

**EDUCATION SERVICE CENTER REGION 12
REQUEST FOR PROPOSALS**

(Posted: February 12, 2019)

RFP# 2019-Upward Bound Trip to New York City (NYC)
Leaving Monday, July 15, 2019
Returning Thursday, July 18, 2019

1. SUBJECT OF PROPOSALS: **Upward Bound High School Student NYC Trip**
2. LOCATION FOR SUBMISSION OF PROPOSALS:

Education Service Center Region 12	Education Service Center Region 12
Attention: Terry M. Marak	Attention: Terry M. Marak
2101 W. Loop 340	P.O. Box 23409
Waco, TX 76712	Waco, TX 76702
(Physical address for UPS, FedEx, etc.)	(Mailing address for U.S. Mail)
Phone (254) 297-1178	
3. DEADLINE FOR SUBMISSION OF PROPOSALS:

Tuesday, February 26, 2019 at 10:00 AM. Proposals must be received no later than the above date and time. All proposals received after the above closing time, whether delivered in person or mailed, will not be considered. Faxed proposals will not be accepted.
4. WITHDRAWAL OF PROPOSALS:

No proposal may be withdrawn after the above deadline except by mutual consent of the Owner and Proposer. Proposals may be withdrawn upon written request received from Proposer prior to the above deadline.
5. CONSIDERATION OF PROPOSALS:

The Education Service Center Region 12 (Center) shall have the right to accept or reject any or all proposals, or any part thereof and to waive any technicalities deemed to be in the best interest of the Center.
6. PROPOSAL ERRORS:

All proposals shall be deemed final, conclusive, and irrevocable, and no proposal shall be subject to correction or amended for errors or miscalculation by the Proposer after the above deadline.
7. COST OF PROPOSAL PREPARATION/SUBMISSION:

The Center, by requesting proposals, does not accept any responsibility or obligation for costs incurred by proposers in preparation and/or submission of proposals.
8. SPECIFICATIONS:

The Center is issuing this RFP for an inclusive trip to New York City for 75 high school students and 11 adults. The following specifications are required:

 - Round Trip Airfare from Dallas/Ft. Worth or Austin major airport to LGA airport.
 - Private Coach Transportation (including gratuities for drivers, as well as parking fees)
 - 3 Breakfasts, 3 Lunches, and 3 Dinners
 - Accommodations at the Four-Star Paramount Hotel in Times Square
 - Broadway Show
 - 9/11 Museum and Memorial Tickets
 - Statue of Liberty Ferry Tickets
 - Empire State Building Observation Deck
 - Campus Tours of Columbia University, NYU, and Juilliard School
 - Appropriate number of Tour Directors
 - General Liability Insurance Coverage
 - Private security on duty at the hotel from 10pm-6am

9. SELECTION CRITERIA:

In selection of the vendor, the Center may consider:

1. The number of specifications offered ;
2. The flight times available;
3. The reputation of the provider and of the provider's products and services;
4. The quality of the provider's products or services;
5. The extent to which the products or services meet the Center's needs;
6. The vendor's past relationship with the Center;
7. The impact on the ability of the Center to comply with laws relating to historically underutilized businesses;
8. The total cost to the Center to acquire the services;
9. Any other relevant factor that a private business entity would consider in selecting a vendor.

11. FELONY CONVICTION NOTICE:

All proposers must complete the following Felony Conviction Notification.

12. CONTRACTUAL RELATIONSHIP

Nothing herein shall be construed as creating the relationship of employer or employee between the ESC12 and the Provider or between the ESC12 and the Provider's employees. The ESC12 shall not be subject to any obligations or liabilities of the Provider or his employees, incurred in the performance of the contract unless otherwise herein authorized. The Provider is an independent Provider and nothing contained herein shall constitute or designate the Provider or any of his employees as employees of the ESC12. Neither the Provider nor his employees shall be entitled to any of the benefits established for ESC12 employees, nor be covered by the ESC12's Workers' Compensation Program.

13. AVAILABILITY OF FUNDS

The award of this contract is dependent on the availability of funding. In the event funds do not become available, the contract may be terminated, or the scope amended. A 30-day written notice will be given to the vendor, and there shall be no penalty or removal charges incurred by the ESC12.

14. COMPLIANCE WITH EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS

Education Service Center Region 12 requires compliance with executive order 11246, entitled Equal Employment Opportunity, as amended by executive order 11375, and as supplemented in Department of Labor regulations (41 CRF Part 60).

15. CONFLICT OF INTEREST QUESTIONNAIRE

House Bill 914 of the 79th Legislature of the State of Texas added Chapter 176 to the Local Government Code. Chapter 176 requires vendors and other persons to file a Conflict of Interest Questionnaire, [Form CIQ](#), if the person "contracts or seeks to contract for the sale or purchase of property, goods, or services with a local government entity; or is an agent of a person in the person's business with the local governmental entity."

Effective January 1, 2006, a person that contracts or seeks to contract for the sale or purchase of property, goods, or services with a local government entity must timely file a conflict of interest questionnaire with the Education Service Center Region 12 no later than the 7th business day after the vendor begins contract discussions or negotiations with the Center or submits to the Center an application, response to a request for proposals or bids, correspondence, or another writing related to a potential agreement with the Center.

Following is the Conflict of Interest Questionnaire, [Form CIQ](#), which is to be completed describing any affiliation or business relationship with any Education Service Center Region 12 Board Member, officer, or employee having involvement in purchasing goods or services. **If there are none, state so in the spaces provided.**

The following are Education Service Center Region 12 Board Members, officers, and employees authorized to recommend expenditure of money:

Joe Pirtle, Board Chairman
Connie Z. White, Secretary
John Turpin, Member
Bill Tarleton, Member
Jerry Maze, Executive Director
Charlene Simpson, Deputy Director

Bill Killian, Board Vice-Chairman
Rex Daniels, Member
Sarah Lane, Member
Alexis Neumann, Charter School Member
Terry M. Marak, Chief Financial Officer
Nick Brown, Deputy Director

16. "NON-COLLUSION STATEMENT":

"The undersigned affirms that they are duly authorized to execute this contract, that this company, corporation, firm, partnership, etc., or individual has not prepared this bid in collusion (An agreement between two or more persons to deceive The Service Center or defraud the The Service Center of its rights) with any other bidder, board member, or employee, and that the contents of this bid as to prices, quality of product, terms and/or conditions, etc., have not been communicated by the undersigned nor by any other employee, agent and/or representative of the company, corporation ,firm, partnership, etc., or individual to any other person engaged in this type of business prior to the official opening of this bid for the intent or purpose of collusion."

17. ISRAEL CLAUSE:

I certify that my company does not and will not boycott Israel and that my company is in compliance with House Bill 89 from the 85(R) Legislative Session which adds Government code Sec. 2270.002 that states "A governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract." The code further defines this as "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in and Israeli-controlled territory, but does not include an action made for ordinary business purposes.

Along with the proposal, this entire document must be returned with the company official's signature acknowledging all of the requirements of this proposal.

Company Official Signature

Date

Company Official Printed Name

Felony Conviction Notification

State of Texas Legislative Senate Bill 1, Section 44.034, Notification of Criminal History, Subsection (a), states “a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony.”

Subsection (b) states “a school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business for services performed before the termination of the contract.

This Notice is not required of a publicly held corporation.

I, the undersigned agent for the firm named below, certify that the information concerning notification of felony convictions has been reviewed by me and the following information is true to the best of my knowledge.

Vendor's Name (Printed):

Authorized Company Official's Name (Printed):

1. Circle the letter preceding the appropriate statement and sign below.

- A. My firm is a publicly held corporation, therefore, this reporting requirement is not applicable.

- B. My firm is not owned or operated by anyone who has been convicted of a felony.

- C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony:

Name of Felon(s):

Details of Conviction(s):

Signature of Company Official:

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

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.
 This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).
 By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.
 A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY	
Date Received	

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

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

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

Name of Officer

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

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

Yes No

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

Yes No

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

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

7

Signature of vendor doing business with the governmental entity

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

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

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

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

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

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

(2) the vendor:

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

(i) a contract between the local governmental entity and vendor has been executed;

or

(ii) the local governmental entity is considering entering into a contract with the vendor;

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

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

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

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

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

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

(3) has a family relationship with a local government officer of that local governmental entity.

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

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.