



City of Round Rock, Texas
Purchasing Division
221 East Main Street
Round Rock, Texas 78664-5299
www.roundrocktexas.gov

**RECREATION MANAGEMENT SOFTWARE
REQUEST FOR PROPOSAL**

RFP # 15-038

Date: August 2015

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**CITY OF ROUND ROCK
REQUEST FOR PROPOSAL
RECREATION MANAGEMENT SOFTWARE**

**PART I
GENERAL**

The City of Round Rock, Texas, herein after "City", is soliciting offers to enter into an Agreement with a qualified Individual, Firm, or Corporation herein after "Respondent", to provide recreation management software, to include maintenance, support and training for the City's Parks and Recreation Department, herein after "PARD".

The City reserves the right to offer the use of the resulting Agreement to various City Departments. In this instance, the awarded Respondent shall provide a written quote to the Department for an agreed upon price that shall be proportionate to the Agreement price.

1. **SCOPE:** The following Request for Proposal (RFP) provides additional information and outlines specific requirements that must be met as part of the Respondent's proposal.
2. **AUTHORITY:** The City is soliciting offers under the guidelines provided with authority through Texas Government Code Chapter 2254. All proposals must meet the requirements outlined in this RFP to be considered for evaluation by the City.
3. **BACKGROUND/HISTORY:** The City has 34 developed parks gracing over 1700 acres and trail corridors. The City has two (2) recreation centers: Clay Madsen Recreation Center and Allen R. Baca Center for Senior and Community Activities. The rental facilities include the Baca Center banquet room, the Rabb House, Park Pavilions and Kinningham House. PARD offers numerous athletic leagues, wellness programs, has three outdoor municipal swimming pools and an indoor pool at the Clay Madsen Recreation Center. PARD manages an after school program for children, as well as a Summer Camps for various children's ages.

PARD hosts multiple athletic, cultural and family events each year to make positive and memorable experiences for the Round Rock community. Some of these events include: 5K for Clay, 12 Days of Main Street, Christmas Family Night, Flashlight Easter Egg Hunt, Fall Fun Festival, Frontier Days / July 4th Celebration, Movies in the PARD, and many more. For more information and to view the yearly events: <http://www.roundrocktexas.gov/departments/parks-and-recreation/special-events/>.

4. **CLARIFICATIONS:** For questions or clarification of specifications, you may contact:

Deborah Knutson, CPPB
Purchaser
City of Round Rock – Purchasing Division
E-mail: dknutson@roundrocktexas.gov

The individual listed above may be contacted by e-mail for clarification of specifications only. No authority is intended or implied that specifications may be amended or altered prior to solicitation opening without written approval of the City of Round Rock through the Purchasing Division.

5. **ATTACHMENTS:** Attachment A through C, are herein made part of this request for proposal.
 - 5.1. **Attachment A:** Respondent's Reference Sheet
 - 5.2. **Attachment B:** Proposal Submittal and Execution Form
 - 5.3. **Attachment C:** Addendum Acknowledgment Form

PART II
STATEMENT OF WORK

1. **INTRODUCTION:** This Request for Proposal (RFP) describes information for the Respondent to provide the goods/services which shall include, but are not limited to the requirements contained herein. Services set forth that contain the words “must” or “shall” are mandatory and shall be provided as specified with no alteration, modification or exception unless an alteration, modification or exception would enhance the services provided to the City. Any and all alterations, modifications or exceptions to any requirement shall be clearly noted by the Respondent. Services set forth that contain the words “may” or “can”, allow Respondents to offer alternatives to the manner in which the services are described in the RFP.

2. **AGREEMENT TERM:** The terms of the awarded Agreement shall include but not be limited to the following:
 - 2.1 The term of the initial Agreement is estimated to begin on October 1, 2015 and shall remain in full force for sixty (60) months or five (5) years.
 - 2.2 The Agreement may be renewed for two (2) additional twelve (12) month periods, provided both parties agree in writing prior to the expiration of the current term.
 - 2.3 The City reserves the right to review the awarded Respondents’ performance anytime during the Agreement term.
 - 2.4 If the awarded Respondent fails to perform its duties in a reasonable and competent manner, the City shall give written notice to the Respondent of the deficiencies and the Respondent shall have thirty (30) days to correct such deficiencies. If the Respondent fails to correct the deficiencies within the thirty (30) days, the City may terminate the Agreement by giving the Respondent written notice of termination and the reason for the termination.

3. **PRICING:** Pricing shall remain firm for the initial, sixty (60) months or five (5) year term of the contract. A price revision to the contract may be considered at the renewal time of each term and shall be based on a re-evaluation of the recreation management software and services provided.

4. **RESPONDENT QUALIFICATIONS:** The City has established the following minimum qualifications. Respondents who do not meet the minimum qualifications will not be considered for award. The Respondent shall:
 - 4.1 Be Firms, Corporations, Individuals or Partnerships normally engaged in providing recreation management software as specified herein and have adequate organization, facilities, equipment, financial capability, and personnel to ensure prompt and efficient service to the City;
 - 4.2 Employ all personnel for work in accordance with the requirements set forth by the United States Department of Labor. The City reserves the right to verify citizenship or right to work in the United States.

5. **SCOPE OF WORK:** This Request for Proposal, herein after “RFP”, is to establish the scope of work and requirements to enter into an Agreement with a qualified software provider to deliver and host services for a web-based recreation management software solution. The Successful Respondent shall provide recreation management software to include on-going support and training services for the city of Round Rock’s Parks and Recreation Department, herein after “PARD” and shall meet or exceed the requirements as specified herein.

- 5.1 The City is seeking an experienced software provider to deliver a complete recreation management software solution. The provider will gather and analyze PARD's requirements, design, develop, implement, test and integrate the application in alignment with the business operations of PARD.
- 5.2 Develop and provide a Project Plan to include a detailed list of deliverables, processes involved, end products, and review and approval process.
- 5.3 The integrated modules, and/or main functional areas for this project shall include:
 - 5.3.1 Program and membership registration;
 - 5.3.2 Facility reservation/booking;
 - 5.3.3 Point of sale system;
 - 5.3.4 League module;
 - 5.3.5 Reporting module.
- 5.4 System requirements shall include:
 - 5.4.1 Account management tools, which shall operate in a cash equals revenue accounting environment and allow clients to be associated with multiple accounts without duplicating records;
 - 5.4.2 Mobility and compatibility across mobile devices;
 - 5.4.3 Simple to use customer online registration and facility reservation interface;
 - 5.4.4 Comprehensive and flexible reporting and invoicing tools that accurately reflect the cash equals revenue accounting environment;
 - 5.4.5 Open Application Programming Interface (API) and ability to integrate with third-party software systems in both a read and write capacity;
 - 5.4.6 Fully integrated constituent relationship management tools.
6. **FIRM QUALIFICATIONS AND EXPERIENCE:** Respondent shall:
 - 6.1 Have recent experience (within the past five 5 years) providing and implementing recreation management software;
 - 6.2 Have successfully implemented the recreation management software system being proposed, in either a government or corporate environment, to include providing the client with web-based, online registration and facility reservation tools.
7. **SERVICE RESPONSIBILITIES:** The Respondent shall perform according to duties and responsibilities contained in this specification, including but not be limited to the following:
 - 7.1 Take no possession of City monies, nor have access to or control over such monies.
 - 7.2 Comply with Texas State law and the ordinances and policies of the City.
 - 7.3 Comply with Payment Card Industry (PCI) data security standards as specified by the PCI Data Security Standards Council's most recent version of the Payment Card Industry Data Security Standard (PCI DSS) found at: <https://www.pcisecuritystandards.org/>.
 - 7.4 Provide access to and ownership of all information contained within the system to the City.
 - 7.5 Provide customer support, best practices and knowledgebase information to the City for projects and day-to-day troubleshooting.

8. POINT OF CONTACT / DESIGNATED REPRESENTATIVE:

8.1 Respondent's point of contact: In order to maintain consistent standards of quality work performed for the City, the City shall be provided with a designated and identified point of contact upon award of the contract to include contact information. The City's designated representative shall be notified by the Respondent immediately should the point of contact change.

8.2 The City's designated representative: The City's designated representative shall be:

Jillian Arthur
Business System Analyst
Parks and Recreation Department
221 East Main Street
Round Rock, Texas 78664
E-Mail: jarthur@roundrocktexas.gov

PART III

PROPOSAL INFORMATION

1. SCHEDULE OF EVENTS: It is the City's intention to comply with the following solicitation timeline:

EVENT	DATE
Release of RFP	August 15, 2015
Deadline for Submission of Questions	August 20, 2015, 5:00 PM, CST
Deadline for responses to all Questions or Addendums	August 25, 2015, 5:00 PM, CST
Deadline for Submission of Proposals	September 1, 2015, 3:00 PM, CST
Anticipated Award of Contract	October 1, 2015
Expected Contract Start Date	October 1, 2015
Anticipated Go-Live Date	March 2016

Note: The City reserves the right to modify these dates. Notice of date change will be posted to the City's website.

2. SOLICITATION UPDATES: Respondents shall be responsible for monitoring the City's website at <http://www.roundrocktexas.gov/bids> for any updates pertaining to the solicitation described herein. Various updates may include addendums, cancelations, notifications, and any other pertinent information necessary for the submission of a correct and accurate response. The City will not be held responsible for any further communication beyond updating the website.

3. INQUIRIES: All questions regarding this solicitation shall be submitted in writing by 5:00 PM, CST on the due date noted in Part III, Section 1 to the City contact named in Part I, Section 4. The City shall NOT be responsible for failure of electronic equipment or operator error.

3.1. All inquiries that result in written addenda to the RFP will be posted to the City's webpage, on the date specified in the Schedule of Events, at: <http://roundrocktexas.gov/bids>.

Upon issuance of this RFP, besides written inquiries as described above, other employees and representatives of the City will not answer questions or otherwise discuss the contents of the RFP with any potential respondent or their representatives. Failure to observe this restriction may result in disqualification of any subsequent response. This restriction does not preclude discussions between affected parties for the purpose of conducting business unrelated to this proposal.

4. **PROPOSAL REQUIREMENTS:** To achieve a uniform review process and obtain the maximum degree of comparability, the responses shall be organized in the manner specified below. It is recommended that responses not be submitted in ringed binders or metal spirals to conserve cost for both the Respondent and the City. The response and accompanying documentation are the property of the City and will not be returned.

4.1. **Submission:**

- 4.1.1. Respondents shall submit one (1) evident original signed paper copy and five (5) additional paper copies, clearly identified as "copy" of its response including required attachments. Pages should be numbered and contain an organized, paginated table of contents corresponding to the section and pages of the proposal. The proposal must address all requirements of this RFP as specified herein.
- 4.1.2. In addition, Respondents shall submit one (1) digital copy containing a copy of the Respondent's response in its entirety in an acceptable electronic format (PDF, RTF, TXT, DOC or XLS). The digital copy may be in the form of a CD or flash drive and shall be titled: RFP# 15-038: Recreation Management Software – [Name of Respondent]. Failure to provide a digital copy to include all attachments and supplemental materials may result in disqualification for award.
- 4.1.3. All proposals shall be received and time stamped at the City prior to September 1, 2015, 3:00 pm, (CST) as specified in the Schedule of Events. Late proposals will not be considered under any circumstance and will be returned unopened, if a return address is provided.
- 4.1.4. Proposals should be placed in a sealed, separate envelope/package and correctly identified with RFP# 15-038: Recreation Management Software, City of Round Rock, submittal deadline/opening date and time and "DO NOT OPEN". If submitting multiple responses, each response should be placed in a separate envelope and correctly identified with RFP# 15-038: Recreation Management Software, City of Round Rock, submittal deadline/opening date and time, and "DO NOT OPEN". It is the respondent's responsibility to appropriately mark and deliver the proposal to the City by the specified date and time.
- 4.1.5. The City will not bear liability for any costs incurred in the preparation and submission of offers in response to this RFP.
- 4.1.6. Receipt of all addenda and/or Addendum Acknowledgment Form (Attachment C) to this RFP should be acknowledged, signed and included in the proposal.
- 4.2. **Content:** Proposals submitted without this information will be rejected. The City reserves the right, in its sole judgment and discretion, to waive minor technicalities and errors in the best interest of the City. The proposal, all attachments, and Proposal Submittal and Execution Form (Attachment B) shall be included with the response.

4.2.1. **TAB 1:**

Title Page: Indicate the solicitation title and number, the name of your firm, address, telephone number(s), name of contact person and date.

Letter of Transmittal: Identify the products/services for which this solicitation has been prepared and briefly state your firm's understanding of the products/services to be provided, including but not limited to, the role of the firm. Provide the name(s) of the person(s) authorized to make representations for your firm, their titles, address, telephone number(s) and e-mail addresses.

Table of Contents: Include a clear identification of the material by section and page number.

4.2.2. TAB 2:

Company Information: Proposal shall include the legal definition of the Respondent's business organization (if a corporation), the state in which incorporated, the types of business ventures in which the organization is involved, and a chart of the organizational structure. If the organization includes more than one product division, the division responsible for the development and marketing of the proposed products/services shall be identified and described in detail. Proposal should include information regarding all of the Respondent's facilities and resources offered that shall contribute to the successful implementation of the proposed program. At a minimum, but not limited to, provide:

- 4.2.2.1. A description of your firm, including date founded, ownership as well as any subsidiaries or affiliates that are relevant to the City;
- 4.2.2.2. Ownership information (if partnership, identify each partner);
- 4.2.2.3. Physical address (if partnership, include address of each partner) and mailing address if different;
- 4.2.2.4. Other company locations if applicable.

4.2.3. TAB 3:

Experience and Qualifications: Pursuant with Part II, Section 6 Firm Qualifications and Experience, the proposal shall describe the products/services your organization has provided demonstrating your organization's capability to carry out the proposed products/services. Include a narrative overview of the nature of the products/services provided, scope of activities, and the organization for which the products/services were provided. Include in your descriptions:

- 4.2.3.1. The types of accounts primarily sought by your firm and any experience in providing similar products/services to public entities. Your firm's experience as recreation management software providers for municipalities and other public fund entities.
- 4.2.3.2. Contact name and telephone number for any client, if any, who have terminated your contracts in the last three (3) years.

4.2.4. TAB 4:

Personnel: Respondents shall, but not be limited to, provide:

- 4.2.4.1. Resumes for all personnel who shall be responsible for the management and day-to-day operations of the products/services solicited in this RFP;
- 4.2.4.2. The name(s) of top management and key employees and each person's duties, including the background and experience of these employees;
- 4.2.4.3. The size of your firm's staff commitment to the public sector and the credentials of the key personnel;
- 4.2.4.4. A listing of the personnel assigned to service the City account. Describe their relationship to your firm, their responsibilities, and their experience in the recreation management software business, specifically with public sector, and the number of years they have been associated with your firm.

4.2.5. TAB 5:

Proposed Product/Services: Respondents shall describe in detail how they plan to meet the products/services described herein and complete information on the software system. The proposal shall include detailed information to demonstrate how the Respondent shall provide each of the product/service requirements specified in Part II, Statement of Work. Respondent's proposal shall discuss:

- 4.2.5.1. How the provider shall deliver the software to include on-going support, annual maintenance and training services.
- 4.2.5.2. The method the provider will use to gather and analyzes PARD's requirements, design, develop, implement, test, and integrate the application in alignment with the business operations of PARD.
- 4.2.5.3. The proposed Project Plan for a complete recreation management software solution, to include a detailed list of deliverables, processes involved, end product, and the review and approval process.
- 4.2.5.4. The integrated modules available, and main functions as described in Part II, Section 5, Subsection 5.3.
- 4.2.5.5. System requirements as described in Part II, Section 5, Subsection 5.4.
- 4.2.5.6. The service responsibilities required as described in Part II, Section 7 Service Responsibilities.
- 4.2.5.7. Performance benchmarks your firm would suggest for the software solution.
- 4.2.5.8. Any third-party vendors that you would utilize to service the City account.
- 4.2.5.9. A description and samples of the reports the software system is capable of providing.
- 4.2.5.10. Any additional services offered or available that may benefit the City. Provide a detailed description of each service.

4.2.6. TAB 6:

References: Provide at least three (3) references from firms of comparable size that have utilized similar service (Attachment A). Include description of services, contact names, position, company name, e-mail address and telephone number for each reference listed. Any negative responses received may be grounds for disqualification of the proposal.

4.2.7. TAB 7:

Proposal Submittal and Execution Form: (Attachment B) - This form is to be completed and return with the Respondent's proposal. It is to be signed by an authorized agent of your company. Failure to do so will result in disqualification of the proposal.

4.2.8. TAB 8:

Cost Proposal: Respondent shall include a cost proposal to provide the products/services as described herein. Respondent shall at this time provide the firm's pricing structure and any details on cost to include, but not be limited to minimum fee requirements, description of fees and any additional charges. Proposal should include the cost of an annual maintenance and support plan.

Pricing shall remain firm for the initial term of the contract (Part II, Section 3).

- 4.3. Delivery of Proposals:** Signed and sealed proposals shall be submitted no later than September 1, 2015, 3:00 pm, (CST), to the City by one of the following methods:

U.S. Postal Service	Overnight / Express Mail / Hand Deliver
City of Round Rock Purchasing Division Attn: Deborah Knutson, CPPB 221 East Main Street Round Rock, TX 78664-5299	City of Round Rock City Hall – Reception Desk 221 East Main Street Round Rock, TX 78664-5299 Attention: Deborah Knutson, CPPB Hours – 8:00 AM to 5:00 PM, Mon. – Fri.

- 4.4. Proposal Closing:** To safeguard the integrity of this RFP:

- 4.4.1. Proposals will be opened at the City of Round Rock, City Hall, 221 East Main Street, Council Chambers, Round Rock, Texas 78664 on the date and time listed in Part III, Section 1.
- 4.4.2. Proposals shall be opened in a manner that does not disclose the contents before an award. Only the names of the Respondents who submitted proposals will be made public. Prices and terms will not be divulged until after award. The City considers all information, documentation, and other related submission materials to be confidential and/or proprietary before an award.
- 4.4.3. Telephone and facsimile proposals are not accepted in response to this RFP.
- 4.4.4. Responses cannot be altered or amended after opening.
- 4.4.5. No response can be withdrawn after opening without written approval from the City for an acceptable reason.
- 4.4.6. The City will not be bound by any oral statement or offer made contrary to the written specifications.
- 4.4.7. All submitted proposals become the property of the City after the RFP submittal deadline/opening date.
- 4.4.8. Responses submitted shall constitute an offer for a period of ninety (90) days or until selection is made by the City.

- 5. PROPOSAL EVALUATION:** The City intends to award to one Respondent whose proposal is considered to be the best value to the City. Respondents are asked to address each evaluation criteria and to be specific in presenting their qualifications.

- 5.1. Evaluation Criteria:** The City has established specific, weighted criteria for selection. The evaluation criteria, and relative weight assigned to each (100 points maximum) is as follows:

- 5.1.1. Proposal Responsiveness – 15 points**
 Respondent’s overall proposal and how effectively the services required are addressed (Part III, Section 4).
- 5.1.2. Demonstrated Ability in Providing Similar Services to Municipalities and/or Other Public Entities – 25 points**
 Respondent’s previous experience with public entities as well as the quality of references provided (Part III, Section 4.2.3).
- 5.1.3. Professional Qualifications and Experience – 25 points**
 The qualifications and experience of the personnel proposed for assignment to the City’s account (Part III, Section 4.2.4).

- 5.1.4. Proposed Product/Services for a complete Recreation Management Software Solution – 20 points**
The Respondent's detailed project plan to include annual maintenance, support and training (Part III, Section 4.2.5).
 - 5.1.5. Proposed Fee – 15 points**
The City will evaluate price as an important, but not overriding, factor, considering the cost of the base product/services and the optional services offered and the best value for the City's needs (Part III, Section 4.2.8).
 - 5.2. Evaluation Process:** An evaluation committee will be established to evaluate the proposals. The committee will include employees of the City and may include other impartial individuals who are not City employees. The evaluation committee will determine if discussions and/or Best and Final Offers are necessary. Award of a contract may be made without discussions or Best and Final Offers, if in the best interest of the City.
 - 5.2.1.** The evaluation committee shall review all submittals and determine which Respondents are reasonably qualified for award of the Agreement and whose submittal is most advantageous to the City.
 - 5.2.2.** Proposals shall be scored using the criteria shown in Part III, Section 5, Subsection 5.1.
 - 5.2.3.** Submission of a proposal indicates the Respondent's acceptance of the evaluation process and recognizes that the City may make subjective judgments in evaluating the proposals to determine the best value for the City.
 - 5.2.4.** The City reserves the right to reject any or all proposals submitted, or to accept any submittal deemed most advantageous to the City, or to waive irregularities or informalities in the submittal received. Submission of proposals confers no legal rights upon any Respondent.
 - 5.2.5.** The City also reserves the right to cancel the RFP process and pursue alternate methods for providing the requirements.
 - 5.2.6.** The City reserves the right to conduct studies and other investigations as necessary to evaluate any proposal.
 - 5.2.7.** The City may develop a "short list" of qualified Respondents, and may determine that the Respondent(s) should submit a Best and Final Offer (BAFO). Each "short listed" Respondent will be given a reasonable opportunity for discussion and revision of their proposal.
- 6. ORAL PRESENTATION:** Respondents may be required to make an oral presentation to the evaluation committee to further present their qualifications. These presentations will provide the Respondent with the opportunity to clarify their proposal and ensure a mutual understanding of the services to be provided and the approach to be used.
- 7. AGREEMENT NEGOTIATIONS:** A proposal presented in response to this RFP is subject to negotiation concerning any issue(s) deemed relevant by the City. The City reserves the right to negotiate any issue with any party. Any contact by the Respondent with the City regarding this RFP, other than those submitted in writing to the person listed in Part 1, Section 4, will result in disqualification of the proposal. In establishing an Agreement as a result of the solicitation process, the City may:
 - 7.1.** Attempt to negotiate an Agreement with Respondent at fair and reasonable terms, conditions and cost.
 - 7.1.1.** If negotiations are successful, enter into an Agreement or issue a Purchase Order.

- 7.1.2. If negotiations are not successful, formally end negotiations with that Respondent.
 - 7.1.3. The City may then select the next most highly qualified Respondent and attempt to negotiate an Agreement at fair and reasonable terms, conditions and cost with that Respondent. If necessary, the City shall continue this process until an Agreement is entered into or all negotiations are terminated.
 - 7.2. Request a Best and Final Offer (BAFO) in writing. The evaluation committee will evaluate the BAFO finalists and make a recommendation for award.
- 8. **AWARD:** The City reserves the right to enter into an Agreement or issue a Purchase Order with a single award, split award, primary and secondary award, non-award, or use any combination that best serves the interest and at the sole discretion of the City. Award announcement will be made upon City Council approval of staff recommendation and executed Agreement.
 - 8.1. A response to a solicitation is an offer to contract with the City based on the terms, conditions and specifications contained in the solicitation. Responses do not become contracts unless it is accepted through an authorized signed approved City contract or Purchase Order.
 - 8.2. The Agreement shall consist of the RFP document, any questions, answers, addenda, the Successful Respondent's response, Best and Final Offer, the notice of award and any subsequent written amendments agreed to by the City and Respondent.
 - 8.3. An independent signed authorized contract will be sent to the Successful Respondent. Execution of a City of Round Rock contract is required prior to processing any payments to the awarded Respondent.
 - 8.4. The Agreement is void if sold or assigned to another company without written approval from the City. Written notification of changes to company name, address, telephone number, etc. shall be provided to the City's authorized designated representative as soon as possible, but not later than thirty (30) days from the date of change.
- 9. **POST AWARD MEETING:** The City and the Respondent shall have a post award meeting to discuss, but not be limited to the following:
 - 9.1. Review and discuss the method to provide a smooth and orderly transition of product/services provided/performed from the current contractor.
 - 9.2. Provide City contact information for implementation of the Agreement.
 - 9.3. Identify specific milestones, goals and strategies to meet the objectives.
- 10. **NON-APPROPRIATION:** The resulting Agreement is a commitment of the City's current revenues only. It is understood and agreed the City shall have the right to terminate the Agreement at the end of any City fiscal year if the governing body of the City does not appropriate funds sufficient to purchase the estimated yearly quantities, as determined by the City's budget for the fiscal year in question. The City may affect such termination by giving Vendor a written notice of termination at the end of its then current fiscal year.

PART IV

CONFIDENTIALITY OF CONTENT

- 1. **CONFIDENTIALITY OF CONTENT:** All documents submitted in response to a solicitation shall be subject to the Texas Public Information Act. Following an award, responses are subject to release as public information unless the response or specific parts of the response can be shown to be exempt from the Texas Public Information Act. Pricing is not considered to be confidential under any circumstances.

- 1.1. Information in a submittal that is legally protected as a trade secret or otherwise confidential must be clearly indicated with stamped, bold red letters stating "CONFIDENTIAL" on that section of the document. The City will not be responsible for any public disclosure of confidential information if it is not clearly marked as such.
- 1.2. If a request is made under the Texas Public Information Act to inspect information designated as confidential, the Respondent shall, upon request from the City, furnish sufficient written reasons and information as to why the information should be protected from disclosure. The matter will then be presented to the Attorney General of Texas for final determination.

PART V

GENERAL TERMS AND CONDITIONS

1. **INSURANCE:** The Respondent shall meet or exceed all insurance requirements set forth by the Insurance Requirements as identified on the City's website at: <http://www.roundrocktexas.gov/bids>.
2. **DEFINITIONS, TERMS AND CONDITIONS:** By submitting a response to this solicitation, the Respondent agrees that the City's standard Definitions, Terms and Conditions, in effect at the time of release of the solicitation, shall govern unless specifically provided otherwise in a separate Agreement or on the face of a Purchase Order. Said Definitions, Terms and Conditions are subject to change without notice. It is the sole responsibility of the Respondents to stay apprised of changes. The City's Definitions, Terms and Conditions can be obtained from the City's website at: <http://www.roundrocktexas.gov/bids>.
3. **PROMPT PAYMENT POLICY:** Payments will be made in accordance with the Texas Prompt Payment Law, Texas Government Code, Subtitle F, Chapter 2251. The City will pay Vendor within thirty days after the acceptance of the supplies, materials, equipment, or the day on which the performance of services was completed or the day, on which the city receives a correct invoice for the supplies, materials, equipment or services, whichever is later. The Vendor may charge a late fee (fee shall not be greater than that which is permitted by Texas law) for payments not made in accordance with this prompt payment policy; however, this policy does not apply to payments made by the City in the event:
 - 3.1. There is a bona fide dispute between the City and Vendor concerning the supplies, materials, services or equipment delivered or the services performed that causes the payment to be late; or
 - 3.2. The terms of a Federal Agreement, grant, regulation or statute prevent the City from making a timely payment with Federal Funds; or
 - 3.3. There is a bona fide dispute between the Vendor and a subcontractor or between a subcontractor and its suppliers concerning supplies, materials, or equipment delivered or the services performed which caused the payment to be late; or
 - 3.4. The invoice is not mailed to the City in strict accordance with instructions, if any, on the purchase order or agreement or other such contractual agreement.

**ATTACHMENT A:
 RESPONDENT'S REFERENCE SHEET**

PLEASE COMPLETE AND RETURN THIS FORM WITH THE SOLICITATION RESPONSE

SOLICITATION NUMBER: _____

RESPONDENT'S NAME: _____ **DATE:** _____

Provide the name, address, telephone number and e-mail of at least three (3) Municipal and/or Government agencies, or firms of comparable size that have utilized similar service within the last two (2) years. City of Round Rock references are not applicable. References may be checked prior to award. Any negative responses received may result in disqualification of submittal.

1. Company's Name _____
 Name of Contact _____
 Title of Contact _____
E-Mail Address _____
 Present Address _____
 City, State, Zip Code _____
 Telephone Number () _____ Fax Number: () _____

2. Company's Name _____
 Name of Contact _____
 Title of Contact _____
E-Mail Address _____
 Present Address _____
 City, State, Zip Code _____
 Telephone Number () _____ Fax Number: () _____

3. Company's Name _____
 Name of Contact _____
 Title of Contact _____
E-Mail Address _____
 Present Address _____
 City, State, Zip Code _____
 Telephone Number () _____ Fax Number: () _____

FAILURE TO PROVIDE THE REQUIRED INFORMATION WITH THE SOLICITATION RESPONSE MAY AUTOMATICALLY DISQUALIFY THE RESPONSE FROM CONSIDERATION FOR AWARD.

ATTACHMENT B
PROPOSAL SUBMITTAL AND EXECUTION FORM

NOTE: RESPONDENTS SHALL COMPLETE AND RETURN THIS ATTACHMENT WITH THEIR PROPOSAL. FAILURE TO DO SO WILL RESULT IN DISQUALIFICATION OF THE PROPOSAL.

By signature hereon, the Respondent certifies that:

All statements and information prepared and submitted in the response to this RFP are current, complete and accurate.

He/she has not given, offered to give, nor intends to give at anytime hereafter, any economic opportunity, future employment, gift, loan gratuity, special discount, trip, favor, or service to a City employee in connection with the submitted response. Failure to sign the Execution of Proposal or signing it with a false statement shall void the submitted offer or any resulting contracts.

Respondent represents and warrants that the individual signing this Execution of Proposal is authorized to sign this document on behalf of the Respondent and to bind the Respondent under any contract resulting from this proposal.

RESPONDENT (COMPANY): _____

SIGNATURE (IN INK): _____

NAME (TYPED/PRINTED): _____

TITLE: _____ **DATE:** _____

STREET: _____

CITY/STATE/ZIP: _____

TELEPHONE AND FAXSCMILE NO.: _____

E-MAIL ADDRESS: _____

FEDERAL TAX IDENTIFICATION NUMBER (FIN): _____

By submitting a response to this solicitation, the Respondent agrees that the City's standard Definitions, Terms and Conditions, in effect at the time of release of the solicitation, shall govern unless specifically provided otherwise in a separate Agreement or on the face of a Purchase Order. Said Definitions, Terms and Conditions are subject to change without notice. It is the sole responsibility of Respondents to stay apprised of changes. The City's Definitions, Terms and Conditions shall be enforced and part of the contract and can be obtained from the City's website at: <http://www.roundrocktexas.gov/bids>.

ATTACHMENT C:

ADDENDUM ACKNOWLEDGMENT FORM

NOTE: If multiple addendums have been issued, Respondents may complete and return this attachment with their proposal in place of the individual addendums that must be submitted. Failure to provide either this form or the individual addendums with signatures may result in disqualification of the proposal.

Addenda Acknowledgment: The undersigned acknowledges the receipt of the following Addenda:

Addendum #: _____ **Dated:** _____

Addendum #: _____ **Dated:** _____

Addendum #: _____ **Dated:** _____

Addendum #: _____ **Dated:** _____

Addendum #: _____ **Dated:** _____

RESPONDENT (COMPANY): _____

SIGNATURE (IN INK): _____

NAME (TYPED/PRINTED): _____

TITLE: _____ **DATE:** _____