

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**



OPENING DATE: 10 AM – MONDAY, FEBRUARY 12, 2018

BID NUMBER 18-1001

**SEALED BIDS, SUBJECT TO THE PROPOSAL DOCUMENTS HERETO ATTACHED,
FOR THE REPLACEMENT OF THE WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF
ARE BEING ACCEPTED.**

**BY SUBMITTING A BID, VENDOR HEREBY AGREES TO ALL OF THE TERMS AND CONDITIONS OF THE
BID DOCUMENTS, AND TO ALL TERMS AND CONDITIONS OF THE CONTRACT.**

Legal Name Of Contracting Company

Federal I.D.# (Company Or Corporation)

Social Security # (Individual)

DUNS # (if applicable)

Telephone Number

Email Address *(Notifications will be sent to this
email address)*

Contact Person

Title

Complete Mailing Address

City & State

Zip

Complete Street Address

City & State

Zip

BID NO. 18-1001

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BID SUBMISSIONS

VENDOR INSTRUCTIONS: Read this entire document carefully. Follow all instructions. You are responsible for fulfilling all requirements and specifications. Be sure you understand them.

DEADLINE

Bids must be received in the County Auditor's office prior to **9:00 am on Monday, February 12, 2018**. Bids will be publicly opened at 10:00 am or soon thereafter in the Wilson County Commissioners Courtroom, Wilson County Courthouse, 1420 3rd Street, Floresville, Texas 78114. ***Late bids will not be accepted under any circumstances!***

SUBMITTAL

Completed Bid Proposals, original and one (1) copy, must be in a sealed envelope clearly marked with "ROOF REPLACEMENT ON CRIMINAL JUSTICE CENTER", "BID NUMBER 18-1001", and "FEBRUARY 12, 2018" written in the lower left-hand corner of the envelope containing the bid.

PROPRIETARY INFORMATION

Proprietary information, if any, submitted to Wilson County in response to this Bid should be identified as such. Any information identified as proprietary will be handled in accordance with the provisions of the Texas Open Records Public Information Act as it applies to such information.

ADDRESS

Sealed bids may be hand-delivered or mailed to the County Auditor Tom Dupnick, Wilson County, 1420 3rd Street, Suite 109, Floresville, Texas 78114.

METHODS

All bids must be returned in a sealed envelope with the bid name, number, opening date and time clearly marked on the outside. **If an overnight delivery service is used**, the bid name, number, opening date and time must be clearly marked on the outside of the delivery service envelope. Facsimile and electronic mail transmittals are not acceptable.

WITHDRAWAL OR ALTERATIONS OF BID

Bids may be withdrawn at any time prior to the official opening. Alterations made before opening time must be initialed by bidder guaranteeing authenticity. After the official opening, bids may not be amended, altered or withdrawn without the recommendation of the County Auditor and the approval of the Commissioners' Court.

TAX EXEMPT STATUS

The County is exempt from Federal Excise and State Sales Tax; therefore, tax must not be included in this bid.

BID REQUIREMENTS

COMPLETED BID

A completed proposal means an original bid and one (1) copy must be submitted of each of the following: The Vendor Identification page (page 1), the Bid Submission Form (page 17), the Contract page (page 18), the Affidavit (page 19), and the Conflict of Interest Questionnaire (page 20 and page 21), W-9 (page 22), Form 1295 Certificate of Interested Parties (Page 23). Each of these must be COMPLETED AND SIGNED. The contract will be binding only when signed by the County Judge, Wilson County.

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ADDENDA AND EXPLANATIONS

Explanations required by a prospective bidder shall be requested of the County in writing, and if explanations are necessary, a reply shall be made in the form of an Addendum, and will be emailed, to all who are known to have received a copy of this bid packet. Every request for such explanation shall be in writing addressed to Tom Dupnick, County Auditor, 1420 3rd Street, Suite 109, Floresville Texas 78114, emailed to Tdupnick@wilsoncountytexas.gov, or faxed to 830-393-7384.

Any verbal statements regarding same by a person prior to the award shall not be authoritative and or binding.

Addenda issued to bidders prior to date of receipt of bids shall become part of the contract documents, and all bids shall include the work described in the Addendum.

Inquiries within five (5) working days of the date fixed for the submission and opening of the bids will not be given consideration.

ACKNOWLEDGEMENT OF AMENDMENTS

Bidders shall acknowledge receipt of any amendment to the solicitation by signing and returning the amendment with the bid, by identifying the amendment number and date in the space provided for this purpose, or by letter. The acknowledgement must be received by Wilson County by the time and at the place specified for receipt of bids.

LEGIBILITY

Bids must be legible and of a quality that can be reproduced.

BID MUST BE TYPED OR PRINTED IN INK

All entries must be TYPED OR PRINTED IN INK. Faxed bids will not be accepted.

FORMS

All bids must be submitted on the forms provided in the bid document. Changes to the bid forms made by bidders shall disqualify the bid. Bids cannot be altered or amended after the submission deadline.

GOVERNING FORMS

In the event of any conflict between the terms and provisions of these requirements and the specifications, the specifications shall govern. In the event of any conflict of interpretation of any part of this overall document, Wilson County's interpretation shall govern.

LATE BIDS

Bids received after submission deadline will not be opened and will be considered void and unacceptable. Wilson County is not responsible for lateness of mail, courier service, etc.

RESPONSIBILITY

A prospective bidder must affirmatively demonstrate bidder's responsibility. A prospective bidder must meet the following requirements:

1. Have adequate financial resources, or the ability to obtain such resources as required,
2. Be able to comply with the required or proposed delivery schedule,
3. Have a satisfactory record of performance, and
4. Be otherwise qualified and eligible to receive an award.

Wilson County may request representation and other information sufficient to determine the bidder's ability to

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meet these minimum standards listed above.

AWARD

LOCAL PREFERENCE

In accordance with Local Government Code §271.905, if a local government receives one or more bids from a bidder whose principal place of business is in the County and whose bid is within three percent of the lowest bid price received by the County from a bidder who is not a resident of the County, the County may enter into a contract with: (1) the lowest bidder; or (2) the bidder whose principal place of business is in the local government if the governing body of the local government determines, in writing, that the local bidder offers the local government the best combination of contract price and additional economic development opportunities for the local government created by the contract award, including the employment of residents of the local government and increased tax revenues to the local government. This section does not prohibit a local government from rejecting all bids.

FIRM PRICING

Bid price must be good for the entire project. Bids which are subject to change must provide a change order and receive approval from the Commissioners Court.

SALES TAX

Wilson County is, by statute, exempt from the State Sales Tax and Federal Excise Tax.

CONTRACT

This Bid, when properly accepted by Wilson County, shall constitute a contract equally binding between the successful bidder and Wilson County. The successful bidder may be required to sign an additional agreement containing terms necessary to ensure compliance with the bid.

EVALUATION CRITERIA

Criteria utilized by Wilson County for determining the lowest responsible bidder includes, but is not limited to, bidder meeting the County's published specifications, bidder's experience, skill, ability, business judgment, financial capacity, integrity, honesty, possession of the necessary facilities or equipment, previous performance, reputation, promptness, and any factor which could reasonably be asserted as being relevant to successful performance. The County reserves the right to award this contract to the lowest and best bidder(s) in a specific area.

REJECTION OR ACCEPTANCE

It is understood that the Commissioners Court of Wilson County, Texas, reserves the right to accept or reject any and/or all bids covered in this bid request, and to waive informalities or defects in the bid or to accept such bid it shall deem to be in the best interest of Wilson County.

DISQUALIFICATION OF BIDDERS

Although not intended to be an exhaustive list of causes for disqualification, any one or more of the following causes, among others, may be considered sufficient for the disqualification of a bidder and the rejection of this bid:

- Evidence of collusion among bidders
- Lack of competency
- Lack of responsibility as shown by past record
- Default on a previous county contract for failure to perform

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CONTRACT ADMINISTRATION

Under this contract, precinct 1-2 Commissioners of Wilson County, shall be the contract administrator with designated responsibility to ensure compliance with contract requirements, such as but not limited to, acceptance and inspection. The contract administrator will serve as liaison between Wilson County Commissioner's Court and the successful bidder.

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BID SPECIFICATIONS

**SECTION 075216 - STYRENE-BUTADIENE-STYRENE (SBS) MODIFIED BITUMINOUS
MEMBRANE ROOFING**

PART 1 – GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and Division 01 Specification Sections, apply to this Section.

1.2 SUMMARY

- A. Section Includes:
 - 1. SBS-modified bituminous membrane roofing.
 - 2. Roof insulation.

1.3 DEFINITIONS

- A. Roofing Terminology: See ASTM D 1079 and glossary of NRCA's "The NRCA Roofing and Waterproofing Manual" for definition of terms related to roofing work in this Section.

1.4 PERFORMANCE REQUIREMENTS

- A. Material Compatibility: Provide roofing materials that are compatible with one another under conditions of service and application required, as demonstrated by membrane roofing manufacturer based on testing and field experience.
- B. Will require complete tear off.
- C. Replace wood nailers.
- D. New Skylights.
- E. New gutters, collection boxes, downspouts and edge metal.
- F. Replace Expansion Joint.

1.5 SUBMITTALS

- A. Product Data: For each type of product indicated.
- B. Samples for Verification: For the following products:
 - 1. Sheet roofing materials, including base sheet, base-ply sheet, roofing membrane sheet, flashing backer sheet, membrane cap sheet, and flashing sheet, of color specified.
 - 2. Roof insulation.
 - 3. Cover board.
- C. Qualification Data: For qualified Installer.

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1. Letter from manufacturer stating the installer is approved to install the specified roofing system and obtain specified warranties.

D. Maintenance Data: For roofing system to include in maintenance manuals. E.

Warranties: Sample of special warranties.

1.6 QUALITY ASSURANCE

A. Installer Qualifications: A qualified firm that is approved, authorized, or licensed by membrane roofing system manufacturer to install manufacturer's product and that is eligible to receive manufacturer's special warranty.

B. Source Limitations: Obtain components including roof insulation, cover board, mastics and coatings from same manufacturer as membrane roofing.

C. Preinstallation Roofing Conference: Conduct conference at project site.

1. Meet with Owner, architect, roofing consultant, roofing contractor, and roofing system manufacturer's representative.
2. Review methods and procedures related to roofing installation, including manufacturer's written instructions.
3. Examine deck substrate conditions and finishes for compliance with requirements, including flatness and fastening.
4. Review base flashings, special roofing details, roof drainage, roof penetrations, equipment curbs, and condition of other construction that will affect roofing system.
5. Review temporary protection requirements for roofing system during and after installation.
6. Review roof observation and repair procedures after roofing installation.

1.7 DELIVERY, STORAGE, AND HANDLING

A. Deliver roofing materials to project site in original containers with seals unbroken and labeled with manufacturer's name, product brand name and type, date of manufacture, approval or listing agency markings, and directions for storing and mixing with other components.

B. Protect roof insulation materials from physical damage and from deterioration by sunlight, moisture, soiling, and other sources. Store in a dry location. Comply with insulation manufacturer's written instructions for handling, storing, and protecting during installation.

C. All roll roofing membrane shall be stored at or above 45°F for a minimum of 24 hrs. prior to application.

1.8 PROJECT CONDITIONS

A. Weather Limitations: Proceed with installation only when existing and forecasted weather conditions permit roofing system to be installed according to manufacturer's written instructions and warranty requirements.

1.9 WARRANTY

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- A. Special Warranty: Manufacturer's standard or customized form, without monetary limitation, in which manufacturer agrees to repair or replace components of membrane roofing system that fail in materials or workmanship within specified warranty period.
 - 1. Special warranty includes membrane roofing, base flashings, roof insulation, cover boards, and other components of membrane roofing system.
 - 2. Warranty Period: 20 years from date of Substantial Completion.

- B. Special Project Warranty: Submit roofing Installer's warranty, signed by Installer, covering the Work of this Section, including all components of membrane roofing system such as membrane roofing, base flashing, roof insulation, fasteners, cover boards, substrate boards, vapor retarders, and walkway products, for the following warranty period:
 - 1. Warranty Period: Two years from date of Substantial Completion.

PART 2 - PRODUCTS

2.1 SBS-MODIFIED ASPHALT-SHEET MATERIALS A.SBS-

Modified Bituminous Membrane Roofing:

- 1. Basis-of-Design Product: Subject to compliance with requirements, provide Malarkey Roofing Products specification number M2-XTT-T or approved equal.

- B. Roofing Membrane Base Sheet: Malarkey 620 Paragon ULTRA TG Base, ASTM D 6163, Grade S, Type I, 138 Mils, SBS-modified asphalt sheet reinforced with glass fibers; smooth surfaced; suitable for application method specified.

- C. Granule-Surface Roofing Membrane Cap Sheet: Malarkey 630 Paragon ULTRA TG Cap, ASTM D 6163, Grade G, Type I, 150 Mils, SBS-modified asphalt sheet reinforced with glass fibers; granular surfaced; suitable for application method specified, and as follows:
 - 1. Granule Color: **White**

2.2 BASE FLASHING SHEET MATERIALS

- A. Backer Sheet: ASTM D 6163, Grade S, Type I, SBS-modified asphalt sheet reinforced with glass fibers; smooth surfaced; suitable for application method specified. Malarkey 620 Paragon ULTRA TG Base

- B. Granule-Surfaced Flashing Sheet: Malarkey 630 Paragon ULTRA TG Cap ASTM D 6163, Grade G, Type I, SBS-modified asphalt sheet reinforced with glass fibers; granular surfaced; suitable for application method specified, and as follows:
 - 1. Granule Color: White

2.3 AUXILIARY ROOFING MEMBRANE MATERIALS

- A. General: Auxiliary materials recommended by roofing system manufacturer for intended use and

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compatible with roofing membrane.

- B. Asphalt Primer: ASTM D 41.
- C. Roofing Adhesive: ASTM D 3019 Type III Modified Bitumen Adhesive.
- D. Modified Flashing Cement: ASTM D 4586, asbestos free, of consistency required by roofing system manufacturer for application.
- E. Fasteners: Factory-coated steel fasteners and metal or plastic plates complying with corrosion-resistance provisions in FM Approvals 4470, designed for fastening roofing membrane components to substrate; tested by manufacturer for required pullout strength, and acceptable to roofing system manufacturer.
- F. Metal Flashings, jacks, expansion joint covers. All will need to be replaced. Provide Sheet Metal to meet local building code and use PMMA where able in lieu of metal jacks.
- G. Low Rise Foam insulation and cover board adhesive. Millenium or ICP.
- H. Miscellaneous Accessories: Provide those recommended by roofing system manufacturer. I. EZ Seal
PMMA for flashings where applicable.

2.4 ROOF INSULATION

- A. Polyisocyanurate Board Insulation 3" Flat Stock and taper to match existing crickets: ASTM C 1289, Type II, Class 1, Grade 2 felt or glass-fiber mat facer on both major surfaces. 4'x4' maximum board size, minimum R20 at the drains.
 - 1. Acceptable Manufacturers:
 - a. Hunter Panel b.
Rmax

2.5 COVER BOARDS

- A. Substrate Board: ASTM C 1177/C 1177M, glass-mat, water-resistant gypsum substrate, minimum 1/2" inch thick, factory primed.
 - 1. Products: Subject to compliance with requirements, available products that may be incorporated into the work include, but are not limited to, the following:
 - a. Georgia-Pacific Corporation; Dens Deck Prime

2.6 INSULATION ACCESSORIES A.

Insulation Adhesive

- 1. Products: Millennium One step or Millennium PG-1.
ICP Polyset Board Max

PART 3 - EXECUTION

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3.1 EXAMINATION

- A. Examine substrates, areas, and conditions, with Installer present, for compliance with the following requirements and other conditions affecting performance of roofing system:
 - 1. Verify that roof openings and penetrations are in place and curbs are set and braced and that roof drain bodies are securely clamped in place.
 - 2. Verify that wood cants, blocking, curbs, and nailers are securely anchored to roof deck at penetrations and terminations and that nailers match thicknesses of insulation.
- B. Proceed with installation only after unsatisfactory conditions have been corrected.

3.2 PREPARATION

- A. Clean substrate of dust, debris, moisture, and other substances detrimental to roofing installation according to roofing system manufacturer's written instructions. Remove sharp projections.
- B. Prevent materials from entering and clogging roof drains and conductors and from spilling or migrating onto surfaces of other construction. Remove roof-drain plugs when no work is taking place or when rain is forecast.

3.3 INSULATION INSTALLATION

- A. Comply with roofing system manufacturer's written instructions for installing roof insulation.
- B. Install insulation with long joints of insulation in a continuous straight line with end joints staggered between rows, abutting edges and ends between boards. Fill gaps exceeding 1/4 inch with insulation.
 - 1. Cut and fit insulation within 1/4 inch of nailers, projections, and penetrations.
- C. Install insulation under area of roofing to achieve required thickness and slope.
- D. Adhered Insulation: All components of the insulation, crickets, and cover boards shall be set in the specified insulation adhesive at the rate and ribbon spacing specified by the adhesive insulation manufacturer.
- E. Install cover boards over insulation with long joints in continuous straight lines with end joints staggered between rows. Offset joints a minimum of 6 inches in each direction from joints of insulation below. Loosely butt cover boards together.
 - 1. Cover boards shall be set in specified insulation adhesive.

3.4 ROOFING MEMBRANE INSTALLATION, GENERAL

- A. Install roofing membrane system according to roofing system manufacturer's written instructions.
- B. Start installation of roofing membrane in presence of roofing system manufacturer's technical personnel.

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- C. Where roof slope exceeds 1 unit in 12 units install roofing membrane sheets parallel with slope.
 - 1. Backnail roofing membrane sheets according to roofing system manufacturer's written instructions.
- D. Coordinate installation of roofing system so insulation and other components of the roofing membrane system not permanently exposed are not subjected to precipitation or left uncovered at the end of the workday or when rain is forecast.
 - 1. At end of each day's work, provide tie-offs to cover exposed roofing membrane sheets and insulation with a course of coated felt set in roofing cement or hot roofing asphalt, with joints and edges sealed.
 - 2. Complete terminations and base flashings and provide temporary seals to prevent water from entering completed sections of roofing system.
 - 3. Remove and discard temporary seals before beginning work on adjoining roofing.

3.5 SBS-MODIFIED BITUMINOUS MEMBRANE INSTALLATION

- A. Install modified bituminous roofing membrane base/ply and cap sheet according to roofing manufacturer's written instructions, starting at low point of roofing system. Extend roofing membrane sheets over and terminate beyond cants, installing as follows:
 - 1. Adhere to cover board by fully torching the sheet to the substrate.
- B. Laps: Accurately align roofing membrane sheets, without stretching, and maintain uniform side and end laps. Stagger end laps. Completely bond and seal laps, leaving no voids.
 - 1. Repair tears and voids in laps and lapped seams not completely sealed.
 - 2. Apply roofing granules to cover exuded bead at laps on the granulated cap sheet.
- C. Install roofing membrane sheets so side and end laps shed water.

3.6 FLASHING AND STRIPPING INSTALLATION

- A. Install base flashing over cant strips and other sloped and vertical surfaces, at roof edges, and at penetrations through roof; secure to substrates according to roofing system manufacturer's written instructions, and as follows:
 - 1. Prime substrates with asphalt primer if required by roofing system manufacturer.
 - 2. Backer Sheet Application: Mechanically fasten backer sheet to walls or parapets if nailable. Non-nailable substrates, base sheet shall be fully adhered to the primed substrate in a solid application of modified flashing cement or torch applied.
 - 3. Flashing Sheet Application: Adhere flashing sheet to the base sheet in a solid application of modified flashing cement or torch apply.
- B. Extend base flashing up walls or parapets a minimum of 8 inches above roofing membrane and 4 inches onto field of roofing membrane.
- C. Mechanically fasten top of base flashing securely at terminations and perimeter of roofing.

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- D. Roof Drains: Set 30-by-30-inch square lead flashing in bed of asphalt roofing cement on completed roofing membrane. Cover lead flashing with roofing membrane cap-sheet stripping and extend a minimum of 6 inches beyond edge of lead flashing onto field of roofing membrane. Clamp roofing membrane, metal flashing, and stripping into roof-drain clamping ring.

3.7 WALKWAY INSTALLATION

- A. Walkway Pads: Install walkway pads using units of size indicated or, if not indicated, of manufacturer's standard size according to walkway pad manufacturer's written instructions.
 - 1. Set walkway pads in 100% solids urethane adhesive, utilizing a 2 inch spot at each corner.

3.8 FIELD QUALITY CONTROL

- A. Inspections: Owner may engage a qualified independent consulting firm to provide inspection services during the course of the project. Roof system manufacturer shall perform periodic inspections at their sole discretion for the purpose of determining specification compliance.
- B. Final Roof Inspection: Arrange for roofing system manufacturer's technical personnel to inspect roofing installation on completion.
 - 1. Notify Owner 48 hours in advance of date and time of inspection.
- C. Roofing system will be considered defective if it does not pass roof system manufacturer's inspections.

3.9 PROTECTING AND CLEANING

- A. Protect roofing system from damage and wear during remainder of construction period. When remaining construction will not affect or endanger roofing, inspect roofing for deterioration and damage, describing its nature and extent in a written report, with copies to Architect and Owner.
- B. Correct deficiencies in or remove roofing system that does not comply with requirements, repair substrates, and repair or reinstall roofing system to a condition free of damage and deterioration at time of Substantial Completion and according to warranty requirements.
- C. Clean overspray and spillage from adjacent construction using cleaning agents and procedures recommended by manufacturer of affected construction.

END OF SECTION 075216

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TERMS AND CONDITIONS

CONFLICT OF INTEREST: No public official shall have interest in this contract in accordance with V.T.C.A., Local Government Code §171.002 and §171.003. A conflict of interest questionnaire shall be filled out in accordance with Local Government Code §176.

Chapter 176 of the Texas Local Government Code requires a vendor who enters or seeks to enter into a contract for the sale or purchase of real property, goods, or services with a local governmental entity or local government officer thereof to file a conflict of interest disclosure questionnaire with the governmental entity prescribed.

A Conflict of Interest Questionnaire Form (CIQ) must be submitted with the bid submission.

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.

The Texas Ethics Commission was required to adopt rules necessary to implement that law, prescribe the disclosure of interested parties form, and post a copy of the form on the commission's website. The commission adopted the Certificate of Interested Parties form (Form 1295) on October 5, 2015. The commission also adopted new rules (Chapter 46) on November 30, 2015, to implement the law.

Filing Process:

On January 1, 2016, the commission made available on its website a new filing application that must be used to file Form 1295. A business entity must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form and have the form notarized. The completed Form 1295 with the certification of filing must be filed with the governmental body or state agency with which the business entity is entering into the contract.

The governmental entity or state agency must notify the commission, using the commission's filing application, of the receipt of the filed Form 1295 with the certification of filing not later than the 30th day after the date the contract binds all parties to the contract. The commission will post the completed Form 1295 to its website within seven business days after receiving notice from the governmental entity or state agency.

Information regarding how to use the filing application will be available on this site by January 1, 2016; https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm, please follow Instructional Video for Business Entities.

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ETHICS

The bidder shall not accept or offer gifts or anything of value nor enter into any business agreement with any employee, official or agent of Wilson County.

DOCUMENTATION

Bidder shall provide with this bid response, all documentation required by this bid. Failure to provide this information may result in rejection of the bid.

TERMINATION FOR DEFAULT

Wilson County reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the County in the event of breach or default of this contract. Non-Performance of the bidder shall be a basis for termination of the contract by the County. The County shall not pay for any commodities/services that are unsatisfactory.

Vendors will be given a reasonable opportunity before termination to correct the deficiencies. This, however, shall in no way be construed as negating the basis for termination for non-performance.

FORCE MAJURE

Neither party shall be responsible for delays caused by "Acts of God", non-county governmental processes, national emergency or any other causes beyond their reasonable control. Upon the discovery of such an event, the affected party shall notify the other and arrange a meeting to propose a program for a solution to the problem and if necessary, to establish an estimated period of time of suspension or extension of the work.

COMPLIANCE WITH LAWS

The successful bidder shall comply with all applicable federal, state and local laws and regulations.

VENUE: This agreement will be governed and construed according to the laws of the State of Texas. This Agreement is performable in Wilson County, Texas.

INSURANCE

All insurance requirements, including public liability and workers' compensation, as outlined in Texas State Statutes shall be met prior to any delivery and shall remain in effect during the life of the contract.

INVOICING

Invoices shall be sent directly to the Wilson County Auditor's office, attention Accounts Payable, 1420 3rd Street, Suite 109, Floresville, Texas 78114. Payments will be processed within thirty (30) days after receipt of invoice or items, whichever is later. Invoices must be itemized in order to be processed for payment.

PAYMENT

Payment shall be made by check from the County upon satisfactory completion and acceptance of items and submission of the invoice. Payment inquiries should be directed to the Auditor's Office, Accounts Payable, 830-393-7304.

ASSIGNMENT OF CONTRACT

The successful vendor may not assign, sell or otherwise transfer this contract without written permission of the Wilson County Commissioners Court.

SILENCE OF SPECIFICATIONS

The apparent silence of these specifications as to any detail, or the apparent omission from it of a detailed

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description concerning any point, shall be regarded as meaning that only the best commercial practice is to prevail and that only material and workmanship of the finest quality are to be used. All interpretations of these specifications shall be made on the basis of this statement

HOLD HARMLESS AGREEMENT

Contractor shall indemnify and hold Wilson County harmless from all claims for personal injury, death and / or property damage arising from any cause whatsoever, resulting directly or indirectly from contractor's performance. Contractor shall procure and maintain, with respect to the subject matter of this proposal, appropriate insurance coverage including, as a minimum, public liability and property damage with adequate limits to cover contractor's liability as may arise directly or indirectly from work performed under terms of this proposal. Certification of such coverage must be provided to the County upon request.

NON-COLLUSION

The Vendor, by submitting a signed bid, certifies that the accompanying bid is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Texas or United States law.

COST DISCUSSIONS

Prior to the public opening, all bids will remain sealed at the County. During this period, any discussion by any Vendor with any employee or authorized representative of the County involving cost information may result in rejection of said bid.

NON-DISCRIMINATION

The Vendor, during the performance of this contract, will not discriminate against any employee or applicant for employment because of race, religion, sex, national origin or disability.

BID SUBMISSION FORM

All bids shall be submitted on the attached Bid Submission Form. Bids not submitted on this form will be disqualified. This is a Competitive Bid - changes shall not be made to the Bid Form. Alterations to this Bid Form may be cause for rejection.

NOTHING ADDED TO BID

Nothing shall be added to this bid. Unsolicited attachments will be removed and discarded at opening and will have no bearing on the bid, price, specifications or any other terms of the contract.

TIE BIDS

In the event of a tie bid, the award will be determined by the Commissioner's Court or by drawing lots.

WAIVER OF SUBROGATION

By virtue of acceptance of this contract, both contractor and insurance carrier waive any and all rights whatsoever with regard to subrogation against Wilson County as an indirect party to any suit arising out of personal or property damages resulting from contractor's performance under this agreement.

SUSPENSION, DEBARMENT, AND TERRORISM

Vendor certifies that the vendor and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any Federal, State or Local Government Entity and that Vendor is in compliance with the State of Texas Statutes and Rules relating to Procurement and that Vendor is not listed on the Federal Government's Terrorism Watch list in Executive order 13224.

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**

CITIZENSHIP OF EMPLOYEES

The Bidder warrants, by execution of this Bid proposal, that it has complied with all federal laws and requirements therefore regarding immigration and citizenship, and that all employees are qualified as required therein.

QUESTIONS REGARDING BID DOCUMENTS

Questions concerning this bid should be directed to the County Auditor, Tom Dupnick, at 830-393-7304.

WILSON COUNTY RESERVES THE RIGHT TO ACCEPT OR REJECT IN PART OR IN WHOLE ANY BIDS SUBMITTED, AND TO WAIVE ANY TECHNICALITIES FOR THE BEST INTEREST OF THE COUNTY.

DO NOT SIGN OR SUBMIT WITHOUT READING ENTIRE DOCUMENT.

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**

BID SUBMISSION FORM

I, _____, representing the firm of _____, do hereby submit a bid for the Wilson County Criminal Justice Center Roof Replacement, as per the bid specifications.

| | |
|-------------------------------------------------|--|
| BID PRICE PER SPECIFICATIONS | |
| ITEMIZE ANY OTHER CHARGES, IF APPLICABLE | |

CERTIFICATION OF BID

The undersigned states that he/she is aware the fact that the amount designated as the above bid prices cannot be changed during the term of this contract. Further, the undersigned affirms that they are duly authorized to submit this bid, that this bid has not been prepared in collusion with any other bidder, and that the contents of this bid have not been communicated to any other bidder prior to the official opening of this bid.

Signature of individual authorized to represent bidding firm

Printed name of individual authorized to represent bidding firm

Title of individual authorized to represent bidding firm

Name of bidding firm

Date

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**

CONTRACT

The undersigned agrees, if this bid is accepted, at the price(s) and upon the terms and conditions contained in the specifications.

The County reserves the right to accept or reject any bids submitted, and to waive any technicalities in the best interest of the County.

The undersigned, by his/her signature, affirms and represents that he/she is duly authorized to execute this contract and bind the bidder to fully comply with terms and conditions of the attached documents for the amount(s) shown on the accompanying bid sheets. Further, the undersigned affirms and represents that this bid has not been prepared in collusion with any other bidder, and that the contents of this bid have not been communicated to any other bidder prior to the official opening of this bid.

By signing below, you affirm that you have read the entire document and agree to the terms therein.

Signature of Person Authorized to Sign Contract: _____ Date _____

Printed Name and Title of Signer: _____

Name of Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____

Telephone: _____ Fax: _____

Secondary or Emergency Telephone: _____

The Commissioners Court of Wilson County, Texas does hereby agree to contract for the Wilson County Criminal Justice Center Roof Replacement with _____ in accordance with the requirements set forth in the bid specifications.

PASSED THIS _____ DAY OF _____, 2018

APPROVED:

ATTEST:

RICHARD L. JACKSON, COUNTY JUDGE

EVA S. MARTINEZ, COUNTY CLERK

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**

AFFIDAVIT

STATE OF TEXAS
COUNTY OF WILSON

BEFORE ME, the undersigned authority, on this day personally appeared _____
_____ known to me to be the person whose name is subscribed to the following, who
upon oath, says:

I am the Manager, Secretary or other agent or officer or the principal of the Bidder in the matter of the bids to which this affidavit is attached, and I have full knowledge of the relations of the Bidder with the other firms in this same line of business, and the Bidder is not a member of any trust, pool or combination to control the price of supplies bid on, or to influence any person to bid or not to bid thereon.

I further affirm that the Bidder has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted bid.

Affiant

SWORN TO AND SUBSCRIBED BEFORE ME by the above Affiant, who, on oath states that the facts contained in the above are true and correct, this _____ day of _____, 20_____.

Notary Public in and for _____ County, Texas

Name of Bidder: _____

Signed by: _____

Title: _____

Date: _____

NOTE: BIDS NOT ACCOMPANIED BY THIS AFFIDAVIT WILL NOT BE CONSIDERED

The County of Wilson does not discriminate on the basis of race, color, national origin, sex, religion, age and disability in employment or the provision of services.

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <p>CONFLICT OF INTEREST QUESTIONNAIRE For vendor or other person doing business with local governmental entity</p> | <p>FORM CIQ</p> |
| <p>This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the governmental entity.</p> <p>By law this questionnaire must be filed with the records administrator of the local government 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.</p> <p>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.</p> | <p align="center">OFFICE USE ONLY</p> <p>Date Received</p> |
| <p>1 Name of person doing business with local governmental entity.</p> | |
| <p>2</p> <p><input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire.</p> <p>(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than September 1 of the year for which an activity described in Section 176.006(a), Local Government Code, is pending and not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)</p> | |
| <p>3 Name each employee or contractor of the local governmental entity who makes recommendations to a local government officer of the governmental entity with respect to expenditures of money AND describe the affiliation or business relationship.</p> | |
| <p>4 Name each local government officer who appoints or employs local government officers of the governmental entity for which this questionnaire is filed AND describe the affiliation or business relationship.</p> | |

Adopted 11/02/2005

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

Page 2

5

Name of local government officer with whom filer has affiliation or business relationship. (Complete this section only if the answer to A, B, or C is YES.

This section, item 5 including subparts A, B, C & D, must be completed for each officer with whom the filer has affiliation or other relationship. 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 from the filer of the questionnaire?

Yes No

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

Yes No

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

Yes No

D. Describe each affiliation or business relationship.

6

Signature of person doing business with the governmental entity

Date

Adopted 11/02/2005

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**

Form **W-9**
(Rev. December 2014)
Department of the Treasury
Internal Revenue Service

**Request for Taxpayer
Identification Number and Certification**

**Give Form to the
requester. Do not
send to the IRS.**

| | | |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| Print or type See Specific Instructions on page 2. | 1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. | |
| | 2 Business name/disregarded entity name, if different from above | |
| | 3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____ | |
| | 4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small> | |
| | 5 Address (number, street, and apt. or suite no.) | Requester's name and address (optional) |
| | 6 City, state, and ZIP code | |
| | 7 List account number(s) here (optional) | |

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

| | | | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|--|--|
| Social security number | | | | | | | | | |
| | | | | | | | | | |
| or | | | | | | | | | |

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

| | | | | | | | | | |
|---------------------------------------|--|--|--|--|--|--|--|--|--|
| Employer identification number | | | | | | | | | |
| | | | | | | | | | |

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

| | | |
|------------------|----------------------------|--------|
| Sign Here | Signature of U.S. person ▶ | Date ▶ |
| | | |

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**

1295 Form must be completed online, see page 13 of this bid packet for filing instructions.

| CERTIFICATE OF INTERESTED PARTIES | | FORM 1295 | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------|--------------|
| Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties. | | OFFICE USE ONLY | |
| 1 Name of business entity filing form, and the city, state and country of the business entity's place of business. | | | |
| 2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed. | | | |
| 3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract. | | | |
| 4 Name of Interested Party | City, State, Country (place of business) | Nature of Interest (check applicable) | |
| | | Controlling | Intermediary |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| 5 Check only if there is NO Interested Party. <input type="checkbox"/> | | | |
| 6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct. | | | |
| _____ Signature of authorized agent of contracting business entity | | | |
| AFFIX NOTARY STAMP / SEAL ABOVE | | | |
| Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office. | | | |
| _____ Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath | | | |
| ADD ADDITIONAL PAGES AS NECESSARY | | | |

**WILSON COUNTY INVITATION FOR BID:
WILSON COUNTY CRIMINAL JUSTICE CENTER ROOF REPLACEMENT**

**WILSON COUNTY
IMPORTANT
BIDDER'S / PROPOSER'S CHECKLIST**

Check off each of the following as the necessary action is completed.

- [] The prices have been checked.
- [] The **VENDOR IDENTIFICATION** has been completed and included in your bid package. (Page 1)
- [] The **BID SUBMISSION FORM** has been completed, signed, dated and included in your bid package. (Page 17)
- [] The **CONTRACT** with the County Commissioners has been completed, signed, dated and included in your bid package. (Page 18)
- [] The **AFFIDAVIT** signed and notarized and included in your bid package. (Page 19)
- [] The **CONFLICT OF INTEREST QUESTIONNAIRE** has been completed, signed, dated and included in your bid package. (Page 20-21)
- [] The **W-9** has been completed and included in your bid package. (Page 22)
- [] The **Form 1295 Certificate of Interested Parties** has been completed and included in your bid Package. (Page 23)
- [] The mailing envelope has been addressed to:

County Auditor Tom Dupnick
Wilson County
1420 3rd Street, Suite 109
Floresville, Texas 78114
- [] The mailing envelope contains the original and one (1) copy.
- [] The mailing envelope has been sealed and marked:
 - Bid or proposal number
 - Name of the bid or proposal
 - Opening date

**WILSON COUNTY AUDITOR'S OFFICE WISHES TO THANK
ALL VENDORS FOR THEIR PARTICIPATION.**

BID NO. 18-1001

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