



T H E C I T Y O F
EDINBURG

NOTICE TO RESPONDENTS

The City of Edinburg is soliciting sealed RFP's 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.

RFP's will be received until **3:00 p.m. Central Time**, on **Tuesday, July 05, 2016**. Any RFP received after the closing time will not be accepted and will be returned to the sender unopened. It is the responsibility of the Actuary to see that any RFP submitted shall have sufficient time to be received by the City Secretary's Office prior to the RFP opening date and time. The receiving time in the City Secretary's Office will be the governing time for acceptability of the RFP's. RFP's will not be accepted by telephone or facsimile machine. All RFP's must bear original signatures and figures. The RFP shall be for:

RFP NO. 2016-019
CLASSIFICATION AND COMPENSATION PLAN RESTRUCTURE

If you have any questions or require additional information regarding this RFP, please contact Ms. Christina Flores, Director of Human Services, at (956) 388-1873.

If Hand-delivering RFP's: 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 RFP's: City of Edinburg
c/o City Secretary
P.O. Box 1079
Edinburg, TX 78540-1079

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

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



INSTRUCTIONS TO RESPONDENTS (Continued):

PREPARATION OF RFP'

RFP's MUST give full firm name and address and be manually signed. Failure to do so will disqualify your RFP. Person signing RFP must show title or AUTHORITY TO BIND HIS/HER FIRM IN A CONTRACT.

Firm name and authorized signature must appear on each page that calls for this information. The legal status of the Respondent/Bidder whether corporation, partnership, or individual, shall also be stated in the RFP. A corporation shall execute the RFP by its duly authorized officers in accordance with its corporate by-laws and shall also list the state in which it is incorporated. A partnership Respondent/Bidder shall give full names and addresses of all partners. All partners shall execute the RFP. Partnership and Individual Respondent/Bidder shall state in the RFP the names and addresses of all persons with a vested interest therein. The place of residence of each Respondent/Bidder, or the office address in the case of a firm or company, with county and state and telephone number, shall be given after the signature.

ALTERATIONS/AMENDMENTS TO RFP

RFP's **CANNOT** be altered or amended after opening time. Alterations made before opening time must be initialed by Bidder guaranteeing authenticity. No RFP may be withdrawn after opening time without acceptable reason in writing and only after approval by the City of Edinburg.

SALES TAX

State sales tax must not be included in the RFP.

SUBSTITUTIONS

No substitutions or cancellations will be permitted without written approval of City of Edinburg.

NO RFP RESPONSE

If unable to submit a RFP, firm should return inquiry giving reasons.

EXCEPTIONS

Any additions, deletions, or variations from the following specifications/requirements must be noted. The bidder shall attach to his/her RFP sheet a list of any exceptions to the specifications/requirements if unable to do so, on specification sheet.

DELIVERY

Number of days required to deliver SERVICES after receiving order must be stated in the RFP. Failure to so state will obligate bidder to complete service delivery within ONE day. Delivery time may be considered as basis of award.

DELAY IN SERVICE DELIVERY

When delay can be foreseen, Bidder shall give prior notice to City of Edinburg. Bidder must keep City of Edinburg advised at all times of status of order. Default in promised service delivery (without acceptable reasons) or failure to meet specifications/requirements, authorizes the City of Edinburg to purchase such SERVICES elsewhere and charge increase in cost to defaulting vendor. Acceptable reasons for delayed delivery are as follows: Acts of God (floods, tornadoes, hurricanes, etc.), acts of government, fire, strikes, war; Actions beyond the control of the successful bidder.

INSTRUCTIONS TO RESPONDENTS (Continued):

SERVICE DELIVERED PRICING

RFP's in units of quantity specified - extend and show total. In the event of discrepancies in extension, unit prices will govern. RFP's subject to unlimited price increase will not be considered.

VALID RFP TIME FRAME

The City may hold RFP's **60** days after RFP opening without taking action. Bidders shall be required to hold their RFP's firm for the same period of time.

RIGHT TO REJECT/AWARD

The City of Edinburg reserves the right to refuse and reject any or all RFP's, and to waive any or all formalities or technicalities, and to make such awards of contract as may be deemed to be the best and most advantageous to the City of Edinburg.

MULTIPLE VENDOR CONTRACTS

Bidders are advised that the City of Edinburg may award Service Contracts to multiple vendors based on low RFP per item basis. All items specified on the "RFP Form" **must** reflect the individual unit prices. The City of Edinburg reserves the right to award all items individually or in any combination thereof.

INDEMNIFICATION CLAUSE

The Bidder agrees to indemnify and save harmless the City, from all suits and actions of every nature and description brought against them or any of them, for or on account of the use of patented appliances, products or processes, and he shall pay all royalties and charges which are legal and equitable. Evidence of such payment or satisfaction shall be submitted upon request of the Purchasing Agent, as a necessary requirement in connection with the final estimate for payment in which such patented appliance, products or processes are used.

ADDENDA

Bidder shall carefully examine the RFP forms, specifications/requirements, and instructions to Bidders. Should the bidder find discrepancies in, or omissions from RFP forms, specifications/requirements, or other documents, or should he/she be in doubt as to their meaning, he/she should at once notify the Purchasing Agent (Edinburg City Hall, 956-388-8972) and obtain clarification by addendum prior to submitting any RFP. Explanations, interpretations, and supplemental instructions shall be in the form of written Addenda which shall become a part of the Contract documents.

Said Addenda shall be mailed, e-mailed, hand delivered and/or faxed, to all prospective Bidders. All Addenda issued in respect to this project shall be considered official changes to the original RFP documents. Verbal statements in response to inquiries and/or requests for explanations shall not be authoritative or binding. It shall be the Bidder(s) responsibility to ensure that they have received all Addenda in respect to this project. Furthermore, Bidders are advised that they must recognize, comply with, and attach a signed copy of each Addendum which shall be made part of their RFP Submittal. Bidder(s) signature on Addenda shall be interpreted as the bidder's "recognition and compliance to" official changes as outlined by the City of Edinburg and as such are made part of the original solicitation documents. Failure of any bidder to receive any such addendum or interpretation shall not relieve such Bidder from its terms and requirements. Addendums are available online at www.cityofedinburg.com.

PAYMENT

The City of Edinburg will execute payment by mail in accordance with the State of Texas Pay Law after SERVICES have been provided and invoiced. No other method of payment will be considered.

INSTRUCTIONS TO RESPONDENTS (Continued):

SYNONYM

Where in this RFP package ITEMS OR SERVICES is used its meaning shall refer to the CLASSIFICATION AND COMPENSATION PLAN RESTRUCTURE as specified.

ASSIGNMENT

Neither the Bidder's contract nor payment due to an awarded vendor may be assigned to a third party without the written approval of the Purchasing Department for the City of Edinburg.

INTERPRETATIONS

Any questions concerning the conditions and/or specifications/requirements with regards to this solicitation for RFP's shall be directed to the designated individuals as outlined in the Request for RFP's. Such interpretations, which may affect the eventual outcome of this request for RFP's, shall be furnished in writing to all prospective Bidders via Addendum. No interpretation shall be considered binding unless provided in writing by the City of Edinburg in accordance with paragraph entitled "Addenda".

STATUTORY REQUIREMENTS

It shall be the responsibility of the successful Bidder to comply with all applicable State & Federal laws, Executive Orders and Municipal Ordinances, and the Rules and Regulations of all authorities having jurisdiction over the work to be performed hereunder and such shall apply to the contract throughout, and that they will be deemed to be included in the contract as though written out in full in the contract documents. (To include issues related to health, environmental, and safety to name a few.)

BIDDER'S EMPLOYEES

Neither the Bidder nor his/her employees engaged in fulfilling the terms and conditions of this Purchase Contract shall be considered employees of the City. The method and manner of performance of such undertakings shall be under the exclusive control of the vendor on contract. The City shall have the right of inspection of said undertakings at any time.

RIGHT TO WAIVE

City of Edinburg reserves the right to waive or take exception to any part of these specifications/requirements when in the best interest of the City of Edinburg.

COOPERATIVE PRICING

Bidders are advised that in addition to responding to our "local" solicitation for RFP's/RFP's with Dealer pricing, vendors/contractors are encouraged to provide pricing on the below referenced items/products/services based on BuyBoard, TX-MAS, H-GAC and/or any other State of Texas recognized and approved cooperative which has complied with the bidding requirements for the State of Texas. If bidding other than or in addition to "dealer" pricing, kindly duplicate the RFP forms for each RFP being provided from a cooperative contract. Any and all applicable fees must be included. All cooperative pricing must be submitted on or before RFP opening date and hour.

TIME ALLOWED FOR ACTION TAKEN

The City of Edinburg may hold RFP's **60** days after the opening of RFP's without taking action. Bidders are required to hold their RFP's firm for same period of time.

PREPARATION OF RFP

The City of Edinburg shall not be held liable for any costs incurred by any bidder for work performed in the preparation

INSTRUCTIONS TO RESPONDENTS (Continued):

of and production of a RFP or for any work performed prior to execution of contract.

CONFIDENTIAL INFORMATION

Any information deemed to be confidential by the bidder should be clearly noted on the pages where confidential information is contained; however, the City cannot guarantee that it will not be compelled to disclose all or part of any public record under Texas Public Information Act, since information deemed to be confidential by the bidder may not be considered confidential under Texas Law, or pursuant to a Court order.

VERBAL THREATS

Any threats made to any employee of the City, be it verbal or written, to discontinue the providing of item/material/services for whatever reason and/or reasons shall be considered a breach of contract and the City will immediately sever the contract with the Vendor on contract.

MATHEMATICAL ERRORS

In the event that mathematical errors exist in any RFP, unit prices/rates -v- totals, unit prices/rates will govern.

AUDIT

The City of Edinburg reserves the right to audit the vendor's books and records relating to the performance of this contract. The City of Edinburg, at its own expense, shall have the right at all reasonable times during normal business hours and upon at least twenty-four (24) hours' advance notice, to audit, to examine, and to make copies of or extracts from the books of account and records maintained by the vendor(s) with respect to the Supply/Service and/or Purchase Contract. If such audit shall disclose overpayment by City to vendor, written notice of such overpayment shall be provided to the vendor and the amount of overpayment shall be promptly reimbursed by vendor to the City. In the event any such overpayment is not paid within ten (10) business days after receipt of such notice, the unpaid amount of such overpayment shall bear interest at the rate of one percent (1%) per month from the date of such notice until paid.

PAST PERFORMANCE

Firm's past performance shall be taken into consideration in the evaluation and award of Service Contract for the Purchase of SERVICES.

JURISDICTION

Contract(s) executed as part of this solicitation shall be subject to and governed under the laws of the State of Texas. Any and all obligations and payments are due and performable and payable in Hidalgo County, Texas.

VENUE

The parties agree that venue for purposes of any and all lawsuits, cause of action, arbitration, and/or any other dispute(s) shall be in Hidalgo County, Texas.

IF YOU HAVE ANY QUESTIONS ABOUT COMPLIANCE, PLEASE CONSULT YOUR OWN LEGAL COUNSEL. COMPLIANCE IS THE INDIVIDUAL RESPONSIBILITY OF EACH PERSON OR AGENT OF A PERSON WHO IS SUBJECT TO THE FILING REQUIREMENT. AN OFFENSE UNDER CHAPTER 176 IS A CLASS "C" MISDEMEANOR.

INSTRUCTIONS TO RESPONDENTS (Continued):

CONFLICT OF INTEREST

CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE

Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of Edinburg not later than the 7th business day after the date the person becomes aware of facts that require the statement be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. For more information or to obtain Questionnaire CIQ go to the Texas Ethics Commission web page at www.ethics.state.tx.us/forms/CIQ.pdf.

CERTIFICATE OF INTERESTED PARTIES (Form 1295)

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016. For more information go to the Texas Ethics Commission web page at www.ethics.state.tx.us/forms/CIQ.pdf.

AWARD

For purposes of this project, award will be contingent on approval of budget.

CONSIDERATION OF LOCATION OF BIDDER'S PRINCIPAL PLACE OF BUSINESS

The City may award products/contracts to local vendors, whose principal place of business is located within the City of Edinburg, and whose bid is within five percent (5%) of the lowest bid price, as allowed by Section 271.9051 of the Local Government Code.

SPECIAL CIRCUMSTANCES

In the event that the City of Edinburg has an immediate need for a particular service(s) that is/are on contract and the successful vendor on contract is not able to meet the special service delivery needs of the City of Edinburg, the City of Edinburg reserves the right to purchase such services elsewhere to fulfill its' immediate need.

TERMINATION OF CONTRACT

The City of Edinburg reserves the right to terminate the contract if, in the opinion of the City of Edinburg, the successful vendor's performance is not acceptable, if the City is being repeatedly over charged, improperly charged, no funds are available, or if the City wishes, without cause, to discontinue this contract. Termination will be in written form allowing a 30-day notice. The bidder shall be afforded the same right to terminate this contract in the same manner.

**CITY OF EDINBURG
REQUEST FOR RFP'S FOR
CLASSIFICATION AND COMPENSATION PLAN RESTRUCTURE**

RFP NO. 2016-019

RFP OPENING DATE: July 05, 2016 at 2:00 p.m.

It is the intent of this Request for RFP's to describe and ultimately make it possible for the City of Edinburg to enter into an agreement for the below mentioned CLASSIFICATION AND COMPENSATION PLAN RESTRUCTURE.

**Request for Proposals
Classification & Compensation Plan Restructure**

BACKGROUND

The City of Edinburg, Human Resources Department is looking to restructure its existing classification and compensation plans. Currently, positions are classified under one of the following plans (no steps are included in the plans):

- 1) Non-Exempt,
- 2) Exempt and
- 3) Executive.

Due to anticipated changes as a result of the recent adoption of the Fair Labor Standard Act Overtime Exemption regulations, the City is seeking consulting services to explore options for restructuring its Exempt and Non-Exempt plans. It wishes to develop a new structure, such as a Unified structure, that meets the City's needs and still maintain the internal relationship between positions. It wishes to also obtain a tool or software to maintain the new structure of the plan including but not limited to assigning positions to job classes, evaluating FLSA status and reporting.

The City underwent a full classification and compensation analysis two years ago. Job questionnaires and development of job descriptions are not necessary at this time. Existing information can be made available, as necessary, to the firm awarded this project.

The City has 775 full-time budgeted positions, 96 non-exempt job titles and 65 exempt titles. A final product is preferred by September 16, 2016.

SCOPE OF WORK

A. Please provide a proposal for the services listed below (and related travel and tasks involved). Proposals shall be limited to 15 pages.

1. Discuss City needs regarding restructuring of classification and compensation plan.
2. Review of current plans and positions.
3. Providing recommendation of a new pay plan and structure(s) or modification to existing plan based on the City's needs.
4. Developing a new pay plan and structure or modifying existing plan and migrating positions over using a systematic method.

5. Installation, training and implementation of tool to maintain final plan structure (if applicable). A demonstration of the software may be requested as part of the evaluation process.
- B. Please provide a brief overview of the tasks, methodology and timeframe that will be used to complete this project.
- C. Please include a brief overview of your company and its experience in performing these types of services and include name, address and phone number of contact person for the project.
- D. Please provide a list of three (3) municipal references for which you have performed similar work.

EVALUATION CRITERIA

15% - Qualifications and reputation of firm, assigned staff and relevant experience.

35% - Extent to which the proposal submitted meets the needs of the City.

25% - Overall understanding of the project and completeness of the proposal.

25% - Cost

**CITY OF EDINBURG
RFP FORM FOR
CLASSIFICATION AND COMPENSATION PLAN RESTRUCTURE**

RFP NO. 2016-019

RFP OPENING DATE: July 05, 2016 at 2:00 p.m.

I/We submit the following RFP in ORIGINAL FORM for **CLASSIFICATION AND COMPENSATION PLAN RESTRUCTURE** according to City of Edinburg requirements, less tax:

NOTE: In addition to responding to our “local” solicitation for RFP’s/proposals vendors/contractors are encouraged to provide pricing on the above referenced items/products/services based on Buyboard, H-GAC, TXMAS and/or any other State of Texas recognized and approved cooperative which has complied with the requirements for the State of Texas (any and all applicable fees must be included). All cooperative pricing must be submitted on or before RFP/proposal opening date and hour.

<u>CHECK ONE</u>	
<input type="checkbox"/> BUYBOARD	<input type="checkbox"/> H-GAC
<input type="checkbox"/> TX DIR	<input type="checkbox"/> TFC
<input type="checkbox"/> TXMAS	<input type="checkbox"/> OTHER _____
<input type="checkbox"/> DEALER/LOCAL	
Specify	
CONTRACT NUMBER: _____ (if applicable)	COMMODITY NUMBER: _____ (if applicable)

ITEM	PROJECT	AMOUNT
1	CLASSIFICATION AND COMPENSATION PLAN RESTRUCTURE- Include detailed cost proposal with this form.	\$ _____

All Addenda issued in respect to this project shall be considered official changes to the original RFP documents. It shall be the Respondents responsibility to ensure that all Addenda have been received. Furthermore, respondents are advised that they must recognize, comply with, and attach a signed copy of each Addendum which shall be made part of their RFP Submittal. Respondents signature on Addenda shall be interpreted as the vendor’s “recognition and compliance to” official changes as outlined by the City of Edinburg and as such are made part of the original RFP documents.

ACKNOWLEDGEMENT FORM

I have read and understood the requirements set forth in this RFP #2016-019 and agree to comply except as noted. The cost proposal includes all shipping and handling and detailed pricing as required by the City of Edinburg.

Respectfully submitted this ____ day of _____, 2016.

SUBMITTED BY: _____

PROPOSER: _____

SIGNED: _____

NAME (PRINT): _____

TITLE: _____

ADDRESS: _____

CITY/STATE: _____ ZIP: _____

TELEPHONE: (_____) _____
Area Code

FAX: (_____) _____
Area Code

FEDERAL TAX IDENTIFICATION NUMBER: _____

EMAIL ADDRESS: _____