



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

**Request for Proposals
for
(4) Tour Boats
for
85th Anniversary**

Deadline Date – September 10, 2021 - 3PM

BROWNSVILLE NAVIGATION DISTRICT • 1000 Foust Road • Brownsville, TX 78521
(956) 831-4592 • (800) 378-5395 • Fax (956) 831-5006 • portofbrownsville.com

NOTICE

Notice is hereby given that sealed Proposals for (4) tour boats for 85th anniversary event to be held on October 23, 2021.
will be received by the Brownsville Navigation District of Cameron County, Texas.

All Proposals must be sealed and delivered to the Brownsville Navigation District, *Director of Finance*, 1000 Foust Road, Brownsville, Texas, on or before September 10, 2021 - 3PM

**All submittals must be clearly marked on the outside of the envelope:
"Proposal for "(4) Tour Boats for 85th Anniversary"**

Proposals must comply with the requirements set out in the "Request for Proposals" which may be obtained from the **Harbor Master, mdavis@portofbrownsville.com** and/or the Port of Brownsville website.

No Proposal will be accepted via fax or electronic submission.

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

SECTION I GENERAL INFORMATION AND INSTRUCTIONS

General

The Brownsville Navigation District d/b/a The Port of Brownsville (hereinafter referred to as the “District”) is soliciting Proposals for (4) Tour Boats for 85th Anniversary to be held on October 23, 2021.

1. Each Applicant will read these Specifications with care, since failure to meet each condition or a combination of specified conditions may invalidate the Proposal. **Any exceptions to terms requested herein must be clearly noted in writing and be included as a part of the submitted Proposal.**
2. **No telephone, fax or e-mail proposals will be accepted.** The District will not be responsible for missing, lost or late mail. Any Proposals received after the date and time set for the deadline for receipt of proposals will be returned to the Applicant unopened.
3. The RFP 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:

Harbor Master, mdavis@portofbrownsville.com
4. The District reserves the right to purchase more or less than what’s indicated on the solicitation, and the District reserves the right to not purchase anything under this solicitation.

Reservation of Rights

The District expressly reserves the right to:

- Accept one or more Proposal(s).
- Reject any and all Proposals received, or portion thereof.
- Cancel the entire RFP.
- Issue a subsequent RFP.
- Remedy technical errors in the RFP process.
- Waive informalities and irregularities.
- Contact any Proposer for clarification after the Proposals are opened.
- Negotiate with any, all, or none of the respondents to the RFP.
- Accept any Proposal in whole or part, whether there are negotiations subsequent to its receipt. If subsequent negotiations take place, they shall not constitute a rejection or an alternate RFP.
- Accept the Proposal deemed most advantageous to the District.

Timetable

1. These Specifications are to be released for action on or about 9/7/2021 .
2. The last date for written questions to be received from Applicants is 9/8/2021 .
3. The last date for the issuance of an addendum is 9/8/2021 .
4. **Proposals must be received by the District's *Director of Finance*, no later than September 10, 2021 - 3PM** .
5. Applicants are cordially invited to the Proposal opening but are not required to attend.
6. It is anticipated that the award of the proposal will be made at a meeting of the District's Board of Commissioners to be held at N/A .
Proposers are welcome to attend this meeting, but attendance is not required.
7. It is anticipated that the successful Applicant(s) will be notified on or about September 10, 2021 .

Public opening of RFP via telephone/video conference meeting

Applicants are cordially invited to the Proposal opening via telephone/video call (**attendance is optional**).

Join by phone:

Dial-in number: (712) 775-7465 PARTICIPANT CODE: 899434

Preparation of Proposal

Submittals shall be prepared on the attached Proposal forms, if applicable, and with attachments as necessary to fulfill the specifications contained herein.

Submission of Proposal

5 copies of the Proposal shall be submitted 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:

“
(4) Tour Boats
for
85th Anniversary
”

Submittals by the Applicants in response to this RFP shall become the property of the District. The District shall not be responsible for the Respondent's costs associated with submitting of a response.

Authorized Signature

All Proposals must be signed by persons who have legal authority to bind the Applicant to items and prices that are reflected in the proposal.

Withdrawal of Proposal

Applicants may withdraw their Proposals at any time up to the time specified as the closing time for acceptance of proposals. However, no Applicant shall withdraw or cancel their proposal for a period of sixty **(60)** days after said closing date for acceptance of proposals. The successful Applicant shall not withdraw or cancel or modify their proposal, except at the request of the District, after having been notified that said proposal has been accepted by the District.

Interpretation of Specifications

If any person contemplating submitting a Proposal is in doubt as to the true meaning of any part of these Specifications, they may submit to **Michael Davis,**

Harbor Master, mdavis@portofbrownsville.com

a written request for interpretation thereof. Requests for interpretation must be received September 8, 2021 . Proposers shall not seek to influence any District Board members or District staff, directory or indirectly through others, as such contact may result in disqualification.

Addendums to Request for Proposals

If it becomes necessary to revise any part of this RFP, a written addendum will be posted on the Port of Brownsville web site, under “Business with the Port/Procurement”. **It will be the responsibility of each Applicant to verify that they have received all addendums.**

Applicants must acknowledge on the Applicant's Acknowledgement Form (**Attachment A**) the receipt of all addendums in order for their Proposal to be considered. The District is not bound by any oral representations, clarifications, or changes made in the written specifications by the District's employees.

Criteria Used in Evaluating Proposal

- Proposals will be carefully evaluated for compliance with the requirements & evaluation criteria contained in the RFP Specifications.

Compliance with Laws

All Applicants involved shall observe and comply with all regulations, laws, ordinances, etc., of local, state, and federal governments as they apply to this proposal process.

Texas Ethics Commission Form 1295 Disclosures

Companies doing business with the Brownsville Navigation District, a governmental entity, are required to file a "Disclosure of Interested Parties Form" (Form 1295). The successful Applicant will be required to file a Form 1295 prior to the Board approving the award of the bid. Further information regarding this form may be found on the Texas Ethics website, and instructions will be provided.

Texas Government Code Chapter 2270 Prohibition on Boycotting Israel

Companies doing business with the Brownsville Navigation District, a governmental entity, are prohibited from boycotting Israel during the term of the purchase agreement resulting from this bidding process. Applicants will be required to provide a written verification that they do not boycott Israel and that they will not boycott Israel during the term of the agreement.

Award of the Proposal

Award shall be based on the RFP specifications and evaluation criteria. The District reserves the right to award the Proposal to multiple Applicants in order to obtain the best value for the District in the District's sole discretion.

Determination of Compliance with Specifications

The Harbor Master or his designee will be responsible for assuring that the delivered product/service complies with the successful Applicants's Proposal and will make the final determination of compliance. This examination will take place on the date of delivery or within a reasonable time thereafter. If it is rejected for failure to comply with the Specifications, it shall be the responsibility of the Applicant to remove it from the District's premises at their expense.

Delivery

The successful Applicant will be expected to deliver the requested goods/services within the specified delivery period, if any.

Confidentiality

Applicants shall certify that any confidential information obtained from the District shall not be made available, reproduced, sold, distributed or otherwise published or disseminated to any person or entity, except as is necessary for the Applicant to provide the equipment/services required by the RFP. The Applicant must also agree to notify the District of any instances that the confidentiality of any information to which it has been given access has been breached.

Terms of Payment

Funds will be paid until completion, acceptance and fulfillment of the purchase obligation to the District.

Billing address for invoices under this RFP is:

Brownsville Navigation District

Finance Department

1000 Foust Road

Brownsville, TX 78521

Electronic invoicing may be submitted to vendor@portofbrownsville.com

SECTION II

SPECIFICATIONS

- 4 tour boats (of which at a minimum of 3 boats must seat 75 passengers)
- Boats must be available from 8AM until 5:30PM on October 23rd

- Vendor must itemized per each Boat the Travel cost per hour to/from Port, cost per hour for Tour Trips, and any required Crew and gratuity costs

- Vendor must provide information about the number of available life jackets per boat

- Vendor's quote must include information about the number of passengers each boat can accommodate (total capacity)

- Vendor must all other required information needed to reserve the 4 boats for the Oct 23rd - 85th anniversary event at the Port of Brownsville (including required deposits, etc.)

SECTION III PROPOSAL FORMS

Attachments to this RFP that are required:

1. Respondent's Acknowledgement Form
2. Vendor Registration and Conflict of Interest Questionnaire
3. Government Code Chapter 2270 and 2252 Disclosure Statement
4. Statement of Non-Collusion

The following required forms can also be found at www.portofbrownsville.com – Business With the Port / Vendor Information

- Vendor Registration Form
- Conflict of Interest Questionnaire

BROWNSVILLE NAVIGATION DISTRICT
Respondent's Acknowledgment Form

Having carefully examined the information, notices and specifications and conditions contained in this package, the undersigned Applicant's agent or representative hereby proposes and agrees to comply with these Specifications at the prices quoted. The Applicant affirms that, to the best of their knowledge, the submitted Proposal has been arrived at independently and is submitted without collusion to obtain information or gain any favoritism that would in any way limit competition or give them an unfair advantage over other Applicants in the award of this RFP.

Addendums received:

| |
|-------------------------|
| Vendor: |
| Address: |
| City, State, Zip Code: |
| Signature of Applicant: |
| Title with Company: |



To Vendors Doing Business with Brownsville Navigation District:

The Texas legislature passed two pieces of legislation that affect the relationship between the Brownsville Navigation District and its vendors. The Board of Commissioners of the Brownsville Navigation District has incorporated these new requirements into the *Code of Ethics* already in place for the District.

The District will now require that any vendor seeking to do business with the Brownsville Navigation District must file certain documents on an annual basis in order to be able to be awarded a purchase contract or a purchase order for goods or services. These forms are:

1. Vendor Registration Form
2. Conflict of Interest Questionnaire

These forms must be re-filed on an annual basis. Copies of the required forms and a full copy of the *Code of Ethics* are available on the District's website at:

www.portofbrownsville.com

Conflict of Interest Questionnaires can be found at the Texas Ethics Commission web site at:

<http://www.ethics.state.tx.us/forms/CIQ.pdf>

Conflict of Interest Questionnaires must be filed in regard to the Brownsville Navigation District "local government officers" which include the Navigation District Commissioners, the Port Director and CEO and the Deputy Port Directors. A listing of these persons is enclosed. Completed forms are to be filed with my office.

Please do not hesitate to contact me should you have any questions regarding these forms.

Sincerely yours,

Lorena Hernandez, CPA

Director of Finance

(956) 838-7041 Fax (956) 831-5106

lhernandez@portofbrownsville.com

encl:

Brownsville Navigation District
1000 Foust Road / Brownsville, Texas 78521 / (956) 831 -4592 / (800) 378-5395 / Fax (956) 831-5106
www.portofbrownsville.com

BROWNSVILLE NAVIGATION DISTRICT ADMINISTRATION
"LOCAL GOVERNMENT OFFICERS"
Board of Navigation and Canal Commissioners

Sergio Tito Lopez
Chairman

Ralph Cowen
Vice Chairman

Esteban Guerra
Secretary of the Board

John Wood
Commissioner

John Reed
Commissioner

Administration

Eduardo A. Campirano – Port Director & CEO
Melinda Rodriguez - Deputy Director of Administration
Arturo Gomez - Deputy Director of Operations

Other Administrative Employees

Ariel Chávez II, PE/RPLS – Director of Engineering
Services Michael Davis – Harbor Master
Margie Recio – Director of Administrative Services
Lorena Hernandez, CPA – Director of Finance
Carlos L. Garcia – Chief of Police
Jose Herrera – Director of Facilities Maintenance
Jorge Montero – Director of Communications
Antonio Rodriguez – Director of Cargo Services
Vacant – Director of Special Projects
Martha M. Gonzalez – Manager of Real Estate Services

Brownsville Navigation District Vendor Registration Form

Please complete this form to give the District your contact information for use during an RFP/RFB 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: |
|---|---------------------------------|

Please return this form by fax to (956) 831-5106 or by email to vendor@portofbrownsville.com

Signature of Person Providing Information

| | |
|--|--|
| This vendor is not a Listed Company as per: Section 2252 of the Texas Government Code *Federal Debarred List - SAM.gov | _____ Signature of Purchasing Auditor |
|--|--|

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

OFFICE USE ONLY

Date Received

This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the governmental entity.

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.

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.

1 Name of person doing business 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 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.)

3

Describe each affiliation or business relationship with an employee or contractor of the local governmental entity who makes recommendations to a local government officer of the local governmental entity with respect to expenditure of money.

4

Describe each affiliation or business relationship with a person who is a local government officer and who appoints or employs a local government officer of the local governmental entity that is the subject of this questionnaire.

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM CIQ

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 business 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 Describe any other affiliation or business relationship that might cause a conflict of interest.

7

Signature of person doing business with the governmental entity

Date

Texas Government Code Sections 2270.002 and 2252.152

Disclosure Statement

The undersigned business entity hereby represents and warrants that the following statements are true and correct:

- (a) Pursuant to Section 2270.002, Texas Government Code, we hereby represent that we do not boycott Israel (as defined in Section 2270.002, Texas Government Code) and, subject to or as otherwise required by applicable Federal law, including, without limitation, 50 U.S.C. Section 4607, we agree not to boycott Israel during the term of this purchase agreement.
- (b) We hereby acknowledge that (a) we do not engage in business with Iran, Sudan, or any foreign organization and (b) we are not listed by the Texas Comptroller as described in Section 2252.152, Texas Government Code.

| |
|--|
| Company Name |
| Authorized Signature |
| Print Name and Position with the Company |
| Date |

Brownsville Navigation District Statement of Non-Collusion

The undersigned hereby certifies that they are duly authorized to execute this contract, that this company, corporation, firm, partnership or individual has not prepared this Proposal in collusion with any other Applicant or Port employee, and that the contents of this Proposal as to prices, terms or conditions of said Proposal 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 Proposal.

Company: _____

Address: _____

Phone: _____

Fax: _____

Applicant: _____

(Print Name)

Applicant: _____

(Signature)

Title: _____

Signature of Company Officer
Authorizing this
Proposal: _____

Company
Officer: _____

(Print Name)

Officer's
Title: _____

Note: This form must be filled out and submitted with the sealed proposal.