics Policy.***

10. GENERAL CONDITIONS

Interested Firms shall familiarize themselves with conditions relating to the scope, specifications, and restrictions regarding the execution of work to be performed under the contract. It is the firm's responsibility to obtain any additional information it deems necessary to submit in its RFP proposal, as well as in the performance of the contract. Information contained in this document should not be considered all-inclusive.

All questions regarding this RFP proposal request must be submitted to in writing through e-Bid by utilizing the "Questions Tab" in the Bid Event before the deadline for questions (*see Section 14*).

11. BOND INFORMATION (IF APPLICABLE)

PAYMENT AND PERFORMANCE BONDS: ***PLEASE BE ADVISED THAT THIS CONTRACT MAY REQUIRE BOTH A PAYMENT AND/OR A PERFORMANCE BOND FROM THE CONTRACTED VENDOR.***

A Performance Bond is required for construction work if the contract is in excess of \$50,000 and a **Payment Bond is required** if a construction contract is in excess of \$25,000 in statutory compliance with applicable provisions of the Texas Local and Government Code.

Contractor shall supply the required Performance/Payment bonds to the Webb County Civil Legal Department within Seven (7) days of execution of the Construction Agreement or not later than Two (2) working days prior the date of the scheduled pre-construction meeting which shall be the “DEADLINE” for compliance and which both parties have mutually agreed to as an “Express Condition Precedent” to Webb County’s contractual terms and conditions.

Bonds must be issued by companies authorized and admitted to do business in the State of Texas and rated B+ or better by A.M. Best Company (Best’s Key Rating Guide, current Edition, and as amended) and/or otherwise acceptable to the Owner.

*** THE NOTICE TO PROCEED SHALL NOT BE ISSUED TO THE CONTRACTOR BY WEBB COUNTY WITHOUT THE DELIVERY OF ALL STATUTORILY REQUIRED PERFORMANCE AND/OR PAYMENT BONDS AND/OR PROOF OF ALL REQUIRED INSURANCE POLICIES TO WEBB COUNTY BY CONTRACTOR NOT LATER THAN TWO (2) WORKING DAYS PRIOR THE DATE OF THE SCHEDULED PRE-CONSTRUCTION MEETING “DEADLINE”. IF THE CONTRACTOR FAILS TO PROVIDE SAID BONDS OR INSURANCE POLICIES BY THE DEADLINE SHALL CONSTITUTE A DEFAULT OF YOUR CONTRACT AND WEBB COUNTY SHALL AT THEIR SOLE OPTION AWARD THE CONTRACT TO THE NEXT LOWEST BIDDER OR RE-ADVERTISE THIS PROJECT FOR NEW BIDS/PROPOSALS.****

12. RFP EVALUATION

The evaluation committee may conduct the following tasks but is not an all-inclusive list of tasks that may be conducted by committee:

- Review all RFPs received for compliance with RFP terms and conditions.
- Prepare a comparative summary of proposals.
- Conduct reference checks.
- Request clarification from Proposers.
- Conduct public interviews during a regularly scheduled Commissioners Court meeting.

RFP will be evaluated as follows:

- | | |
|-----------------------------------|-----------|
| ▪ Relevant Experience of Proposer | 35 points |
| ▪ Planned Approach | 25 points |
| ▪ Price Per Acre Per Year | 30 points |
| ▪ References | 10 points |

A committee under this RFP may consist of Key County Officials. The Webb County Commissioners Court would make a final selection through a majority vote of the Court. **The County of Webb reserves the right to reject any and all proposals or to select the proposal that is in the best interest of Webb County.**

13. EVALUATION TEAM

The following County Officials are involved with evaluating the submitted proposal and scoring as per weighted criteria published within this solicitation.

1. *Leroy Medford, Executive Administrator to Commissioners Court*
2. *Jose Luis Neira, Road and Bridge Director*
3. *Lalo Uribe, Executive Administrator to the County Judge*

Note: Do not contact these individuals about this solicitation during the restricted contact period. [Please refer to our Purchasing Ethics Policy Section 6 \(Restricted Contact Period\)](#).

Committee members may not have any real or potential conflicts of interest with any of the individuals, firms, or agencies under review (e.g., family relationships, close friendships, business dealings), and no person who might potentially receive benefits from Webb County funded contracts may participate in the selection, award, or administration of a contract supported by Public Funds if he or she has a real or apparent conflict of interest. Any potential conflict of interest should be reported immediately to the Webb County Purchasing Agent, Mr. Jose Angel Lopez III, at (956) 523-4125 and/or he can be reached at the following email address joel@webbcountytx.gov

14. RFP PROPOSAL SCHEDULE

Activity	Time	Date	Responsible Party
Public Notice/Newspaper	n/a	Sept. 5 th , 12 th	Webb Co. Purchasing Dept.
Questions Due to County	No later than 5pm	Sept 8 th	Proposer/Contractor
Posting of answers	No later than 5pm	Sept 9 th	Webb Co. Purchasing Dept.
Sealed Proposals due	9 am	Sept 17 th	Proposer/Contractor
Evaluation of Proposals	TBD	TBD	Webb Co Committee
Award of Contract	TBD	TBD	Governing Body
Finalization of contract doc	TBD	TBD	Webb County/Proposer
Commencement of service	TBD	TBD	Webb County/Proposer

Footnote: County reserves the right to adjust time and dates on above projected schedule if it's in the best interest for Webb County.

15. SPECIAL ACCOMMODATIONS:

To request special accommodations pursuant to the Americans with Disabilities Act (ADA), please notify the contact shown below, a minimum of 48 hours prior to a scheduled meeting.

Mr. Juan Guerrero, Contract Administrator at (956) 523-4125 or email at juguerrero@webbcountytx.gov



Proposer Information

Name of Company: _____
Address: _____
City and State _____
Phone: _____
Email Address: _____

Signature of Person Authorized to Sign:

Signature

Print Name

Title

Indicate status as to "Partnership", "Corporation", "Land Owner", etc.

(Date)

Note:

All submissions relative to these RFP shall become the property of Webb County and are nonreturnable.

If any further information is required, please call the Webb County Assistant Purchasing Agent, Mr. Cesar Guerra, Jr. at (956) 523-4133 or email at ceguerra@webbcountytx.gov