DICKINSON INDEPENDENT SCHOOL DISTRICT

Tom Mooney

Director of Purchasing

2218 FM 517

Dickinson, Texas 77539

Notice to Bidders

BID/PROPOSAL NUMBER: #20-10-1089

OPENING DATE: November 12, 2020

OPENING TIME: 10:00am

SUBJECT OF PROPOSAL: System/Database for Track Event Management

Proposals are solicited for the merchandise, supplies, equipment, or services set forth herein. Complete and signed Proposal documents must be received at the Dickinson ISD Educational Support Center, Attention: Tom Mooney, 2218 FM 517, Dickinson, Texas 77539 before the opening date and time shown above.

Proposals must be in a sealed envelope and marked properly with the Proposal Number and date and time of opening. Proposals received later than the specified time, whether delivered or mailed, will be disqualified and returned unopened to the bidder.

The District reserves the right to reject any or all proposals, to accept any proposal deemed advantageous to the District, and to waive any informality in bidding.

If you have questions about the bid specifications contact tmooney@dickinsonisd.org or 281-229-6160. Thanks for your interest in this proposal.

Sincerely,

Tom Mooney

General Conditions

Scope of the Proposal:

1.1 Purchase or subscription of a system/database for track and event management.

1.2 This Proposal is in multiple parts and may include: Notice to Bidders, General Conditions, Special Conditions, Proposal Price Sheet, Deviation and Compliance Form, Non-Collusive Bidding Certificate, EDGAR Certifications, Criminal Notification/Felony Conviction Notification, Debarment Certification, Resident/Nonresident Certification, Vendor Employment Certification, Conflict of Interest Form, W-9 Form, instructions for filing form 1295 with the Texas Ethics Commission, and confirmation of the requirements of Texas House Bill 89 and Texas Senate Bill 252.

1.3 The District may award a contract for any or all sections of this Proposal.

2.0 The use of the District's specifications is to be considered informative, giving the bidder the information as to the exact quality and value requirements. The bidder shall note in writing any deviations from specifications and shall submit those changed specifications as alternates.

3.0 In evaluating qualified bids/proposals the following considerations will be taken into account for award recommendations:

- 3.0.1 The purchase price.
- 3.0.2 The reputation of the vendor and of the vendor's goods and services.
- 3.0.3 The quality of the vendor's goods or services.
- 3.0.4 The extent to which the goods or services meet the District's needs.
- 3.0.5 The vendor's past relationship with the District.
- 3.0.6 The impact on the District to comply with laws and rules relating to historically underutilized businesses (HUBs).
- 3.0.7 The total long term cost to the district to acquire the vendor's goods or services.
- 3.0.8 For contracts for goods and services other than those related to telecommunications and information services, building construction and maintenance; whether the vendor or vendor's parent company or majority owner has its principal place of business in Texas, or employs at least 500 people in Texas.
- 3.0.9 Compatibility of goods/products purchased with those already in the District.
- 3.0.10 It is not the policy or practice of Dickinson ISD to purchase on the basis of low bid alone.
- 3.0.11 Any other relevant factor included in the RFP.

4.0 Contracts for purchase will be put into effect by means of a purchase order executed by the DISD Business Office after proposals have been awarded. All contracts and agreements between merchants and the District shall adhere to the statutes of the Uniform Commercial Code, official text. The parties agree that the laws of the State of Texas shall govern the rights of the parties and the validity and interpretation of any purchase order contract or service agreement.

5.0 Dickinson Independent School District will pay all invoices for accepted merchandise or service no later than 30 days from date of acceptance or delivery as set forth in the specifications for this bid.

6.0 All deliveries (if applicable) shall be freight prepaid F.O.B. destination (inside delivery) to the appropriate site in Dickinson ISD. Bids shall include freight and delivery charges. All deliveries are to be made between 8am and 3pm Monday through Friday. Title does not transfer to the District until appropriately received. Bid prices must include all related costs for delivery to the appropriate site or sites in the District. No tailgate deliveries will be accepted. Delivery sites will be noted on purchase orders or separate written instructions.

7.0 Quantities required are substantially correct but the District's estimate of anticipated needs is subject to change depending upon budgetary adjustments. The District reserves the right to purchase more or less than the estimated quantities on a unit basis at the unit bid price unless otherwise specified by the bidder.

8.0 Pricing on purchases shall remain firm for the duration of the contract or as specified by the bidder.

9.0 The District is exempt from all Federal, State, and Local taxes.

10.0 Dickinson ISD does not accept faxed or email bids. An original signature on the Bid Acknowledgement Form and the Proposal Price List included in the sealed envelope is the only acceptable form of proposal submittal.

11.0 In the event of any claim by any unsuccessful bidder concerning or relating to the issue of "equal or better," or "equal," or "non-specified alternate," the unsuccessful bidder agrees, at his own cost and expense, to defend such claim or claims and agrees to hold Dickinson ISD free and harmless from any loss or damage arising from this transaction.

12.0 All proposals shall be deemed conclusive and irrevocable, and no proposal shall be subject to correction or amendment for errors or miscalculations by the bidder.

13.0 Bidders are invited to be present at the opening of the proposals on the date and time specified, however are not required to be present.

14.0 The District reserves the right to award contracts for any, all, or none of the parts and/or items of the proposal request.

Special Conditions

1.0 Purchase/subscription of system/database for track and event management.

2.0 The District reserves the right to award this proposal for any, all, or none of the parts and/or items of this bid request and to award the proposal in the best interest of the Dickinson ISD.

3.0 This agreement begins December 8, 2020 and renews each year unless terminated by Dickinson ISD or the vendor.

4.0 Any quantities are estimates and could vary. Dickinson ISD reserves the right to purchase additional items as needed at the proposal price unless the bidder indicates that this is not acceptable.

5.0 If at any time the vendor awarded this proposal fails to fulfill or abide by the terms, conditions, or specifications of this proposal, or fails to meet the quality standards of Dickinson ISD for the goods or service, Dickinson ISD reserves the right to cancel the contract and/or re-issue the Request for Proposal.

6.0 Bidders must complete, sign, and return all applicable forms and documents as per Item 1.2 in General Conditions.

7.0 Dickinson ISD does not award proposals for low price only. Additional criteria (as per General Conditions) will be used in the best interest of Dickinson ISD.

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Dickinson ISD

Proposal Price Sheet

To Bidders: This form must be completed and signed as part of the bidder's Proposal. You may attach additional page(s) for an explanation of the total costs of this Proposal. If you are offering catalog pricing, please attach a copy of your catalog and include any specific discounts or special pricing.

Pricing: Please provide itemized cost for this proposal and any other information necessary to fully explain the details of your proposal pricing.

_____

_____

_____

_____

_____

_____

_____

Other costs associated with this Proposal:

_____

_____

_____

_____

_____

_____

_____

Total Cost of Proposal: _____

Signature of Bidder: _____

PROUD TRADITIONS, EXCITING FUTURES
DICKINSON
INDEPENDENT SCHOOL DISTRICT
2218 FM 517 • P.O. Drawer Z • Dickinson, Texas 77539

DEVIATION AND COMPLAINCE SIGNATURE FORM

If your company intends to deviate from the General Terms and Conditions, Item Specifications or other requirements associated with this Proposal Invitation, you must list all such deviations on this form, and provide complete and detailed information regarding the deviations on this form, an attachment to this form, or elsewhere in your Proposal. (If you do not provide the information on or as an attachment to this form, the information must be clearly identified in your Proposal.) Dickinson ISD will consider any deviations in its contract award decision, and reserves the right to accept or reject a proposal based upon any submitted deviation.

In the absence of any deviation identified and described in accordance with the above, your company must fully comply with the General Terms and Conditions, Item Specifications and all other requirements associated with this Proposal Invitation if awarded a contract under this Proposal Invitation.

☐ **No**; Deviations

☐ **Yes**; Deviations

List and fully explain any deviations you are submitting:

_____

_____

PLEASE PROVIDE THE FOLLOWING INFORMATION:

1. Shipping Via: ☐ Common Carrier ☐ Company Truck ☐ Prepaid and Add to Invoice ☐ Other:

_____

2. Payment Terms: ☐ Net 30 days ☐ 1% in 10/Net 30 days ☐ Other:

_____

3. Number of Days for Delivery: _____ARO
4. Vendor Reference/Quote Number:_____
5. State your return policy:

_____

_____

6. Are electronic payments acceptable? ☐ Yes ☐ No
7. Are credit card payments acceptable? ☐ Yes ☐ No

_____
Company Name

_____ _____
Signature of Authorized Company Official Printed Name

Non-Collusive Bidding Certification:

By submission of this bid or proposal, the Bidder certifies that:

a. This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor.
b. This bid or proposal has not been knowingly disclosed and will not be knowingly disclosed prior to the opening of bids or proposals for this project to any other bidder, competitor, or potential competitor.
c. No attempt has been or will be made to induce any other person, partnership, or corporation to submit or not to submit a bid or proposal.
d. The person signing this bid or proposal certifies that he/she has fully informed himself/herself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the bidder as well as to the person signing in its behalf.

Printed Name: _____

Authorized Signature: _____

Company: _____

Title: _____

Date: _____

PROUD TRADITIONS, EXCITING FUTURES
DICKINSON INDEPENDENT SCHOOL DISTRICT
2218 FM 517 • P.O. Drawer Z • Dickinson, Texas 77539

FELONY CONVICTION DISCLOSURE

Subsection (a) of Section 44.034 of the Texas Education Code (Notification of Criminal History of Contractor) 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 has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony."

Section 44.034 further states in Subsection (b): "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 entity for services performed before the termination of the contract."

Please check (√) one of the following:

- ☐ My company is a publicly-held corporation. (Advance notice requirement does not apply to publicly-held corporation.)
- ☐ My company is not owned or operated by anyone who has been convicted of a felony.
- ☐ My Company is owned/operated by the following individual(s) who has/have been convicted of a felony:

  Name of Felon(s): _____

  Details of Conviction(s): _____

  _____

By signature below, I certify that the above information is true, complete and accurate and that I am authorized by my company to make this certification.

_____
Company Name

_____ _____
Signature of Authorized Company Official Printed Name

DEBARMENT CERTIFICATION

Neither my company nor an owner or principal of my company has been debarred, suspended or otherwise made ineligible for participation in Federal Assistance programs under Executive Order 12549, "Debarment and Suspension," as described in the Federal Register and Rules and Regulations.

By signature below, I certify that the above is true, complete and accurate and that I am authorized by my company to make this certification.

_____
Company Name

_____ _____
Signature of Authorized Company Official Printed Name

PROUD TRADITIONS, EXCITING FUTURES
DICKINSON
INDEPENDENT SCHOOL DISTRICT

2218 FM 517 • P.O. Drawer Z • Dickinson, Texas 77539

RESIDENT/NONRESIDENT CERTIFICATION

Chapter 2252, Subchapter A, of the Texas Government Code establishes certain requirements applicable to proposers, who are not Texas residents. Under the statute, a "resident" proposer is a person whose principal place of business is in Texas, including a person whose ultimate parent company or majority owner has is principal place of business in Texas. A "nonresident" proposer is a person who is not a Texas resident. Please indicate the status of your company as a "resident" proposer or a "nonresident" proposer under these definitions. **Please check (√) one of the following.**

☐ I certify that my company is a **Resident Proposer**.

☐ I certify that my company is a **Nonresident Proposer**.

If your company is a Nonresident Proposer, you must provide the following information for your resident state (the state in which your company's principal place of business is located):

_____ _____
Company Name Address

_____ _____ _____
City State Zip Code

A. Does your resident state require a proposer whose principal place of business is in Texas to underprice proposers whose resident state is the same as yours by a prescribed amount or percentage to receive a comparable contract?

☐ Yes ☐ No

B. What is the prescribed amount or percentage? $_____ or _____%

VENDOR EMPLOYMENT CERTIFICATION

Section 44.031 (b) of the Texas Education Code establishes certain criteria that a school district must consider when determining to whom to award a contract. Among the criteria for certain contracts is whether the vendor or vendor's ultimate parent or majority owner (1) has its principal place of business in Texas; or (2) employs at least 500 people in Texas.

If neither your company nor the ultimate parent company or majority owner has its principal place of business in Texas, does your company, ultimate parent company, or majority owner employ at least 500 people in Texas?
Please check (√) one of the following. ☐ Yes ☐ No

By signature below, I certify that the information in Resident/Nonresident Certification and Vendor Employment Certification above is true, complete and accurate and that I am authorized by my company to make this certification.

_____
Company Name

_____ _____
Signature of Authorized Company Official Printed Name

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

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

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ **Go to *www.irs.gov/FormW9* for instructions and the latest information.**

Give Form to the requester. Do not send to the IRS.

Print or type. See **Specific Instructions** on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			–		–				

or

Employer identification number

		–							

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person** ▶ **Date** ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

DICKINSON INDEPENDENT SCHOOL DISTRICT

Certificate of Interested Parties — Form 1295

Dickinson ISD is required to comply with House Bill 1295, which amended the Texas Government Code by adding Section 2252.908, Disclosure of Interested Parties. Section 2252.908 prohibits Dickinson ISD from entering into a contract resulting from this RFP with a business entity unless the business entity submits a Disclosure of Interested Parties — Form 1295 to Dickinson ISD at the time the business entity submits the signed contract. Dickinson ISD is requesting that the business entity include a copy of the submitted Form 1295 along with other documents being provided to Dickinson ISD in the proposal. The Texas Ethics Commission has adopted rules requiring the business entity to file form 1295 electronically with the Texas Ethics Commission.

As a "business entity," all vendors must electronically complete, print, sign, and submit Form 1295 with their proposals or contracts even if no interested parties exist,

Proposers must file Certificate of Interested Partie5 — Form 1295 with the Texas Ethics Commission using the following online application: https://www.ethics.state.tx.us/filinginfo/1295/.

- Proposers must use the filing application on the Texas Ethics Commission's website to enter the required information on Form 1295.
- Proposers must print a copy of the completed form, which will include a certification number.
- The Form 1295 must be printed and signed by an agent of the business entity.
- The completed form 1295 with the certification number must be filed with Dickinson ISD by including a copy of the completed form with the proposal response.
- Dickinson ISD must acknowledge receipt of the filed Form 1295 by notifying the Texas Ethics Commission of the receipt of the filed Form 1295 no later than the 30th day after the date the contract binds all parties.
- After Dickinson ISD acknowledges the Form 1295, the Texas Ethics Commission will post the completed form 1295 to its website within seven (7) business days.

Instructions to Vendors:

1. Texas Ethics Commission website: https://www.ethics.state.tx.us and click on LOGIN to Electronic Filing Application.
2. Click the option if you do not currently have a user ID.
3. Register and complete Form 1295 — include the proposal number and RFP name.
4. Print a copy of the submitted Form 1295 with certification number.
5. Include a copy of the completed and signed Form 1295 with the proposal response to Dickinson ISD.

Resources:

https://www.ethics.state.tx.us/resources/FAQs/FAQ_Form1295.php

https://www.ethics.state.tx.us/filinginfo/videos/Form1295/FirstLogin-Business/Form1295Login-Business.html

https://www.ethics.state.tx.us/filinginfo/videos/Form1295/CreateCertificate/CreateCertificate.html

DICKINSON INDEPENDENT SCHOOL DISTRICT

Confirmation for All Bids/RFPs to be Considered

As required by Texas House Bill 89 and Chapter 2270 of the Texas Government Code and as per Texas Senate Bill 252 and Chapter 2252 Texas Government Code:

Responding vendors must verify that the vendor is not a company identified on the Texas Comptroller's list of companies known to have contracts with, or provide supplies or services to, a foreign organization designated as a Foreign Terrorist organization by the U.S. Secretary of State. By signing below, a company official of the responding prospective vendor verifies that the vendor does not engage in business with any Foreign Terrorist organization.

_____ _____ _____

Company Official/Title Printed Name Date

If (a) Vendor is not a sole proprietorship; (b) Vendor has ten (10) or more full-time employees; and (c) this Agreement has a value of $100,000 or more, the following certification shall apply, otherwise, this certification is not required. Pursuant to Chapter 2270 of the Texas Government Code, the Vendor hereby certifies and verifies that the Vendor, including any affiliate, subsidiary, or parent company of the Vendor, will not boycott Israel during the term of this Agreement. For purposes of this Agreement, the term "boycott" shall mean and include refusing to deal with, terminating business activities with, or otherwise taking action that is intended to penalize, inflict economic harm on, or limit commercial relations with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

_____ _____ _____

Company Official/Title Printed Name Date