



**BROWNSVILLE NAVIGATION DISTRICT  
OF CAMERON COUNTY, TEXAS**

**PORT OF BROWNSVILLE**

**Request for Bids  
Specifications**

**Disposal of Oily Water  
from BND Fishing Harbor Sewer  
Plant**

**Deadline Date • July 31, 2019 • 3:00 P.M.**

## NOTICE

Notice is hereby given that bids will be received by the Brownsville Navigation District of Cameron County, Texas, for the purchase of disposal of oil water from the District's Fishing Harbor Sewer Plant.

**All bids must be sealed and delivered to the Brownsville Navigation District, Director of Finance, 1000 Foust Road, Brownsville, Texas, by July 31, 2019 at 3:00 PM.** Bids will be calculated on a per unit basis. Bids must comply with the requirements set out in the "Request for Bids - Specifications" which may be obtained from the office of the Director of Facilities Maintenance of the District and/or the Port of Brownsville website. Bid security will be required as stated in the Specifications.

**THE RIGHT IS HEREBY RESERVED** by the Board of Commissioners to reject any and all bids.

**07/16/2019; 07/23/2019**

## SECTION I GENERAL INFORMATION AND INSTRUCTIONS

Information provided in these specifications is to be used for the purpose of submitting a bid for the disposal of:

### **An estimated 200,000 gallons of Oily Water from BND Fishing Harbor Sewer Plant**

in the property of the Brownsville Navigation District. It is further expected that each bidder will read these specifications with care, since failure to meet each condition or a combination of specified conditions may invalidate the bid.

The Brownsville Navigation District (hereafter referred to as the District) reserves the right to reject any or all bids or any portion thereof and to accept the bid deemed to be in the best interests of and provide the best value to the District.

Bidders are required to submit bids on the basis of these specifications. Any exceptions to terms requested herein must be clearly noted in writing and be included as a part of the bid.

The District believes that the data contained in these specifications is sufficient for the preparation of bids. The information is believed to be accurate and is based upon the latest available information, but it is not to be considered in any way as a warranty. Requests for additional information should be directed in writing by email to Mr. Oscar Garcia, Director of Facilities Maintenance at [ogarcia@portofbrownsville.com](mailto:ogarcia@portofbrownsville.com) Any written information given to any bidder concerning the RFB will be furnished to all bidders as an addendum to the RFB.

### STATEMENT OF PURPOSE

1. The information contained in these specifications is to be used only in connection with preparing a bid to dispose of **approximately two hundred thousand (200,000) gallons of oily water from Fishing Harbor Wastewater Treatment Plant in a period of one calendar year.**
2. The District reserves the right to accept or reject all or any part of the bids, waive minor technicalities, and award the bid to best serve the interest of the District. The District also reserves the right to waive or dispense with any of the formalities contained herein.
3. Bids are to be submitted on the basis of the specifications contained herein. All deviations from the specifications must be clearly identified and explained.
4. The District believes that the data contained in these Specifications is sufficient for the preparation of bids. The information is believed to be accurate and is based upon the latest available information, but it is not to be considered in any way as a warranty. Requests for additional information should be directed in writing by email to Oscar Garcia, Director of Facilities Maintenance at [ogarcia@portofbrownsville.com](mailto:ogarcia@portofbrownsville.com). Any written information given to any bidder concerning the RFB will be furnished to all bidders as an addendum to the RFB. **No telephone, fax or e-mail bids will be accepted.** The District will not be responsible for missing, lost or late mail. Any bids received after the time set for opening will be returned to the bidder unopened.

5. Bidders are cordially invited to the bid opening but, are not required to attend.

#### **TIMETABLE**

1. These Specifications are to be released for action on or about July 16, 2019.
2. The last date for questions to be received from bidders is July 24, 2019
3. The last date for the issuance of an addendum is July 25, 2019.
4. **Bids must be received by the District, Director of Finance, no later than 3:00 PM on July 31, 2019.**
5. It is anticipated that the award of the bid will be made at a meeting of the District's Board of Commissioners to be held at 5:30 p.m. on Wednesday, August 7, 2019. Bidders are welcome to attend this meeting, but attendance is not required.
6. It is anticipated that the successful bidder(s) will be notified on or about Thursday, August 8, 2019.

#### **RESERVATION OF RIGHTS**

The District expressly reserves the right to:

- Accept one or more bids.
- Reject any bid received, or portion thereof.
- Cancel the entire RFB.
- Issue a subsequent RFB.
- Remedy technical errors in the RFB process.
- Waive informalities and irregularities.
- Contact any bidder for clarification after the bids are opened.
- Negotiate with any, all, or none of the respondents to the RFB
- Accept any bid in whole or part, whether or not there are negotiations subsequent to its receipt. If subsequent negotiations take place, they shall not constitute a rejection or an alternate RFB.
- Accept the bid deemed most advantageous to the District.
- Purchase more than one crane at the bid price.

#### **PREPARATION OF BID**

The bidder shall prepare their bid on the attached bid forms with attachments as necessary to fulfill the specifications contained herein. Unless otherwise stated, all blank spaces on the bid form page or pages, applicable to the subject specification, must be correctly filled in. **A unit price must be stated for each and every item, including any "no-bids"**. Any exceptions or deviations from the requested products must be clearly indicated in writing and must be submitted with and form a part of the bid form. Failure to follow this instruction will be grounds for disqualification of a bid.

## **SUBMISSION OF BID**

The bid shall be submitted in **duplicate in a sealed envelope**. Each envelope or package must be addressed as follows:

**Brownsville Navigation District  
Director of Finance  
1000 Foust Road  
Brownsville, Texas 78521**

On the front of each envelope shall be written the following words:

### **“BID FOR DISPOSAL OF OILY WATER”**

Bids must be received by the District’s Director of Finance by the deadline date and time listed on the cover of these Specifications.

## **BID SECURITY**

**Bidders shall submit with their bids a Cashier’s Check, Certified Check, or Bid Bond in the form specified by the District, of 5 percent of the greatest amount bid** as a guaranty that they will dispose of the estimated 200,000 gallons of oily water within a year as needed by the Port after the receipt of a purchase order or contract agreement indicated by the bidder in their bid. Cashier’s or certified checks submitted as bid security must be drawn on a bank that is a member of the Federal Deposit Insurance Corporation (FDIC). All checks of unsuccessful bidders will be returned by the District within ten (10) days following the authorization of the purchase order.

## **WITHDRAWAL OF BID**

Bidders may withdraw their bids at any time up to the time specified as the closing time for acceptance of bids. However, no bidder shall withdraw or cancel their bid for a period of thirty (30) days after said closing date for acceptance of bids. The successful bidder shall not withdraw or cancel or modify their bid, except at the request of the District, after having been notified that said bid has been accepted by the District. Withdrawal or cancellation of a bid after the closing date for acceptance of bids shall result in the forfeiture of the bid security.

## **INTERPRETATION OF SPECIFICATIONS**

If any person contemplating submitting a bid is in doubt as to the true meaning of any part of these Specifications, they may submit to Oscar Garcia, Director of Facilities Maintenance, a **written request** for interpretation thereof. Requests for interpretation must be received by 5:00 PM on July 24, 2019.

## **CRITERIA USED IN EVALUATING BIDS**

1. Bids will be evaluated for cost and for compliance with the requirements contained in the specifications.
2. The District will consider the following criteria in determining which bid, if any, to accept:
  - A. the service price;
  - B. the Bidder's stated and demonstrated ability to comply with any and all applicable Federal, State and Local jurisdictional requirements on the collection, transportation and final disposal of the oily water;
  - C. the reputation of the Bidder and of the Bidder's services;
  - D. the quality of the Bidder's equipment and services;
  - E. the extent to which the Bidder's services meet the District's needs;
  - F. all other factors specifically listed in this Invitation to Bid.

## **QUALIFICATION OF COMPANIES SUBMITTING BIDS**

The District reserves the right to require the successful bidder to provide a list of customers to whom the bidder has provided similar services in the prior twelve months, including a list of public entity references in Texas.

## **DEVIATION FROM SPECIFIED REQUIREMENTS**

Bidders must specifically state each specified item that is not being included in the bid. It will not be acceptable to simply refer to an attached document. Failure to follow this instruction will be grounds for disqualification.

These specifications are not intended to be restrictive with respect to any alternative bid if a distinct advantage can be demonstrated. Bids failing to meet all of the specifications will not necessarily be rejected, but any deviations must be clearly noted to be considered.

## **ADDENDA TO INVITATION TO BID**

If it becomes necessary to revise any part of this Invitation to Bid, a written addendum will be provided to all bidders. Bidder must acknowledge on the Bidder's Acknowledgement Form (**Attachment A**) the receipt of all addenda in order for their bid to be considered. The District is not bound by any oral representation, clarifications, or changes made in the written specifications by the District's employees, unless such clarification or change is provided to bidders in written addendum from an authorized representative of the District. **It will be the responsibility of bidders who have not made their participation known to the District to verify that they have received all addendums.** All addendums will be posted to the Port of Brownsville web site on the day that they are issued to all other bidders known to the District to be participating in the bid.

**COMPLIANCE WITH LAWS**

All Bidders involved shall observe and comply with all regulations, laws, ordinances, etc., of local, state, and federal governments as they apply to the service requested, and to this bidding process.

**UNIT PRICE**

This bid must be prepared using unit price.

**AUTHORIZED SIGNATURE**

All bid forms must be signed by individuals with legal authority to bind the Bidder to the items that are proposed.

**DISQUALIFICATION AND REJECTION OF BIDS**

Failure to comply with the requirements or the procedures set forth herein, or to satisfy the criteria as set forth in the specifications, may result in disqualification. It is not intended that exceptions to the specifications will, in and of themselves, result in disqualification.

**AWARD OF PURCHASE ORDER**

Award of a purchase order for the disposal of an approximate 200,000 gallons of oily water in a calendar year shall be based on the District’s review of the bids according to the criteria listed above. The bid that is determined, in the sole opinion of the District, to be in the best interests of, and to provide the best value to, the District will be selected for the award of a purchase order for the proposed disposal of approximately 200,000 gallons of oily water. Nothing in this Invitation to Bid is intended to create an expectation on the part of any Bidder that the Bidder will be awarded the purchase order. The District reserves the right to reject any all bids, and to waive any informalities in bidding.

**DETERMINATION OF COMPLIANCE WITH SPECIFICATIONS**

The District will review the successful bid to verify compliance by the successful bidder with all requirements in the specifications ’s bid and will make the final determination on compliance. Upon making the determination, the District’s Board will consider and award the purchase order or contract agreement to the successful bid deemed in compliance.

**DISPOSAL OF APPROXIMATELY 200,000 GALLONS OF OILY WATER**

It is anticipated that the successful bidder will be notified on or around August 8, 2019. The service period will be an element of the bid that will be considered by the District in their award of the purchase order. The successful bidder will be expected to dispose of the oily water within a year period specified in the bid beginning from the date of notification of the award of the purchase order.

**TEXAS ETHICS COMMISSION FORM 1295 DISCLOSURES:**

Companies doing business with the District, a governmental entity, are required to file a “Disclosure of Interested Parties Form” (Form 1295) with the Texas Ethics Commission. The successful bidder will, therefore, be required to file said Form 1295 with the Texas Ethics Commission prior to the Board issuing the purchase order for the Disposal of approximately 200,000 gallons of Oily Water in this Invitation to Bid. Further information regarding this form may be found on the Texas Ethics Commission website. Instructions will be provided to the successful bidder.

**TERMS OF PAYMENT**

Once a purchase order is issued or a contract agreement is executed, the successful bidder will be issued payment for the services based on the gallons removed **A record of the oily water removed shall be made in Oil Waste Manifests indicating the volume removed each time, and submitted to the District for review, records and processing.** The billing address for invoices under this bid is:

**Brownsville Navigation District**  
*Accounts Payable*  
**1000 Foust Road**  
**Brownsville, TX 78521**

Electronic billing may be submitted at [vendor@portofbrownsville.com](mailto:vendor@portofbrownsville.com)



## SECTION II

### SPECIFICATIONS FOR OILY WATER DISPOSAL SERVICE

#### **Disposal Service**

The disposal of oily water will be from Fishing Harbor Sewer Plant located on 1385 Fisherman's Place Road. The disposal, transportation and final placement of this material will be the responsibility of the bidder and must be in full compliance with any and all applicable jurisdictional Federal, State and Local laws and regulations.

#### **Disposal Volume**

The disposal volume for a 12-month period is anticipated to be approximately 200,000 gallons of oily water from the site. **However, the total disposal volume for the 12-month period could exceed or fall below the anticipated amount, with no guarantee of any quantity.**

#### **Disposal Site**

Disposal site shall be a site permitted by and registered with the Texas Commission on Environmental Quality (TCEQ) for disposal of such material. Bidder shall submit proof of such permit(s) and registration(s) of one or more such sites.

#### **Service Period**

The bid must state the bidder's one-year period. The disposal service period is to start on date that the successful bidder is notified that they have been awarded a purchase order and will end 12 full calendar months from that date. The service will be provided as needed by the Port. The Port will notify the successful bidder one to two days in advance to provide the partial service of the oily water disposal.

#### **Service Representatives**

The bid must specify the service representatives that will be available to the District for service needs. The bid must specify their location and their availability. The response time of service representatives for on-site support and repairs must also be specified, as well as the terms for on-site support.

#### **Payment Terms**

The bid must indicate the unit price for gallon removed and disposed of, and payment shall be based on the actual number of gallons removed at the bid unit price, which may exceed or fall below the anticipated 200,000 gal. volume.

**SECTION III  
BID SUBMISSION FORMS**

**BROWNSVILLE NAVIGATION DISTRICT  
Bidder's Acknowledgement Form**

Having carefully examined the information, notices and specifications and conditions contained in this package, the undersigned Bidder's agent or representative hereby proposes and agrees to provide the service to dispose of approximately 200,000 gallons of oily water from the indicated BND Wastewater Treatment Plant in strict compliance with the Specification at the prices bid. The Bidder affirms that, to the best of their knowledge, the bid has been arrived at independently and is submitted without collusion with anyone to obtain information or gain any favoritism that would in any way limit competition or give them an unfair advantage over other bidders in the award of this bid.

Addendums received:

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**Deadline for Submission: July 31, 2019 – 3:00 P.M.**

Vendor:
Address:
City, State, Zip Code:
Signature of Bidder:
Title with Company:

**BROWNSVILLE NAVIGATION DISTRICT  
Disposal of Oily Water  
Bid Submission Form**

DESCRIPTION	PRICE PER GALLON
Disposal of oily water from BND’s Fishing Harbor Sewer Plant as needed in a period of twelve full calendar months on a per gallon basis.	

**Pick-up and Disposal of Oily Water**

The bid will be awarded on the basis of the lowest price per gallon of oily water picked up, based on an estimated 200,000 gallons in a 12-month period.

**Attachments to this bid that are required:**

1. Bid Security as detailed in page 2 of this Invitation to Bid.
2. Discussion of additional costs or requirements of the District during year of service.
3. Description of basic warranty, including any exclusions.
4. Discussion of service representatives’ location, availability and support.
5. Statement of any deviations from these specifications
6. Contractor’s Pre-Bid Disclosure Statement

*The following required attachments can also be found at [www.portofbrownsville.com](http://www.portofbrownsville.com) – Vendor Information*

7. Vendor Registration Form
8. Conflict of Interest Questionnaire

## Brownsville Navigation District Vendor Registration Form

*Please complete this form to give the District your contact information for use during an RFP process or to open or update a vendor account*

Date:	Name of Person Providing Information:
If you are currently participating in an RFP process for the District, please indicate the RFP title:	
If you are interested in receiving a notice when an RFP is available, please indicate your areas of interest:	
<input type="checkbox"/> Construction Contracts	<input type="checkbox"/> Security Services
<input type="checkbox"/> Property/Liability Insurance	<input type="checkbox"/> Bank Depository
<input type="checkbox"/> Group Insurance	Other:
<input type="checkbox"/> Salvage Offerings	
<input type="checkbox"/> Uniform Service	

Vendor Name	Web Site
Contact Person:	Fax Number:
Phone Number:	Email Address:
Mailing Address:	Physical Address:

Form of Business <i>(Individual/Sole Proprietor/Partnership/Corporation/Other)</i>	Taxpayer Identification Number:
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Please return this form by email to [vendor@portofbrownsville.com](mailto:vendor@portofbrownsville.com)

\_\_\_\_\_ Signature of Person Providing Information

**CONFLICT OF INTEREST QUESTIONNAIRE**  
**For vendor doing business with local governmental entity**

**FORM CIQ**

<p><b>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</b></p> <p>This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).</p> <p>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 vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.</p> <p>A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>	<p><b>OFFICE USE ONLY</b></p> <p>Date Received</p>
<p><b>1 Name of vendor who has a business relationship with local governmental entity.</b></p>	
<p><b>2</b> <input type="checkbox"/> <b>Check this box if you are filing an update to a previously filed questionnaire.</b> (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 on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)</p>	
<p><b>3 Name of local government officer about whom the information is being disclosed.</b></p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Name of Officer</p>	
<p><b>4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.</b></p> <p style="margin-left: 40px;">A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?</p> <p style="margin-left: 80px;"><input type="checkbox"/> Yes      <input type="checkbox"/> No</p> <p style="margin-left: 40px;">B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?</p> <p style="margin-left: 80px;"><input type="checkbox"/> Yes      <input type="checkbox"/> No</p>	
<p><b>5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.</b></p>	
<p><b>6</b> <input type="checkbox"/> <b>Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).</b></p>	
<p><b>7</b></p> <p style="text-align: center;">_____ Signature of vendor doing business with the governmental entity</p> <p style="text-align: right;">_____ Date</p>	