

INSTRUCTIONS TO BIDDERS

The enclosed INVITATION TO BID and accompanying SPECIFICATIONS AND BID SHEET(S) are for your convenience in bidding the enclosed referenced product and/or services for COLORADO COUNTY.

COLORADO COUNTY appreciates your time and effort in preparing a bid. Please note that all bids must be received at the COLORADO COUNTY JUDGE'S OFFICE by the deadline shown. Bids received after the deadline WILL NOT BE CONSIDERED FOR THE AWARD OF BID SUBMITTED and shall be considered VOID and UNACCEPTABLE. COLORADO COUNTY is not responsible for lateness or non-delivery of mail, carrier, etc.

BIDS must be submitted on the forms supplied for that purpose. If more than one item is bid at the same time, two (2) *copies* of EACH BID submitted shall be placed in a SEPARATE sealed envelope clearly marked for that BID as indicated on BID FORM. BID openings shall be held at the COLORADO COUNTY COURTHOUSE, 400 Spring St., Room 101, Columbus, Texas on the time and date as indicated on BID FORM. You are invited to attend.

If you do not wish to bid at this time but wish to remain on the BID LIST for this item, please submit a "NO BID" by the same time and same location as stated for bidding. If you don't submit a "NO BID", your name may be removed from the BID LIST. If you wish to be changed to the BID LIST for another item, please let us know. Information on which items and services we maintain BID LISTS for is available from the Colorado County Judge's Office.

IT SHALL BE THE BIDDER'S RESPONSIBILITY TO AFFIX SUFFICIENT POSTAGE ON ALL BIDS. ANY POSTAGE DUE WILL NOT BE PAID BY COLORADO COUNTY.

COLORADO COUNTY RESERVES THE RIGHT TO ACCEPT OR REJECT ANY OR ALL BIDS OR TO ACCEPT THE BID DEEMED MOST ADVANTAGEOUS TO COLORADO COUNTY.

**INVITATION TO BID
 ANNUAL CONTRACT FOR THE PURCHASE OF
 WEED AND BRUSH CONTROL HERBICIDES
 PERIOD OF CONTRACT APRIL 1, 2023 to MARCH 31, 2024**

The Commissioners Court of Colorado County, Texas is accepting sealed bids for the purchase of weed and brush control herbicides, as described in the attached specifications. Sealed bids (**2 copies**) marked “**Weed & Brush Control**” on the outside of envelope **will be received in the Office of the Colorado County Judge, Colorado County Courthouse, 400 Spring St., Room 107, Columbus, Texas 78934. Deadline for submission is March 2, 2023 at 2:00 p.m.,** at which time the bids will be publicly opened and read aloud in Room 101 of the Colorado County Courthouse. Bids may be discussed and/or awarded at the Commissioners Court Regular Meeting on March 13, 2023 at 9:00 a.m. at the location posted in the agenda. Bids are subject to the terms and conditions of this invitation to bid. Bids are binding under the laws of the State of Texas. Colorado County Commissioners Court reserves the right to waive all technicalities, to reject any and all bids and to accept any bid deemed most advantageous to the County. Do not add sales tax in bid price, Colorado County is tax exempt. Insure that all pages of bid form are signed or initialed. If low bidder cannot supply material on demand, Commissioners Court reserves right to go to another supplier. *Colorado County will not pay for any additional fees, surcharges or fuel/energy adjustments.*

Legal Name of Contracting Company	Federal I.D. #	
Contact Person's Typed Name	Title	Phone Number
Complete Mailing Address	City & State	Zip
Email address		

CERTIFICATION

By my signature hereon, I certify that the herbicides that I propose to furnish will meet or exceed specifications contained herein. Further, I agree that if my bid is accepted, I shall perform as required in this invitation for bids. I am aware that, once accepted, my bid becomes a binding contract.

SIGN HERE: _____ DATE: _____

Signer's Typed Name	Title	Phone Number
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- A. SCOPE: It is the intent of Colorado County to purchase weed and brush control materials meeting the following specifications:
- (1) Herbicides for selective control of weeds (barnyard, dallisgrass, goosegrass, Johnson grass and similar weeds) without killing native Bermuda must be labeled for roadside drainage ditches, banks, fence rows, right of ways, industrial sites, and other similar non-crop areas. Labels must be provided with bid.
 - (2) Herbicides for selective control of Southern Wild Rose, McCarty Rose, similar woody stem brush and broadleaf weeds, must be labeled for roadside drainage ditches, banks, fence rows, right of ways, industrial sites, and other similar non-crop areas. Labels must be provided with bid.
 - (3) Herbicide that is water soluble liquid, that mixes readily with water to be applied as a foliage spray for the control or destruction of most herbaceous plants.
- B. PERIOD OF CONTRACT: This bid is for the period of **April 1, 2023** to **March 31, 2024**.
- C. DATA: Bidders shall provide manufacturer's latest specification sheet and multi data safety sheet for each offered compound.
- D. DELIVERY: Delivery within (5) five working days is required, unless otherwise specified at time of order.
- Items ordered from this bid must be delivered to various locations throughout Colorado County (Rock Island, Weimar, Frelsburg, Eagle Lake) unless otherwise specified.
- E. MISCELLANEOUS:
- (1) Any one item may be selected from this bid without regard to other quotes.
 - (2) All prices must be F.O.B. delivery point.

Bidder's Initials_____

F. SPECIFICATIONS, REQUIRED MATERIALS:

- (1) **HERBICIDE, "ROUND-UP PRO", or PROVEN EQUAL (_____)**
Must be labeled for roadside use. Name of proven equal

Units of Issue 2.5 Gallons 30 Gallons

F.O.B. Delivered Price \$ _____ \$ _____

F.O.B. Pickup Price \$ _____ \$ _____

Pickup Location: _____

- (2) **ARSENAL, or PROVEN EQUAL (_____)**
Name of proven equal

Units of Issue 1 Quart 2.5 Gallons 15 Gallons

F.O.B. Delivered Price \$ _____ \$ _____ \$ _____

F.O.B. Pickup Price \$ _____ \$ _____ \$ _____

Pickup Location: _____

- (3) **HERBICIDE, "PRAMITAL", or PROVEN EQUAL (_____)**
Name of proven equal

Units of Issue 1 Gallon 2.5 Gallons

F.O.B. Delivered Price \$ _____ \$ _____

F.O.B. Pickup Price \$ _____ \$ _____

Pickup Location: _____

Bidder's Initials _____

List of Government Officials
For
Colorado County, Texas

Ty Prause, County Judge

Doug Wessels, Commissioner, Pct. #1

Ryan Brandt, Commissioner, Pct. #2

Keith Neuendorff, Commissioner, Pct. #3

Darrell Gertson, Pct. #4

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

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

OFFICE USE ONLY

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.

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.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

 Signature of authorized agent of contracting business entity
 (Declarant)

ADD ADDITIONAL PAGES AS NECESSARY

RESIDENCE CERTIFICATION

Pursuant to Texas Government Code 2252.001 *et seq.*, as amended, Colorado County requests Residence Certification. 2252.001 *et seq.* of the Government Code provides some restrictions on the awarding of a governmental contract; pertinent provisions of 2252.001 are stated below:

“Nonresident bidder” refers to a person who is not a resident

“Resident bidder” refers to a person whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

I certify that _____ is a Resident Bidder of
(Company Name)
Texas as defined in Government Code 2252.001

I certify that _____ is a Nonresident Bidder of
(Company Name)
Texas as defined in Government Code 2252.001 and our principal place of business is located in _____.
(City and State)

Signature of Authorized Company Official

Printed Name of Authorized Company Official