



REQUEST FOR PROPOSALS:

## **Asbestos Survey Services**

DEADLINE:

Monday, December 19, 2016 @ 2:00 PM

Funded by the U.S. Department of Housing and Urban Development through  
the Community Development Department of the City of Harlingen



## REQUEST FOR PROPOSALS

Notice is hereby given that the City of Harlingen, Texas is requesting proposals for the following:

### ASBESTOS SURVEY SERVICES

**PURPOSE:** The City of Harlingen, Texas is seeking to enter into a contract with a state-licensed asbestos inspector to provide asbestos surveys for properties (residential and commercial) to be demolished or the renovation of commercial structures utilizing Community Development Block Grant funds and/or General Funds.

**DEADLINE:** Proposals will be accepted by the City of Harlingen through **2:00 PM, Monday, December 19, 2016**, at the office of the Code Enforcement Department, 502 E. Tyler, Harlingen, Texas 78550. Any RFP received after the time and date specified will not be opened and will be returned. Sealed proposals should be addressed to: Monica James, **Code Enforcement Department**, 502 E. Tyler, Harlingen, Texas, 78550 with RFP-ASBESTOS SURVEY SERVICES printed on the envelope. Proposals must be hand delivered or mailed, no faxed or emailed proposals will be accepted.

**NON-COLLUSION:** Submitters, by submitting a signed submission, certify that the accompanying submission is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Texas or United States Law.

**NON-DISCRIMINATION:** Submitters, during the performance of this contract, will not discriminate against any employee or applicant because of race, color, religion, sex, handicap, familial status, national origin, sexual orientation or gender identity in employment or the provision of services. Further, the City prohibits retaliation against a person who files a complaint of discrimination, participates in an Office of Federal Contract Compliance Programs (OFCCP) proceeding, or otherwise opposes discrimination under Federal law.

**DEBARRED/SUSPENDED:** Submitters that are debarred, suspended or otherwise excluded from or ineligible for participation on federal assistance programs may not undertake any activity in part or in full under this project.

The City of Harlingen is an Affirmative Action and Equal Opportunity Employer. Small (SBE), minority (MBE), and women-owned businesses (WBE) are encouraged to submit qualification statements for consideration.

**SECTION 3:** Any business seeking Section 3 preference in the awarding of future contracts or purchase agreements with the County/City must complete the Section 3 self certification process by registering online at <https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness.action> and submit evidence of eligibility for Section 3 preference with their proposal.

**PROOF OF FINANCIAL AND BUSINESS CAPABILITY:** Submitters must, upon request, furnish satisfactory evidence of their ability to furnish products or services in accordance with the terms and conditions of these specifications.

**CONFLICT OF INTEREST QUESTIONNAIRE:** Chapter 176 of the Texas Local Government Code requires entities seeking to contract and/or contracting with local government entities, such as cities, for the sale of goods or services, and their agents, to complete, sign and file a Conflict of Interest Questionnaire (Form CIQ) with the City of Harlingen. If the Firm has a business relationship with the City or with a City Official, the name of the City contact or City Official must be disclosed on the

enclosed CIQ Form. If the Firm or a principal of the Firm has no business relationship with the City or a City Official, write/type in "none" in the form and write/type in the name of the Firm and person acting for the Firm and sign the CIQ Form. A blank CIQ Form is enclosed and should be completed, signed and submitted with your Statement of Proposals. If you are not sure how to fill in the CIQ Form, contact your attorney for advice.

**\*The sample CIQ Form, is to be used ONLY if there is NO business relationship with the City or with a City Official.**

**SUBMITTER DEFAULT:** The City of Harlingen reserves the right, in case of submitter default, to procure the articles of services for other sources and hold the defaulting vendor responsible for any excess costs occasioned thereby.

**SCOPE OF WORK:** The firm selected will/shall:

- (1) Conduct asbestos surveys and provide a written report detailing the results of the inspection/survey.
- (2) Each report shall contain a recommendation section in detailing the extent of asbestos remediation required.

**PROPOSAL SUBMISSION CONTENTS:** Submitter should address each topic listed below in their submission.

1. Submitter should demonstrate their understanding of the project, the project needs, work required, and any local issues or concerns. This description should be concise, candid, and limited to 1 page in length.
2. Submitter must provide a brief statement of experience in the following areas:
  - Conducting Asbestos Surveys and Reports
3. Submitter must include 3 references.
4. Must be a Licensed through the Texas Department of State Health Services to perform the services required and provide proof of such license.
5. Complete cost proposal included in this RFP.
6. Estimated timeline for completing each asbestos survey & report.
7. Submit sample of previous asbestos survey/report.

The firm selected shall provide services, for a **period of one year, with the option to extend the agreement of services for an additional year.**

**REQUIRED CERTIFICATIONS AND SUBMITTAL:** All submissions must also include Conflict of Interest Questionnaire Form and Certification Regarding Debarment and Suspension. Any business seeking Section 3 preference in the awarding of contracts or purchase agreements with the City must be able to provide a copy of the Section 3 certification letter received and acknowledged by any of the Rio Grande Valley Entitlement Communities as evidence of eligibility for preference under the Section 3 Program. The Section 3 certification letter shall be submitted along with bid packages. **FAILURE TO COMPLY WITH SUBMISSION REQUIREMENTS MAY DISQUALIFY RESPONDENT WITHOUT EXCEPTION.**

**INSURANCE:** The Firm and his sureties shall indemnify and save harmless the City and all its officials, agents, and their employees from all suits, action or claims of any character, name and description brought for, or on account of any injuries or damages received or sustained by any person or persons or property, by or from said Respondent or his employee or by or in consequence of any

negligence in safeguarding the work or by or in consequence of any negligence recovered under the Worker's Compensation Laws or any other law, ordinance, order or decree.

Prior to contract execution, as further and additional evidence of such indemnification, each Firm shall furnish Certificates of Insurance providing that his interests are adequately covered by the following:

The following insurance requirements will be included in the City contracts to ensure completion of work:

- (1) The Firm is required to carry the following listed insurance coverage and limits and furnish acceptable proof of payment of insurance premiums.

**Minimum Insurance Requirements**

<u>Type of Coverage</u>	<u>Limits of Liability</u>	
Worker's Compensation	\$ 500,000	Each Accident
Employer's Liability	\$ 500,000	Disease, Policy Limit
	\$ 500,000	Disease, Each Employee
Commercial General Liability	\$2,000,000	General Aggregate
	\$2,000,000	Products-Completed Operations
	\$1,000,000	Personal & Advertising Injury
	\$1,000,000	Each Occurrence
	\$ 50,000	Fire Damage
Commercial Automobile Liability	\$ 5,000	Medical Expense
	\$ 500,000	Each Accident Limit

**Policies must be endorsed to Waive Subrogation Rights, Name the City as an "Additional Insured" and the Cancellation Provisions extended to thirty (30) days in writing.**

**EVALUATION CRITERIA**

In reviewing and evaluating proposals, the City of Harlingen staff will consider the following:

- Completeness of the proposal
- Ability to perform the scope of work as determined by a review of the sample asbestos survey report and work experience
- Cost of the service
- Timeline for completion of each report

**COST PROPOSAL**

Per survey cost for asbestos survey without test samples to include written notice of inspection	_____
Per survey cost for asbestos with up to 9 test samples and written report	_____
Cost per additional test sample	_____
Cost for rush orders per test sample(s)	_____

# CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person 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 person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.  
A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

### OFFICE USE ONLY

Date Received

**1** Name of person 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 the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes       No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes       No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes       No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**

\_\_\_\_\_  
Signature of person doing business with the governmental entity

\_\_\_\_\_  
Date

Adopted 08/29/2007

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

**FORM CIQ**

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A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

**OFFICE USE ONLY**

Date Received

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

**NONE**

**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 the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

**NONE**

\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes  No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**  
\_\_\_\_\_  
Signature of person doing business with the governmental entity

\_\_\_\_\_  
Date

Adopted 06/29/2007

**\*THIS SAMPLE FORM IS ONLY TO BE USED IF THERE IS NO BUSINESS RELATIONSHIP WITH A CITY OR WITH A CITY OFFICIAL.**



# Certification Regarding Debarment and Suspension

U.S. Department of Housing  
and Urban Development

## Certification A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief that its principals;

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency;

b. Have not within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;

c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

### Instructions for Certification (A)

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of these regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines this eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph (6) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

**Certification B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it 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.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**Instructions for Certification (B)**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded**, as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of these regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph (5) of these instructions, if a participant in a lower covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies including suspension and/or debarment.

Applicant	Date
Signature of Authorized Certifying Official	Title



**EXCERPT FROM THE CITY OF HARLINGEN**  
**WRITTEN HAZARD COMMUNICATION PROGRAM**  
**ON SITE CONTRACTORS**

**ON-SITE CONTRACTORS:**

1. It is the responsibility of the Risk Manager as the Program Manager and/or a Department Coordinator to furnish the on-site contractor(s) that is performing work in a City of Harlingen workplace, with the following:
  - Inform the contractor of its rights under the Texas Hazard Communication Act.
  - Provide a copy of the Workplace Chemical List for all contractors.
  - Provide a copy of MSDS information for hazardous chemical they may be exposed to in the workplace.
  
2. Likewise, on-site contractors performing work in a City of Harlingen workplace will furnish the Program Manager and/or Department Coordinator with the following:
  - Provide MSDA information for hazardous chemicals they may bring into the city workplace to which City employees may be exposed.
  
3. Contractor must sign a statement that they have read and agreed to follow the policy outlined above; that they have provided the City with the information about any hazardous chemicals being brought into City property.
  
4. City reserves the right to stop the work of a Contractor if compliance with this policy is inadequate until all applicable safety and health procedures are implemented by the Contractor and the contractor is in compliance with City's policy.

**Note: The requirements of this section do not apply to Contractors who provide temporary employees to the City.**

Acknowledgement:

Name \_\_\_\_\_(printed)

Title \_\_\_\_\_

Signature \_\_\_\_\_Date \_\_\_\_\_