

**NORTH EAST INDEPENDENT SCHOOL DISTRICT
8961 TESORO DRIVE
SAN ANTONIO, TEXAS 78217**

RFP's will be received by the North East Independent School District for furnishing and delivering **WRESTLING EQUIPMENT**, as per specifications the following and conditions.

RFP's will be received in the Office of the Director of Procurement & eCommerce, until **2:00 p.m., Wednesday, November 11, 2009**, at which time they will be opened. RFP's received after the specified time will not be considered. All interested parties are invited to be present for the bid opening in the office of the Director of Procurement & eCommerce, **NORTH EAST EDUCATION CENTER, 8961 TESORO DRIVE, SUITE 317.**

North East Independent School District, or its designee, reserves the right to reject any and/or all Bids, to make awards as they may appear to be advantageous to the District and to waive all formalities and irregularities in bidding.

North East Independent School District participates in interlocal agreements with Judson ISD and Northside ISD. Awarded vendors agree to extend proposal pricing to Judson ISD and Northside ISD. North East ISD does not guarantee the use of this proposal, use will be at the discretion of Judson and Northside ISD's. Any contract resulting from this agreement is strictly between the individual districts and the proposer.

Please mail or deliver all RFP's to:

David C. Bohannon, Sr. Director of Procurement & eCommerce
North East Independent School District
8961 Tesoro Drive, Suite 317
San Antonio, Texas 78217

Please fill in the RFP Invitation Number and the Bid Opening Date of this invitation on the attached adhesive label and use it for a mailing label.

NEISD DOES NOT ACCEPT FAX OR ELECTRONIC SUBMISSIONS.

NOTE: This is a request for Proposal, IT IS NOT AN ORDER.

RFP# 41- 10

Specifications may be written around particular products, but NEISD will consider all products meeting specifications.

NOTE: FAILURE TO RESPOND TO THIS RFP WILL REMOVE YOUR NAME FROM OUR BID LIST FOR THIS PARTICULAR ITEM. IF YOU CANNOT RESPOND AT THIS TIME AND WOULD LIKE TO REMAIN ON THE BID LIST, PLEASE SUBMIT A "NO BID" ON THE BID FORM AND RETURN IT TO NEISD.

NORTH EAST INDEPENDENT SCHOOL DISTRICT
8961 TESORO DRIVE
SAN ANTONIO, TX 78217

RFP #41-10 - WRESTLING EQUIPMENT

BID SPECIFICATIONS AND CONDITIONS

RFP number 41-10 is annual bid for wrestling equipment and uniforms for North East Independent School District per the following specifications and conditions.

Specifications

1. It is not the policy of the North East Independent School District to purchase on the basis of low proposals alone. Quality and suitability to purpose being controlling factors, it is understood that the purchaser reserves the right to arrive at such by whatever means may be determined. The following criteria shall be used to evaluate each proposal:
 - a. Purchase price
 - b. Reputation of the vendor and of the vendor's goods or services
 - c. Quality of the vendor's goods or service
 - d. Extent to which the goods or services meet the District's needs
 - e. Vendor's past relationship with the vendor
 - f. Impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses
 - g. Total long-term cost to the District to acquire the vendor's goods or services
 - h. Any other relevant factor specifically listed in the request for bids or proposals
2. Contracts for purchase will be put into effect by means of Purchase Orders executed by the Director of Procurement & eCommerce after tabulations are compiled and approved by the Board of Trustees. Quantities herein are believed to be correct, but the right to alter or vary these quantities or to delete any items is reserved.
3. In most instances, a manufacturer's brand and part number is given to establish the type and standard of product required. The brand and part number of each item being bid must be listed on your bid form. If the brand and part number of the item being bid is not listed on your bid form, you will not be considered for the award of that item. If you are bidding (as specified) still include the brand and part number.
4. On some items an asterisk (*) is listed. This indicates that the referenced product is currently being used and is satisfactory to the District, however, alternate items may be bid. North East ISD will consider items that are equivalent to those specified. If an equivalent product is bid, a sample of the product must be included with your bid for evaluation purposes. If samples of alternate products being bid are not included with your bid, your bid for those items will not be considered.
5. Each sample must be clearly marked by item number and include company identification.
6. All samples will be evaluated by the Athletic Department, coaches and the Procurement & eCommerce Department. Failure to provide samples for alternate products will eliminate that item for consideration of award. **IF YOU CANNOT PROVIDE SAMPLES, DO NOT BID!** North East ISD will be the sole determiner of the equivalency of an alternate product.
7. For questions regarding this bid, call Mr. Marshall Fleener at 210 356.6951 or e-mail @ wfleen@neisd.net.
8. Return original bid document along with one photocopy.

Conditions

Delivery

All bid pricing must include any and all delivery costs to Vigil T. Blossom Athletic Center, 12002 Jones-Maltsberger, San Antonio, TX 78216. DELIVERY OF ALL WRESTLING EQUIPMENT MUST BE COMPLETED BY January 29, 2010. Purchase Orders will be issued on or about December 16, 2009.

All Items shall to delivered F.O.B. Destination, Freight Prepaid, to All NEISD Locations, unless otherwise specified.

Catalog Pricing:

Quotes will be requested when a project requires large quantities of miscellaneous items.

The successful proposer(s) will be responsible for shipping items to District location indicated on purchase order.

All pricing should reflect all shipping/delivery fees.

Payment

The North East Independent School District will pay with in thirty (30) days (unless discounts are given for early payment) after acceptance of delivery or receipt of correct invoice, whichever is later All invoices must be sent to the Accounting Office and must show the Purchase Order Number.

BILLING INVOICE MUST REFLECT UNIT OF MEASURE AS STATED ON P.O.

SECTION A

BENCHMARK/CATALOG PRICING

Benchmark/catalog pricing is a pricing structure which uses verifiable prices as a starting point for establishing the final cost of a product. A benchmark/catalog price can be established in various ways. Listed below are examples of benchmark/catalog pricing.

- A. Manufacturer's catalogs/price sheets
- B. Company catalogs/price sheets
- C. Store catalog/price sheet
- D. Shelf pricing

Catalogs and price sheets may be proposed different ways. Listed below are two methods of proposing a catalog/price sheet.

NET PRICING

In this method the prices quoted include any vendor mark-ups or discounts. The price quoted is the catalog/price sheet.

- A. For vendor mark-up pricing the vendor takes his cost and adds a percentage mark-up to formulate customer pricing.
- B. For vendor discount pricing the vendor takes his retail, wholesale, or contractor pricing and subtracts a percentage amount to formulate customer pricing.

In either case, all markups or discounts are already calculated into the catalog/price sheet, and the vendor should propose their catalog/price sheet using a net discount or 0% discount as the basis for the proposal.

DISCOUNT PRICING

For discount pricing the catalog/price sheet **does not** include any vendor markups or discounts. In this instance a percentage markup or discount from the catalog/price sheet is proposed, and it is the customer's responsibility to calculate the price for each item purchased.

SHELF PRICING

If a vendor does not offer, or have access to, a catalog or price sheet, a proposal using Shelf Pricing is acceptable by North East ISD. For shelf pricing a vendor can propose a discount from the shelf price or propose the shelf price.

If you have any questions regarding this attachment, contact the Assistant Director of Procurement & eCommerce, at 210. 804.7100 x405.

Conditions

Delivery

All bid pricing must include any and all delivery costs to Vigil T. Blossom Athletic Center, 12002 Jones-Maltsberger, San Antonio, TX 78216. **DELIVERY OF ALL TRACK EQUIPMENT MUST BE COMPLETED BY January 29, 2010.** Purchase Orders will be issued on or about December 16, 2009.

Payment

The North East Independent School District will pay within thirty (30) days (unless discounts are given for early payment) after acceptance of delivery or receipt of correct invoice, whichever is later. All invoices must be sent to the Accounting Office and must show the Purchase Order Number.

BILLING INVOICE MUST REFLECT UNIT OF MEASURE AS STATED ON P.O.

For questions regarding this bid, contact Mr. Marshall Fleener, Assistant Athletic Director, at 210.356.6951 or e-mail @ wfleen@neisd.net.

UNIFORM COMMERCIAL CODE

This contract shall be governed in accordance with the rights and remedies set forth in the Uniform Commercial Code as adopted by the State of Texas.

TERMINATION CLAUSE

NEISD reserves the right to terminate this contract including, but not limited to, non-performance with thirty days written notice.

RIGHT TO REJECT

North East Independent School District of San Antonio, Texas, reserves the right to reject any and all proposals submitted and to request additional information from all proposers.

WAIVER

No claim or right arising out of a breach of this contract can be discharged in whole or in part by a waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration and is in writing signed by the aggrieved party.

VENUE

Both parties agree that venue for any litigation arising from this contract shall lie in San Antonio, Bexar County, Texas.

**WRESTLING EQUIPMENT
SPECIFICATIONS AND BID SHEET**

RFP #41-10

PROPOSAL FORM

Identify the benchmark or catalog (manufacturer's price list, custom pricing, dealer's cost, wholesale pricing, retail pricing, shelf price at time of purchase, etc.) below.

If your company offers no discount from catalog pricing, please respond with 0% on your bid.

| | | |
|---|---------------------------------------|--|
| BENCHMARK DESCRIPTION OR CATALOG | % DISCOUNT or % MARK-UP | |
|---|---------------------------------------|--|

| | | |
|-------|---------|---------|
| <hr/> | _____ % | _____ % |
|-------|---------|---------|

Delivery time after receipt of order? _____

Exceptions to the solicitation and/or comments:

- A. Bid price must include delivery to Blossom Athletic Center, 12002 Jones-Maltsberger Road, San Antonio, Texas 78216.
- B. Delivery must be made on all items prior to January 29, 2010.
- C. Purchase orders will be issued on or about December 16, 2009.

***NOTE: IF BIDDING A PRODUCT OTHER THAN SPECIFIED THEN A SAMPLE MUST BE INCLUDED.**

CONFLICT OF INTEREST DISCLOSURE

A Conflict of Interest Disclosure is included and should be signed and returned with proposal. **Failure to submit a completed and signed Conflict of Interest Disclosure may result in the disqualification of the proposal.**

OPTION TO EXTEND CONTRACT The NEISD reserves the right to extend this contract for two additional one-year contracts. If the option to renew is exercised, the contract will continue under the same terms and conditions.

NON-APPROPRIATION OF FUNDS

In the event funds are not appropriated by the NEISD's governing body in any fiscal period for payments due under this contract, then the Senior Director of Procurement & eCommerce, or designee, will immediately notify the successful proposer(s), or their designee(s), of such occurrence and this contract will terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to NEISD of any kind whatsoever, except as to the portions of the contract or other payments herein agreed upon for which **funds will have been appropriated and budgeted or are otherwise available**

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RFP #41-10 – WRESTLING EQUIPMENT

The undersigned certifies that the firm and/or principals of the firm (check one) **are**___/are not ___ currently debarred, suspended, or proposed for debarment by any federal entity. The undersigned agrees to notify the District of any change in this status, should one occur, until such time as an award has been made under this procurement action.

Also, pursuant to the State of Texas Legislative Senate Bill NO. 1, Section 44.034, Notification of Criminal History, the undersigned affirms this firm **is**___/is not ___ owned or operated by anyone who has been convicted of a felony. This statement is not required of a publicly held corporation.

The undersigned affirms that they are duly authorized to execute this contract, that this company, firm, partnership or individual has not prepared this bid in collusion with any other Bidder, and that the contents of this bid as to prices, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this bid.

By submitting this offer, the undersigned acknowledges that the Conflict of Interest questionnaire, in accordance with HB914, has been received, that instructions have been read, and the questionnaire has been/is being submitted as necessary.

Company _____

Original Signature of Person Responsible for Bid _____

Name, Title (Type or Print) _____

Address _____

City, State _____ Zip _____

Phone _____ Fax _____ Date _____

Email _____

Vendor agrees to extend proposal pricing to Judson ISD and Northside ISD. Yes ___No ___

Is original signed, labeled, and copy enclosed? _____

Is a completed/signed Conflict of Interest questionnaire enclosed? _____

RFP#41-10

THIS FORM MUST BE COMPLETED AND RETURNED WITH PROPOSAL

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 Reviewed

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