



THE CITY OF
EDINBURG
REQUEST FOR PROPOSALS

The City of Edinburg is soliciting sealed proposals to be received by the City Secretary's Office located at 415 W. University Drive, Edinburg, Texas 78541. City of Edinburg normal business days are Monday through Friday between the hours of 8:00 a.m. to 5:00 p.m. and shall be closed on recognized holidays.

Proposals will be received until **3:00 p.m. Central Time, on Monday, November 21, 2011**, shortly thereafter all submitted proposal will be gathered and taken to the Edinburg City Hall Community Room, 1st Floor, to be publicly opened and read aloud. Any proposal received after the closing time will not be accepted and will be returned to the proposer unopened. It is the responsibility of the proposer to see that any proposal submitted shall have sufficient time to be received by the City Secretary's Office prior to the proposal opening date and time. The receiving time in the City Secretary's Office will be the governing time for acceptability of the proposals. Proposals will not be accepted by telephone or facsimile machine. All proposals must bear original signatures and figures. The Proposal shall be for:

RFP NO. 2012-07
POLYGRAPH SERVICES

THE CITY OF EDINBURG POLICE DEPARTMENT IS SOLICITING PROPOSALS FROM QUALIFIED PROVIDERS AND AGENCIES TO PROVIDE POLYGRAPH EXAMINATION SERVICES, AS LISTED HEREIN. PROPOSAL RESPONSES (1 ORIGINAL + 3 COPIES) MUST BE SUBMITTED IN A SEALED ENVELOPE/PACKAGE CLEARLY MARKED ON THE OUTSIDE WITH THE RFP NUMBER, TITLE, DUE DATE AND RESPONDENT'S NAME. PROPOSALS MUST BE RECEIVED AND TIME STAMPED AT THE CITY OF EDINBURG'S CITY SECRETARY'S DEPARTMENT, 415 W. UNIVERSITY DRIVE ON OR BEFORE THE ABOVE SPECIFIED DATE AND TIME. IT IS THE RESPONDENTS' RESPONSIBILITY TO ASSURE PROPOSALS ARE RECEIVED AT THE ABOVE LOCATION BY THE SPECIFIED TIME. LATE PROPOSALS WILL NOT BE ACCEPTED.

Bidders receiving a "NOTICE TO BIDDERS" and/or "REQUEST FOR PROPOSALS" notice in the mail or reading same in the newspaper are advised that the bidding documents can be downloaded from the City of Edinburg web page address: www.cityofedinburg.com, or may obtain copies of same by contacting the office of:

LORENA FUENTES, PURCHASING AGENT, LOCATED AT 415 W. UNIVERSITY DRIVE, Edinburg, TX 78541 by calling (956) 388-8972 or by e-mailing your request to the following e-mail address: lfuentes@cityofedinburg.com

If you have any questions or require additional information regarding this proposal, please contact Lieutenant Octavio Reyes, at (956) 289-7788.

Hand-delivering Proposals: 415 West University Drive,
c/o City Secretary Department (1st Floor)

If using Land Courier (i.e., FedEx, UPS): City of Edinburg
c/o City Secretary
415 West University Drive
Edinburg, Texas 78541

If Mailing Proposals: City of Edinburg
c/o City Secretary
P.O. Box 1079
Edinburg, TX 78540-1079



415 W. University Drive • P.O. Box 1079 • Edinburg, Texas 78540
Phone (956) 388-8204 • Fax (956) 383-7111



The City of Edinburg reserves the right to refuse and reject any or all proposals and to waive any or all formalities or technicalities and to accept the proposal deemed most advantageous to the City, and hold the proposals for a period of 60 days without taking action.

Proposals must be submitted in an envelope sealed with tape and prominently marked on the lower left hand corner of the proposal envelope with corresponding proposal number and title.

**CITY OF EDINBURG
REQUEST FOR PROPOSALS FOR POLYGRAPH EXAMINATIONS**

SECTION 1. ADMINISTRATIVE OVERVIEW

BACKGROUND

The City of Edinburg Police Department utilizes polygraph examinations in criminal investigations. A polygraph examination is an integral component of the investigative process. Polygraph examinations are used in criminal investigations to verify the veracity of subjects' statements.

PURPOSE

The City of Edinburg Police Department is seeking proposals from qualified Polygraph Examiners with experience in polygraph examinations. Through this Request for Proposals (RFP), the City of Edinburg Police Department intends to evaluate qualified Consultants capable of providing polygraph examinations and related services. The selected consultant will be approved by the City of Edinburg Police Department and as such will be authorized to contract with the Police Department to provide Polygraph examinations that include, but are not limited to, inquiries regarding criminal investigations and conduct, and any and all activities related thereto. Pursuant to this RFP a contract will be executed. The Contract period will be for a term of approximately 1 year, commencing when executed and terminating September 30, 2012.

RFP ORGANIZATION

This RFP is organized into six (6) sections plus Exhibits and a signature page.

Section 1, Administrative Overview-Outlines general information on the objectives of this RFP, background information on the issuing entity, and the organizational structure of the RFP.

Section 2, Procurement Rules and Procedures-Outlines the rules and schedules for this procurement.

Section 3, Instructions for Proposal Preparation-Outlines the precise manner in which proposals must be submitted for consideration. Failure to adhere to these guidelines may result in the rejection of the proposal.

Section 4, Proposal Requirements-Outlines the inclusion requirements for consideration of proposals.

Section 5, Evaluation Procedures-Describes how proposals will be evaluated by the issuing entity.

Section 6, Terms and Conditions-Outlines certain terms and conditions under which the contract must be performed.

QUALIFICATION REQUIREMENTS

Consultants submitting proposals must meet the following minimum requirements:

- a. Shall possess and keep in force all licenses and permits required to perform services under this Agreement and within the STATE OF TEXAS.
- b. Must be an experienced deception detection examiner who has completed over 200 deception detection examinations and has been licensed or certified by the United States Government and actively conducting deception detection examinations for the past 5 years or more.

REQUEST FOR PROPOSALS FOR POLYGRAPH EXAMINATIONS: (Continued):

- c. Must have no record of illegal drug use, no felony criminal convictions and no conviction of any sex related crime.
- d. Must comply with all applicable local, state and federal laws and regulations.
- e. Must be accomplished at interviewing and interrogation.
- f. Must have own equipment.

DESIRED EXPERIENCE

- a. It is preferable that Consultants be current or retired police officers who are experienced in conducting criminal investigations.
- b. It is preferable that Consultants have advanced and/or specialized training with regards to interviewing and interrogation.

PLACE OF PERFORMANCE

The awarded Consultant agrees to administer polygraph examinations at the City of Edinburg Police Department located at 1702 South Closner, Edinburg, Texas 78539.

SCOPE OF WORK

The Consultant shall provide polygraph examination services to the City of Edinburg Police Department on an "as needed" basis. Generally, services shall consist of a broad range of testing including, but not limited to:

1. Criminal investigations, this may include administering tests to incarcerated individuals as well. It is understood that the nature of the examination will dictate how time intensive or involved an examination should be.
2. Consultant shall be available to conduct examinations at all reasonable times (including weekends, holidays and other than normal business hours) within seventy-two (72) hours of any request to provide such service.
3. Consultant shall provide an oral examination result immediately upon completion of all examinations as well as a written report within forty-eight (48) hours or two business days after the conclusion of any examination.
4. Consultant's polygraph instrument shall be properly calibrated as prescribed by current DOPL Detection of Deception rules and regulations.
5. The examination format shall include the following:
 6. An extensive pre-test interview
 7. The "in test" examination
 8. The oral evaluation upon completion
9. A formal written report; the examination format for criminal investigations may be changed to accommodate specific areas of inquiry.
10. Any and all information obtained through the course of the performance under this contract is considered confidential. All obtained information is proprietary to the City of Edinburg Police Department. Disclosure of any information related to any polygraph exam administered under this Agreement without written approval by the City of Edinburg Police Department, shall be considered a violation of the terms and conditions of this contract resulting in immediate contract

REQUEST FOR PROPOSALS FOR POLYGRAPH EXAMINATIONS: (Continued):

11. termination. Information obtained from criminal polygraph examinations is subject to legal rules of evidence.
12. Consultant shall appoint an alternate examiner to conduct examinations in the event of an actual or potential conflict of interest, i.e. subject being well-known to, or related to, Consultant.
13. Consultant shall ensure that any alternate examiner shall comply with and meet all terms, qualifications, requirements and conditions of this Agreement. Alternate examiners shall be paid according to this Agreement.
14. Consultant shall appear and testify at any criminal, civil, and administrative hearings or court proceedings when requested to do so by to the City of Edinburg Police Department.

POLYGRAPH EXAMINATION RESULTS

1. Consultant will provide to the City of Edinburg Police Department a detailed written report regarding each specific polygraph examination including a statement of findings noting deception indicated, no deception indicated or inconclusive. The City of Edinburg Police Department shall also be provided copies of any associated written statements made by participants. In the event of an incomplete examination, a detailed written report documenting the circumstances will be completed by the Consultant.
2. Consultant shall provide additional testing in order to obtain conclusive results, with no additional expense incurred to City of Edinburg Police Department if requested.
3. An official polygraph examination file will be maintained in a secure location at the Consultant's place of business. This file shall include a copy of the report and findings and other supporting documentation such as charts, questions used, audio/visual recordings, etc. The official file shall be retained as per Texas guidelines.
4. The City of Edinburg Police Department shall be granted access to all polygraph examination files as requested by appropriate City of Edinburg Police Department personnel.

SECTION 2. RULES OF PROCUREMENT

This procurement shall conform to and is governed by the City of Edinburg Finance Department Purchasing Procurement Rules and Regulations.

All proposals must be submitted in the proposal format outlined in (Instructions for Proposal Preparation) of this RFP.

All prospective providers must meet the required criteria as of the date of submission. Respondents must provide all requested information in the Detailed Information Response Form.

City of Edinburg Police Department has established certain requirements with respect to proposals to be Request for Proposals submitted by respondents. The use of "shall", "must", or "will", in this RFP indicates a requirement or condition from which a material deviation will not be approved by City of Edinburg Police Department. After proposals have been submitted, City of Edinburg Police Department officials may arrange to meet with a proposed provider to further discuss related issues.

SECTION 3. INSTRUCTIONS FOR PROPOSAL PREPARATION

PROPOSAL ORGANIZATION AND NUMBER OF COPIES

Each respondent must submit 1 ORIGINAL and three (3) copies of its proposal to the City of Edinburg. The envelope containing the proposal must be clearly labeled "RFP 2012-07 PROPOSAL - POLYGRAPH SERVICES". The proposal must be delivered before 3:00 p.m. on the closing date to:

REQUEST FOR PROPOSALS FOR POLYGRAPH EXAMINATIONS: (Continued):

**City of Edinburg
c/o City Secretary
415 West University Drive
Edinburg, Texas 78541**

The proposal must include (in the following order):

Transmittal letter describing background of respondent and the intent to participate in the contract.

Completed Detailed Information Response Forms provided in the RFP including all requested attachments.

Signature Page certifying that the respondent understands the terms and conditions of the RFP and intends to abide by them if awarded a contract.

SECTION 4. PROPOSAL REQUIREMENTS

LETTER OF TRANSMITTAL

The letter of transmittal shall be on official business letterhead. The letter of transmittal shall include:

A statement that the respondent will comply with all terms and conditions as indicated in the RFP.

A statement indicating whether the respondent is a corporation or other legal entity.

A certification statement to the effect that the person signing the proposal is authorized to do so on behalf of the respondent.

Names of the key contact persons with their title and telephone numbers. Also, indicate first and second back-up contact persons.

Name and complete mailing address of the respondent along with telephone number and fax number.

DETAILED INFORMATION RESPONSE FORM

The Detailed Information Response Form attached as Exhibit B must be completed and included in the submission.

SIGNATURE PAGE

A signature page in the form attached as Exhibit C must be executed and included in the submission.

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VENDOR CERTIFICATION FORM

The Vendor Certification Form attached as Exhibit D must be completed and witnessed by a notary public and included in the submission.

SECTION 5. EVALUATION PROCEDURES

This process will include, but not be limited to, proposal evaluation and verification by appropriate City of Edinburg staff representative and/or its authorized committee.

REQUEST FOR PROPOSALS FOR POLYGRAPH EXAMINATIONS: (Continued):

Evaluation Criteria

In making its selection, the City of Edinburg will not only consider cost but also the proposal with the best combination of attributes that provides the desired solution, in the opinion of the City. A committee will evaluate and rank proposals for Council approval. Consideration will be given to the following criteria:

A point evaluation system will be used to rank the proposals. Point ranges have been assigned to each category in accordance with the City's determination of their relative importance. The evaluation components are listed below with their assigned points:

- a. Experience, Education and Credentials = 0-30 points
- b. Extent of Services offered = 0-30 points
- c. Cost = 0-30 points
- d. Insurance capabilities & Background Check 0-5
- e. Responsiveness of Proposal 0-5

ACCEPTANCE OF PROPOSAL

City of Edinburg reserves the right to reject any or all proposals or waive minor irregularities when to do so would be in the best interests of City of Edinburg. Minor irregularities are those which will not have a significant adverse effect on overall competition or performance levels. The responding party agrees that City of Edinburg may terminate this procurement procedure at any time, and City of Edinburg shall have no liability or responsibility to the responding party for any costs or expenses incurred in connection with this RFP, or such party's response.

DISPOSITION OF PROPOSALS

All proposals (and the information contained therein) shall become the property of City of Edinburg. No proposals shall be returned to the respondent regardless of the outcome of the selection process. All proposals will be evaluated by authorized representatives of City of Edinburg.

SECTION 6 TERMS AND CONDITIONS

- A. The contractor will defend at the contractor's expense, indemnify and hold harmless the City of Edinburg, its officials, employees, agents, servants, representatives and assigns from and against any and all liability damages, losses, expenses, claims, demands, suits, actions, judgments, bodily injuries or sicknesses to any person, or damage, destruction or loss of use of any property arising out of or related to the services provided by the contractor or caused by the contractor's negligence or from any operation conducted by the contractor in rendering service to the City of Edinburg.
- B. The following insurance requirements will be included in all City contracts of \$15,000 or more.
 - (1) The successful bidder will be required to carry the following insurance coverage and limits of coverage, as well as list the City as an additional insured to liability coverage as requested by the City. In addition, the successful bidder shall provide the City with evidence of coverage and furnish acceptable proof of payment of insurance premiums.

(2) The successful bidder will be required to secure and/or have insurance coverage in force with an admitted property and casualty insurance company licensed by the State of Texas to conduct business in the State of Texas.

(3) In contracts not involving building and construction projects, as that activity is defined in TEX. LABOR CODE §406.096, contractors may obtain alternative form of worker accident insurance with minimum limits of liability of \$100,000 per claim.

Minimum Insurance Requirements	
Type of Coverage	Limits of Liability
Worker's Compensation	Statutory Coverage
Employer's Liability	Bodily Injury by Accident: \$100,000 each accident Bodily Injury by Disease: \$100,000 each employee/\$500,000 policy limit
Comprehensive General Liability Bodily Injury	\$250,000 each person/\$500,000 each occurrence
Property Damage	\$100,000 each occurrence/\$100,000 aggregate or \$500,000 combined single limits
Comprehensive Auto Liability Bodily Injury	\$100,000 each person/\$500,000 each occurrence
Property Damage	\$100,000 each occurrence/\$100,000 aggregate or \$500,000 combined single limits
City's Protective Liability Bodily Injury	\$250,000 each person/\$500,000 each occurrence
Property Damage	\$100,000 each occurrence/\$100,000 aggregate or \$500,000 combined single limits

The certificate of insurance shall provide the City of Edinburg, Edinburg, Texas with thirty (30) days written notice of cancellation of any of the coverage areas named in said certificate.

The City will be named as additional insured under the Contractor's general liability insurance and automobile insurance policies.

The Contractor shall require certificates of insurance from subcontractors. Subcontractors will carry limits of insurance equal to or greater than those carried by the Contractor. These certificates shall evidence waivers of subrogation in favor of the Contractor and the City, and shall be made available to the City upon request.

- C. The Contractor is an independent contractor and will not, under any circumstances, be considered an employee, servant or agent of the City of Edinburg. Neither the Contractor nor its employees have any authority to bind the City in any respect.
- D. Work assigned under the terms of this RFP cannot be reassigned, transferred or subcontracted without prior written approval of the City of Edinburg.
- E. The term (length) of this contract will be determined after review of all vendor submissions and after a potential vendor is selected.
- F. The Contractor shall maintain documentation for all charges against the City of Edinburg under this contract. The books, records and documents of the Contractor, insofar as they relate to work performed or money received under this Contract, shall be maintained for a period as required by law, and shall be subject to audit, at any reasonable time and upon reasonable notice, by the City of Edinburg. These records shall be maintained in accordance with generally accepted accounting principles.
- G. No person on the grounds of disability, age, race, color, religion, sex, national origin, veteran status or any other classification protected by Federal and/or Texas state constitutional and/or statutory law shall be excluded from participation in, or be denied benefit of, or be otherwise subjected to discrimination in the performance of this Contract. The Contractor shall, upon request, show proof of such non-discrimination, and shall post in conspicuous places, available to all employees and applicants, notice of non-discrimination.
- H. The City of Edinburg shall have no liability except as specifically provided in this Contract.
- I. The Contractor shall comply with all applicable Federal and State laws and regulations in the performance of this Contract.
- J. This Contract shall be governed by the laws of the State of Texas.
- K. The Contract may be cancelled with thirty (30) days written notice by either party.
- L. Although highly discouraged by the City of Edinburg, any agreement, if required, such as a license agreements or information that the City of Edinburg has to review from the proposer's firm must be received with your proposal response. If a proposal contains supplemental terms and conditions the City of Edinburg, at its sole discretion, may determine the proposal to be a non-responsive counter offer and the proposal may be rejected.
- M. Right to Negotiate: Upon evaluation of the RFP, the City of Edinburg has the right to enter into negotiations with multiple proposer(s) not necessarily the proposer with the lowest cost submission. Negotiations could include, but not limited to, price, functionality requirements, terms and conditions. However, issues may arise that the City of Edinburg may not negotiate due to state fiscal policies, state laws or City of Edinburg policies and an impasse could arise. If for any reason a proposer and the City of Edinburg cannot arrive at a mutual agreement, the City of Edinburg reserves the right to terminate negotiations, reject the proposal and to continue negotiations with other responsive proposers.
- N. Contract Award: The City of Edinburg reserves the right to issue any resulting contract/order to the firm whose proposal in the City of Edinburg's judgment most nearly conforms to the City of Edinburg requirements

and best serves the needs of the City of Edinburg. The City of Edinburg reserves the right to award a contract to other than the lowest cost proposer if the interests of the City of Edinburg are best served. The City of Edinburg reserves the right to waive all technicalities in selecting or rejecting any or all proposals that satisfy or fail to satisfy respectively, the City of Edinburg's best interest.

Interpretations and Addenda: If during the RFP submission period, a firm finds discrepancies, ambiguities, omissions, or is in doubt as to the meaning or intent of the proposal request, the City of Edinburg should be notified on or before 5 days before the close date. No request for interpretation or clarification will be received or answered after 5 days before the close date. The City of Edinburg will not be responsible for oral interpretations or instructions during proposal request period. All responses will be written and will be shared with all other proposers. All addenda are incorporated by reference into the contract. Failure of any proposer to receive any addenda will not relieve the proposer of any obligation with respect to the proposal.

City of Edinburg will award a contract in reliance upon the information contained in proposals submitted in response to the RFP. City of Edinburg will be legally bound only when and if there is a definitive signed agreement with the awarded provider. It is vitally important that any person who signs a proposal or contract on behalf of a provider organization certifies that he or she has the authority to so act. The provider who has its proposal accepted may be required to answer further questions and provide further clarification of its proposal and responses.

DETAILED INFORMATION RESPONSE FORM

In order to receive full consideration, submitted proposals must contain responses to all questions. Failure to respond to all questions may result in exclusion from participating in this RFP.

COMPANY NAME & ADDRESS: _____

Is this an Office: _____, Home: _____, Other: _____

Telephone Number: (____) _____, Emergency Number: (____) _____.

Answering Machine: (____) _____, Fax Number: (____) _____.

Email Address: _____

COMPANY OWNER: _____

COMPANY PRESIDENT: _____

CONTACT PERSON: _____ Phone: _____

Doing business as: an individual a partnership a corporation a limited liability company (*mark appropriate box*), *duly organized under the laws of the State of*

Business License Number: _____

Applicable State of Texas Professional License Type(s) and License Number (s)

(Please attach copies of all applicable Professional Licenses and Certifications as listed in Section 1.4 Qualification Requirements)

Federal Tax Identification Number: _____

How long has this company been in business: _____ Years, and _____ Months.

Officers authorized to execute contracts: _____

What would happen to your company in the event of the owner's absence or death?

Is your company currently involved in arbitration or litigation for any reason? **YES NO**

If so, please elaborate on a separate page.

Has your company, or any of your proposed sub-contractors, ever filed for reorganization or bankruptcy? **YES NO**

If so, please provide the dates and details regarding the resolution on a separate page.

Has your company ever been listed on the Excluded Parties List System? **YES NO**

Are any of the Company's owners, officers, employees or agents also employees or officers of City of Edinburg or related to employees or officers of City of Edinburg? **YES NO**

DETAILED INFORMATION RESPONSE FORM: PAGE 2

1. Company Background. Please provide a statement of the company's experience and qualifications to meet the requirements as outlined herein. Include a general overview and history of your company, number of years in business, number of employees, corporate headquarters location, type of business, names of the company's chief officers (include an organizational chart if possible), and where you do business. Consultants may include an annual report or statement of finances, if available, but it shall not substitute for the written narrative requested for this item.

2. Experience. Detail your company's experience in providing the services requested herein for similar customers, with dates of performance and/or completion, customer name, contact person, and telephone number(s). By providing such references you agree that neither City of Edinburg nor the clients referenced shall have any liability regarding the provision of such references or the City of Edinburg's use of such references in making selections under this request for proposal.

DETAILED INFORMATION RESPONSE FORM: PAGE 3

3. **Employee Information.** Identify proposed staff members, employees and alternate examiners who would be providing the services requested herein and submit statements or resumes detailing their qualifications. Your proposal should include information on levels of training received by each staff member and detailed descriptions of their involvement with projects of similar or identical scopes. Additionally, list memberships held or affiliations with professional associations and organizations in this field.

4. **Subcontracted Work.** Identify any of the work that you intend to subcontract to others and identify the proposed subcontractors and alternate examiners including names, specific assignments, and the qualifications of the subcontracting firm and its key personnel.

5. **Special Qualifications.** In addition to the information and qualifications specified above, identify any special knowledge or skills provided by your company that may be related or helpful to the services requested herein.

EXHIBIT C
SIGNATURE PAGE

I hereby certify that the information submitted by me/my company in response to this RFP, including the pricing and other information in this Proposal Response Form is true and accurate. I understand that City of Edinburg has the right to reject any or all proposals, to waive minor irregularities when to do so would in the best interests of City of Edinburg.

Name of Firm _____

Print Name _____

Signature _____ Date _____

EXHIBIT D

VENDOR CERTIFICATION FORM

CITY OF EDINBURG)
) SS Polygraph Services
COUNTY OF HIDALGO)

Has your firm failed to complete a contract within the last five years? **YES NO**
If "yes" attach explanation.

Has your firm or any partner or officer ever been involved in any bankruptcy action? If "yes" attach explanation.
YES NO

Has your firm or any partner or officer ever been listed on the Excluded Parties List System? **YES NO**

Are any of the Contractor's owners, officers, employees, or agents also employees of City of Edinburg or related to any employees of City of Edinburg? **YES NO**

If "yes" attach explanation.

AFFIDAVIT

The undersigned of lawful age, being first duly sworn, disposes and says:

That as a condition precedent to the award of the City of Edinburg project as above captioned,

I _____, of _____

(Owner, partner, officer or delegate) (Firm)

do solemnly swear that neither I, nor to the best of my knowledge any member or members of my firm or company have either directly or indirectly restrained free and competitive bidding on this project by entering into any agreement, participating in any collusion, or otherwise taking any action unauthorized by City of Edinburg, with regard to this contract or bidding process.

.....

Contractor Signature _____ By: _____
Title

.....

Subscribed and sworn to before me this day of _____ 2009 A.D.
My Commission Expires _____

Residing at _____ Seal

By: _____ Notary Public.