



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

**Request for Bids
For Railroad Crossing
Materials for Foust, Bill
Reed and Windhaus
Roads – Rail, Rubber
Crossings and Other
Steel Appurtenances
RRC-140324-60**

Closing Date –Tuesday, March 19, 2024 4:00 PM

**Brownsville Navigation District • 1000 Foust Road • Brownsville, TX 78521
(956) 831-4592 • (800) 378-5395 • Fax (956) 831-5006 • portofbrownsville.com**

Timetable

1. These Specifications are to be released for action on or about Saturday, March 2, 2024
2. The last date for written questions to be received from Applicants is **Thursday, March 14, 2024 @ 3:00 PM. CST.**
3. Response to written questions will be **posted Friday, March 15, 2024 @ 5:00 PM. CST.**
4. Bids must be received by the District's *Procurement and Contracts Supervisor*, by **Tuesday, March 19, 2024 @ 4:00 PM CST @ www.bidnetdirect.com//portofbrownsville**

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

Join by Teams Virtual Meeting

[Click here to join the meeting](#)

Meeting ID: 258 097 514 393

Passcode: 3DKtjW

5. Applicants are cordially invited to the Bid opening but are not required to attend.
6. 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 Wednesday, April 3, 2024

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 Thursday, April 4, 2024

Table of Contents

NOTICE.....	4
No Bid will be accepted via fax or email.....	4
SECTION I	5
GENERAL INFORMATION AND INSTRUCTIONS	5
General.....	5
Reservation of Rights.....	5
Preparation of Bid	6
Public Information Act	6
Submission of Bid	6
Authorized Signature	6
Withdrawal of Bid.....	6
Interpretation of Specifications	6
Addendums to Request for Bids	7
Criteria Used in Evaluating Bids	7
Compliance with Laws.....	7
Texas Ethics Commission Form 1295 Disclosures	8
Texas Government Code Chapter 2270 Prohibition on Boycotting Israel.....	8
Award of the Bid.....	8
Disclosure of Sub-contractors.....	8
Determination of Compliance with Specifications	8
Delivery.....	8
Confidentiality.....	8
Terms of Payment.....	9
Insurance Requirements.....	10
SECTION II SPECIFICATIONS.....	11
SECTION III BID FORMS	15
Attachments to this RFB that are required:.....	16
Respondent's Acknowledgment Form	17
Brownsville Navigation District Vendor Registration Form	20
CONFLICT OF INTEREST QUESTIONNAIRE	22
Texas Government Code Sections 2270.002 and 2252.152.....	24
Disclosure Statement.....	24
Brownsville Navigation District.....	25
Statement of Non-Collusion	25
Nepotism Chart.....	26

NOTICE

Notice is hereby given that sealed Bids for Railroad Crossing Materials for Foust, Bill Reed and Windhaus Roads – Rail, Rubber Crossings and Other Steel Appurtenances will be received by the Brownsville Navigation District of Cameron County, Texas.

All Bids must be submitted to Bidnet Direct @ www.bidnetdirect.com//portofbrownsville OR sealed and delivered to the Brownsville Navigation District, *Procurement and Contract Supervisor*, 1000 Foust Road, Brownsville, Texas, on or before Tuesday, March 19, 2024 @ 4:00 PM If not submitted via Bidnet @ www.bidnetdirect.com//portofbrownsville submittals must be clearly marked on the outside of the envelope:

**Bid for Railroad Crossing Materials for Foust, Bill Reed and Windhaus Roads –
Rail, Rubber Crossings and Other Steel Appurtenances
RRC-140324-60**

Bids must comply with the requirements set out in the "Request for Bids" which may be obtained from the Port of Brownsville website and Bidnet Direct.

No Bid will be accepted via fax or email.

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 Railroad Crossing Materials for Foust, Bill Reed and Windhaus Roads – Rail, Rubber Crossings and Other Steel Appurtenances.

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 Bid.**
2. **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 date and time set for the deadline for receipt of Bids will be returned to the Applicant unopened.
3. The RFB 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 thru Bidnet Direct Q&A if before the deadline for written questions. If after deadline additional questions may be submitted by email to: purchasing@portofbrownsville.com Any questions received after written questions deadline, may or may not be addressed in an additional addendum.
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 Bid(s).
- Reject any and all Bids 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.
- Accept any Bid 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 RFB.

Preparation of Bid

The Bidder shall prepare their bid on the attached bid forms with attachments as necessary to fulfill the specifications contained herein.

Public Information Act

The Brownsville Navigation District is a political subdivision of the State of Texas subject to the requirements of the Public Information Act, and therefore, any information submitted in response to the invitation for bids (or request for proposals, etc.) may be considered public information unless it is made confidential or is exempt from disclosure under Texas law.

Submission of Bid

Bids shall be submitted via Bidnet Direct, or 2 copies one (1) physical and one (1) Digital (USB) of the Bid shall be submitted in a sealed envelope. Each envelope or package must be addressed as follows:

**Brownsville Navigation District
Procurement and Contract Supervisor
1000 Foust Road
Brownsville, Texas 78521**

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

**Railroad Crossing Materials for Foust, Bill Reed and Windhaus Roads – Rail, Rubber Crossings and
Other Steel Appurtenances
RRC-140324-60**

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

Authorized Signature

All Bids must be signed by persons who have legal authority to bind the Bidder to items and prices that are reflected in the bid.

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 up to Ninety **(90)** days after said closing date for acceptance of bids. The successful low 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.

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 via Bidnet direct Q&A or to **Miguel Barajas, Procurement and Contract Supervisor** @ purchasing@portofbrownsville.com a written request for interpretation thereof. Requests for interpretation must be received by Thursday, March 14, 2024 @ 3:00 PM CST. 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 Bids

If it becomes necessary to revise any part of this RFB, a written addendum will be posted on Bidnet Direct and the Port of Brownsville web site, under "Business with the Port/Procurement". **It will be the responsibility of each Bidder to verify that they have received all addendums.** Bidders must acknowledge on the Bidder's Acknowledgement Form (**Attachment A**) the receipt of all addendums in order for their Bid 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 Bids

1. Bids will be carefully evaluated for cost effectiveness and for compliance with the requirements contained in the Specifications.
2. In purchasing any real property or personal property not affixed to real property, the District reserves the right to award to a vendor whose principal place of business is in the boundaries of the Brownsville Navigation District and whose bid price is within 3% of the lowest bid price received from a bidder who is not located within the boundaries of the Brownsville Navigation District, provided that the local bidder offers the best combination of contract price and additional economic development opportunities created by the contract award, including the employment of residents of Brownsville Navigation District and increased tax revenues to the Brownsville Navigation District. for purchases of real property or personal property that is not affixed to real property.

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 this bidding 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 Bid

Award of the bid shall be based on the lowest base Bid, subject to the 3% Local Preference Option, if applicable.

Disclosure of Sub-contractors

The Bidder shall disclose and provide contact information for the anticipated use of any sub-contractor. The Bid submitted to the District shall identify each sub-contractor and the specific elements and items for which each will be responsible. Following the award of the RFB no additional subcontracting will be allowed without the prior written consent of the District.

Determination of Compliance with Specifications

The Procurement and Contracts Supervisor or his designee will be responsible for assuring that the delivered product/service complies with the successful applicant'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 Bidder will be expected to deliver the requested goods/services within the specified delivery period, if any.

Confidentiality

Bidders 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 Bidder to provide the equipment required by the RFB. The Bidder 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.

The District refers to the payment terms of the *Texas Prompt Payment Act* as Net 30: Payment of the net (full) amount will be made within 30 days of receipt of the invoice or receipt of material or service, whichever is later

Billing address for invoices under this RFB is:

Brownsville Navigation District

Finance Department

1000 Foust Road

Brownsville, TX 78521

Electronic invoicing may be submitted to vendor@portofbrownsville.com

Insurance Requirements

- (a) The Consultant shall furnish proof of insurance requirements as indicated below and as required under the Contract Documents. The coverage is to remain in force at all times during the contract period. The following minimum insurance coverage is required. The commercial general liability insurance policy shall name the Brownsville Navigation District, as an "additional insured." This MUST be written in the description section of the insurance certificate, even if there is a check-off box on the insurance certificate. Any costs for adding the Port as "additional insured" shall be at the Consultant's expense.
- (b) The Port shall be given notice 30 days prior to cancellation or modification of any required insurance. The certificate of insurance provided to the Port shall be endorsed or amended to comply with this notice requirement. Such notification will be in writing by registered mail, return receipt requested and addressed to the Port, care of the Port Director and CEO.
- (c) The Consultant's insurance must be provided by an A.M. Best's "A-" rated or better insurance company authorized to issue insurance policies in the State of Texas, subject to approval by the Port. Any exclusions or provisions in the insurance maintained by the contractor that excludes coverage for work contemplated in this solicitation shall be deemed unacceptable, and shall be considered breach of contract.
- (d) The Contractor shall be required to submit renewal certificates of insurance throughout the term of this contract and any extensions within 10 days of the policy expiration dates. All notices under this section shall be given to the Port of Brownsville at the following address: Port of Brownsville Attn: Administrative Services Department 1000 Foust Road Brownsville, TX 78521

The successful Vendor shall not commence work under this agreement until all of the insurance required has been obtained and certificates of insurance are on file and approved by the Brownsville Navigation District. Approval of the insurance by the Brownsville Navigation District shall not relieve or decrease the liability of the successful Vendor.

The successful Vendor shall provide and maintain for the duration of this agreement, the following minimum coverage:

Type of Coverage	Limit of Liability
Worker's Compensation	Statutory
Employer's Liability	\$1,000,000.00
Comprehensive General Liability	
-Bodily Injury	\$1,000,000/occurrence
-Property Damage	\$1,000,000/occurrence
Comprehensive Automotive Liability	
Coverage to include:	
-All owned vehicles	\$1,000,000/occurrence
-All non-owned vehicles	\$1,000,000/occurrence
-All hired vehicles	\$1,000,000/occurrence

All policies must be endorsed with a Waiver of Subrogation in favor of the Brownsville Navigation District d/b/a Port of Brownsville.

All insurance shall be at the sole cost and expense of the successful Vendor. All the liability coverages cited shall name the Brownsville Navigation District as an additional insured as its interest may appear. The policy or policies shall contain a clause that the insurer will not cancel or change the policy or policies without first giving the District thirty (30) days prior written notice.

SECTION II SPECIFICATIONS

Bid Form

RAILROAD CROSSING MATERIALS FOR FOUST, BILL REED AND WINDHAUS ROADS

- RAIL, RUBBER CROSSINGS AND OTHER STEEL APPURTENANCES

BIDDER Agrees to supply all the materials provided by owner for the following Unit Prices (which include any and all applicable taxes and fees):

March 19, 2024

LOT 1: STEEL MATERIALS

#	DESCRIPTION	EST. QTY.	UNIT COST	AMOUNT
WINDHAUS ROAD RAILROAD CROSSINGS				
N-14 CROSSING				
1	RAIL 115 LB (80' STICKS)	240 LF		
2	RAIL WELDS 115 LB KITS	2 EA		
3	PAIR 115 LB JOINT BARS	2 EA		
4	115 LB PANDROL PLATES (5.5" BASE)	118 EA		
5	PANDROL CLIPS	236 EA		
6	PANDROL JCLIPS	8 EA		
7	115 LB RAIL ANCHORS	236 EA		
8	SCREW SPIKES	472 EA		
9	1"X6" TRACK BOLTS WITH WASHER	24 EA		
10	6" CORRUGATED DRAIN PIPE	224 LF		
11	GEOFABRIC ROLL	1 EA		
N-17 CROSSING				
12	RAIL 115 LB (80' STICKS)	400 LF		
13	RAIL WELDS 115 LB KITS	4 EA		
14	PAIR 115 LB JOINT BARS	4 EA		
15	115 LB PANDROL PLATES (5.5" BASE)	227 EA		
16	PANDROL CLIPS	454 EA		
17	PANDROL JCLIPS	16 EA		
18	115 LB RAIL ANCHORS	454 EA		
19	SCREW SPIKES	904 EA		
20	1"X6" TRACK BOLTS WITH WASHER	32 EA		
21	6" CORRUGATED DRAINPIPE	344 LF		
22	GEOFABRIC ROLL	1 EA		
23	PAIR 115LB/90LB COMP BARS	4 EA		
24	3/4" X 5" TRACK BOLTS WITH WASHERS	8 EA		
SUBTOTAL AMOUNT FOR WINDHAUS ROAD RAILROAD CROSSINGS:				
BILL REED ROAD RAILROAD CROSSINGS				
NORTH LEAD CROSSING				
25	RAIL 115 LB (80' STICKS)	240 LF		

LOT 1: STEEL MATERIALS				
#	DESCRIPTION	EST. QTY.	UNIT COST	AMOUNT
26	RAIL WELDS 115 LB KITS	2 EA		
27	PAIR 115 LB JOINT BARS	2 EA		
28	115 LB PANDROL PLATES (5.5" BASE)	104 EA		
29	PANDROL CLIPS	208 EA		
30	PANDROL JCLIPS	8 EA		
31	115 LB RAIL ANCHORS	208 EA		
32	SCREW SPIKES	416 EA		
33	1"X6" TRACK BOLTS WITH WASHER	32 EA		
34	6" CORRUGATED DRAINPIPE	124 LF		
35	GEOFABRIC ROLL	1 EA		
36	PAIR 115 LB/90 LB COMP BARS	4 EA		
37	3/4" X 5" TRACK BOLTS WITH WASHERS	8 EA		
N-2 CROSSING				
38	RAIL 115 LB (80' STICKS)	240 LF		
39	RAIL WELDS 115 LB KITS	2 EA		
40	PAIR 115 LB JOINT BARS	2 EA		
41	115 LB PANDROL PLATES (5.5" BASE)	104 EA		
42	PANDROL CLIPS	208 EA		
43	PANDROL JCLIPS	8 EA		
44	115 LB RAIL ANCHORS	208 EA		
45	SCREW SPIKES	416 EA		
46	1"X6" TRACK BOLTS WITH WASHER	32 EA		
47	6" CORRUGATED DRAINPIPE	124 LF		
48	GEOFABRIC ROLL	1 EA		
49	PAIR 115 LB/90 LB COMP BARS	4 EA		
50	3/4" X 5" TRACK BOLTS WITH WASHERS	8 EA		
SUBTOTAL AMOUNT FOR BILL REED ROAD RAILROAD CROSSINGS:				
FOUST ROAD RAILROAD CROSSING				
DEPOT CROSSING				
51	RAIL 115 LB (80' STICKS)	400 LF		
52	RAIL WELDS 115 LB KITS	4 EA		
53	PAIR 115 LB JOINT BARS	4 EA		
54	115 LB PANDROL PLATES (5.5" BASE)	166 EA		
55	PANDROL CLIPS	332 EA		
56	PANDROL JCLIPS	16 EA		
57	115 LB RAIL ANCHORS	332 EA		
58	SCREW SPIKES	664 EA		
59	1"X6" TRACK BOLTS WITH WASHER	24 EA		

LOT 1: STEEL MATERIALS

#	DESCRIPTION	EST. QTY.	UNIT COST	AMOUNT
60	6" CORRUGATED DRAINPIPE	224 LF		
61	GEOFABRIC ROLL	1 EA		
SUBTOTAL AMOUNT FOR FOUST ROAD RAILROAD CROSSING:				
TOTAL AMOUNT FOR LOT 1:				

DELIVERY DATE: _____

LOT 2: RUBBER CROSSINGS

#	DESCRIPTION	EST. QTY.	UNIT COST	AMOUNT
WINDHAUS ROAD RAILROAD CROSSINGS				
N-14 CROSSING				
62	FULL DEPTH RUBBER RAIL CROSSING	0 LF		
N-17 CROSSING				
63	FULL DEPTH RUBBER RAIL CROSSING	147 LF		
SUBTOTAL AMOUNT FOR WINDHAUS ROAD RUBBER CROSSINGS:				
BILL REED ROAD RAILROAD CROSSINGS				
NORTH LEAD CROSSING:				
64	FULL DEPTH RUBBER RAIL CROSSING	57 LF		
N-2 CROSSING:				
65	FULL DEPTH RUBBER RAIL CROSSING	57 LF		
SUBTOTAL AMOUNT FOR BILL REED ROAD RUBBER CROSSINGS:				
FOUST ROAD RAILROAD CROSSING				
DEPOT CROSSING				
66	FULL DEPTH RUBBER RAIL CROSSING	106 LF		
SUBTOTAL AMOUNT FOR FOUST ROAD RAILROAD CROSSING:				
TOTAL AMOUNT FOR LOT 2:				

DELIVERY DATE: _____

LOT 3: WOODEN TIES

#	DESCRIPTION	EST. QTY.	UNIT COST	AMOUNT
WINDHAUS ROAD RAILROAD CROSSINGS				
N-14 CROSSING				
67	7"X9"X10' GRADE 5 SWITCH TIMBERS	59 EA		
N-17 CROSSING				
68	7"X9"X10' GRADE 5 SWITCH TIMBERS	113 EA		
SUBTOTAL AMOUNT FOR WINDHAUS ROAD RUBBER CROSSINGS:				

LOT 3: WOODEN TIES				
#	DESCRIPTION	EST. QTY.	UNIT COST	AMOUNT
BILL REED ROAD RAILROAD CROSSINGS				
NORTH LEAD CROSSING:				
69	7"X9"X10' GRADE 5 SWITCH TIMBERS	52 EA		
N-2 CROSSING:				
70	7"X9"X10' GRADE 5 SWITCH TIMBERS	52 EA		
SUBTOTAL AMOUNT FOR BILL REED ROAD RUBBER CROSSINGS:				
FOUST ROAD RAILROAD CROSSING				
DEPOT CROSSING				
71	7"X9"X10' GRADE 5 SWITCH TIMBERS	83 EA		
SUBTOTAL AMOUNT FOR FOUST ROAD RAILROAD CROSSING:				
TOTAL AMOUNT FOR LOT 3:				

DELIVERY DATE: _____

NOTES:

- The Brownsville Navigation District is exempt from sales taxes.
- The BIDDER, in compliance with your invitation for bids for the "**RAILROAD CROSSING MATERIALS FOR FOUST, BILL REED AND WINDHAUS ROADS**" supply, having examined the related documents, and being familiar with all of the conditions surrounding the delivery of the proposed materials, hereby proposes to furnish materials and supplies, within the time set forth herein, and at the attached unit prices. These price(s) are to cover all expenses incurred in furnishing the required under the contract documents, of which this bid is a part. These price(s) are firm and shall not be subject to adjustment provided this Bid is accepted within ninety (90) days after the time set for receipt of bids.
- Interested bidders will be able to quote any Lot of materials. The Lots were separated into: Lot 1: Steel Materials, Lot 2: Rubber Crossings and Lot 3: Wooden Materials. All items on each lot will need to present their unit price and a total amount for the Lot to be considered as a responsive bid. Brownsville Navigation District may award purchase of each Lot to different vendors.
- Freight, delivery and unloading costs MUST be subsidiary to each bid item, FOB (Port of Brownsville). Delivery address and dates will need to be coordinated with the office of the Port of Brownsville Engineering Services Department and with OmniTRAX/Brownsville Rio Grande Railway (BRG).

SECTION III BID FORMS

Attachments to this RFB 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
5. Certificate of Interested Parties form 1295
6. Proof of Insurance

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:

<https://www.ethics.state.tx.us/data/forms/conflict/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,

M A Barajas

Miguel Barajas

Procurement and Contract Supervisor

(956) 838-7043 Fax (956) 831-5106

purchasing@portofbrownsville.com

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

Esteban Guerra
Chairman
Elected May 2022
Term Expires May
2026

Ralph Cowen
Vice Chairman
Elected May 2020
Term Expires May
2024

John Wood
Secretary
Elected May 2022
Term Expires May
2026

Sergio Tito Lopez
Commissioner
Elected May 2020
Term Expires May
2024

John Reed
Commissioner
Elected May 2020
Term Expires May
2024

Administration

William Dietrich – Interim Port Director & CEO
Arturo Gomez – Deputy Director of Operations

Other Administrative Employees

Ariel Chavez II, P.E./R.P.L.S. – Director of Engineering Services
Michael Davis – Harbor Master
Margie Recio – Director of Administrative Services
Zeus Yanez – Director of Finance
Julio Romo – interim Chief of Police
Jose Herrera – Director of Facilities Maintenance
Jorge Montero – Director of Communications
Antonio Rodriguez – Director of Cargo 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
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CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

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).

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.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

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.

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?

☐ Yes

☐ No

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?

☐ Yes

☐ No

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.

6 ☐ 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).

7

Signature of vendor doing business with the governmental entity

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;
or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

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 <div style="font-size: 2em; transform: rotate(-30deg); opacity: 0.5; position: absolute; top: 50%; left: 50%;"> Must file online at www.ethics.state.tx.us/File </div>																																							
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.																																									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2" style="width: 30%;">4 Name of Interested Party</th> <th rowspan="2" style="width: 20%;">City, State, Country (place of business)</th> <th colspan="2" style="width: 50%;">Nature of Interest (check applicable)</th> </tr> <tr> <th style="width: 25%;">Controlling</th> <th style="width: 25%;">Intermediary</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>				4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)		Controlling	Intermediary																																
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		Controlling	Intermediary																																						
5 Check only if there is NO Interested Party. <input type="checkbox"/>																																									
6 UNSWORN DECLARATION My name is _____, and my date of birth is _____. My address is _____, _____, _____, _____, _____. <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> (street) (city) (state) (zip code) (country) </div> I declare under penalty of perjury that the foregoing is true and correct. Executed in _____ County, State of _____, on the _____ day of _____, 20____. <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> (month) (year) </div> <div style="text-align: right; margin-top: 20px;"> _____ Signature of authorized agent of contracting business entity (Declarant) </div>																																									
ADD ADDITIONAL PAGES AS NECESSARY																																									

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 terrorist 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.

Nepotism Chart

The chart below shows:

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood)
for purposes of interpreting nepotism as defined in VTCA Government Code, Chapter 573, §§573.021 - .025

Also applicable to Conflict of Interest as outlined in Chapter 171 of the Local Government Code

