

**CDBG DR 4266
TITLE COMPANY SERVICES
REQUEST FOR PROPOSAL
RFP # 2021-G12**

Newton County is seeking to contract with a qualified Title Company to complete title work, land surveying, and closing services for approximately 10 properties for the GLO CDBG 4266 buyout program.

Please submit 1 digital copy via CD or flash drive and 3 hard copies of your proposal of services and a statement of qualifications for the proposed services to the address below:

Newton County Clerk
115 Court Street
P. O. Box 454
Newton, TX 75966

Proposals shall be received by the County no later than 4:00 p.m. on Friday June 25, 2021. The County reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Act and the Uniform Grant and Contract Management Standards. Section 3 Residents and Business Concerns, Minority Business Enterprises, Small Business Enterprises and Women Business Enterprises are encouraged to submit proposals.

Newton County is an Affirmative Action/Equal Opportunity Employer.

Copies of the Request for Proposal may be requested by emailing Elizabeth Holloway at Elizabeth.holloway@co.newton.tx.us or calling 409-527-5050.

Request for Proposal RFP #2021-G12
Newton County CDBG DR 4266
Title Work, Land Surveying, and Closing Services

Newton County is seeking proposals from competent service provider(s) to assist with title work, land surveying, and closing services, as an alternate or additional provider, for properties located in Newton County to be acquired using funds provided by the CDBG DR-4266 Buyout Program administered by the Texas General Land Office.

The following outlines the request for proposals. Note, "application" and "award" in this RFP refer to a sub-application submitted to the funding agency and a subaward granted by the funding agency. Any work done prior to the award of a Real Property Appraisal Services Agreement is considered "at risk" and Newton County is under no obligation to fund or pay for such work.

- I. **Scope of Work** –The service provider(s) is to provide services including but not limited to the following areas:

Newton County is seeking proposals from title companies, as an alternate or additional provider, under GLO's CDBG DR Buyout Program resulting from Federal Disaster Declaration 4266. Project involves title work, land surveying and closing services for approximately 10 properties which sustained flooding damage.

Scope of work and methodology details include:

- Title search and issuance of title insurance policy for properties eligible for buyout.
- Survey field work and final plat which includes: A) accurate flood zone identification (Floodway, Zone AE, Zone A, Shaded Zone X, or Zone X) as defined on FEMA Flood Insurance Rate Maps; B) longitude and latitude for property corners in decimal degrees to six (6) decimal places; C) clearly identified marking/flagging of property corners; D) photo of surveyed property from perspective of closest public road or right-of-way.
- Escrow, closing, settlement, and recording services.

- II. **Statement of Qualifications** – Newton County is seeking to contract with well-qualified service provider(s) experienced in performing title work, closings, and related services. Responses to the Request for Proposals should at a minimum demonstrate:
- 1) Necessary licensing and certification;
 - 2) Active registration with the federal System for Award Management (SAM)
<https://www.sam.gov/SAM/>
 - 3) Relevant experience and project understanding;
 - 4) Adequate staff and technical knowledge;
 - 5) Readiness and ability to complete assigned tasks and functions within required timeframe;
 - 6) Cost proposal for typical work activities according to specifications outlined above.
 - 7) Process for handling escrow and types of acceptable payment and/or negotiable instruments.
- III. **Proposed Cost of Services** – Services under this RFP may include any or all of the eligible activities listed in Section II. In order to establish a basis for cost comparison, provide a firm fixed-price cost proposal for each of the currently proposed project(s) described below. Cost proposals must be submitted using the table below and will be evaluated against each other, relative to the initial project cost estimates. Cost proposals should include any additional services required to implement the currently proposed project(s) described below.

The proposal must include all costs that are necessary to successfully complete these activities. Newton County will consider dividing total requirements, when economically feasible, into

smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises. Contract pricing for services under this RFP will be adjusted if final project cost estimates differ from the current estimate. Please note that the lowest/best bid will not be used as the sole basis for entering into this contract.

Proposed Cost

		To be completed by Service Provider:	
Project Activity	Description (size, # of units, budget estimate, etc.)	Proposed Unit Cost (Per Property)	Proposed Total Cost (10 Properties)
Title Search, Issuance of Title Policy, Closing, Preparation and Recording of Deed (No survey required)	10		
Title Search, Issuance of Title Policy, Closing, Preparation and Recording of Deed (Survey required)	10		
Property survey only Lot & block	Ordered on individual sites as applicants are approved by GLO.	Price range is appropriate.	
Property survey only Metes and bounds	Ordered on individual sites as applicants are approved by GLO.	Price range is appropriate.	

- V. **Evaluation Criteria** - The proposal received will be evaluated and ranked according to the following criteria and using the rating sheet enclosed as Exhibit A:

<u>Criteria</u>	<u>Maximum Points</u>
Applicable related experience	30
Readiness, performance schedule	30
Company structure and qualifications	20
Cost of services	10
Certified HUB/MWBE	10

VI. **Submission Requirements**

- Proposals must include services for all applicable programs.
- A statement of conflicts (if any) the proposing entity or key employees may have regarding these services.
- System for Award Management. Consultant/Firm maintains active registration and is not debarred or suspended from either the Excluded Parties List System (EPLS) in the System for Award Management (SAM). Include verification that your company as well as the company's principal is not listed (is not debarred) through the System for Award

Management (www.SAM.gov). Enclose a print out of the search results that includes the record date.

- Form CIQ, enclosed. Texas Local Government Code chapter 176 requires that any vendor or person who enters or seeks to enter into a contract with a local government entity disclose in the Questionnaire Form CIQ the vendor or person's employment, affiliation, business relationship, family relationship or provision of gifts that might cause a conflict of interest with a local government entity. Questionnaire form CIQ is included in the RFP and must be submitted with the response.
- Certification Regarding Lobbying, enclosed. Certification for Contracts, Grants, Loans, and Cooperative Agreements is included in the RFP and must be submitted with the response.
- Form 1295, enclosed. Effective January 1, 2016, all contracts and contract amendments, extensions, or renewals executed by the Commissioners Court will require the completion of Form 1295 "Certificate of Interested Parties" pursuant to Government Code § 2252.908. Form 1295 must be completed by awarded vendor at time of signed contract submission. Form 1295 is included in this RFP for your information.
- Required Contract Provisions. Applicable provisions enclosed must be included in all contracts executed as a result of this RFP.

VII. **Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.** Small and minority businesses, women's business enterprises, and labor surplus area firms are encouraged to participate in this RFP. If the awarded vendor is a prime contractor and may use subcontractors, the following affirmative steps are required of the prime contractor:

- 1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- 2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- 3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- 4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- 5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

VIII. **Deadline for Submission** – Proposals must be received no later than **4:00 PM on Friday, June 25, 2021.** It is the responsibility of the submitting entity to ensure that the proposal is received in a timely manner. Proposals received after the deadline will not be considered for award, regardless of whether or not the delay was outside the control of the submitting firm.

Please submit one (1) digital copy via CD or flash drive and three (3) hard copies of your proposal of services and statement of qualifications to:

**Newton County Clerk
Sandra K. Duckworth
115 Court Street
P.O. Box 454
Newton, TX 75966**

Title/Escrow Services Rating Sheet

Sub-grantee _____

Date of Rating _____

Name of Respondent _____

Evaluator's Name _____

Experience

Factors

	<u>Max.Pts.</u>	<u>Score</u>
1. Related Experience / Background with federal and state funded projects	10	_____
2. Related Experience/ Background with specific project type (housing rehabilitation, acquisition of property, coordination with regulatory agency, etc.)	10	_____
3. References from current/past clients	5	_____
4. Familiarity with Region and Demographics	5	_____
Subtotal, Experience	30	_____

Readiness, Performance Schedule

Factors

	<u>Max.Pts.</u>	<u>Score</u>
1. Availability to begin immediately upon award	15	_____
2. Completion within grant contract requirements	15	_____
Subtotal, Readiness, Performance	30	_____

Company Structure and Qualifications

Factors

	<u>Max.Pts.</u>	<u>Score</u>
1. Qualifications of Professional Administrators/Experience of Staff	5	_____
2. Present and Projected Workloads	5	_____
3. Quality of Proposal/Work Plan	5	_____
4. Demonstrated understanding of scope of Project	5	_____
Subtotal, Capacity to Perform	20	_____

Proposed Cost

Factors

	<u>Max.Pts.</u>	<u>Score</u>
1. Proposed cost deemed reasonable and within independent cost estimate range	10	_____
Subtotal, Proposed Cost	10	_____

Certified HUB/MWBE

Factors

	<u>Max.Pts.</u>	<u>Score</u>
1. Provided certification of HUB/MWBE designation	10	_____
Subtotal, HUB/MWBE	10	_____

TOTAL SCORE

Factors

	<u>Max.Pts.</u>	<u>Score</u>
Experience	30	_____
Performance	30	_____
Qualifications	20	_____
Proposed Cost	10	_____
HUB/MWBE	10	_____
Total Score	100	_____

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.

Certification Regarding Lobbying
(To be submitted with each bid or offer exceeding \$100,000)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official

Printed Name and Title of Contractor's Authorized Official

Date

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

Approved by OMB
0348-0046

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

Type of Federal Action: a. contract _____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	Status of Federal Action: a. bid/offer/application _____ b. initial award c. post-award	Report Type: a. initial filing _____ b. material change
Name and Address of Reporting Entity: _____ Prime _____ Subawardee Tier _____, if Known: Congressional District, if known:		If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known:
Federal Department/Agency:		7. Federal Program Name/Description: CFDA Number, if applicable: _____
Federal Action Number, if known:		9. Award Amount, if known: \$
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>		b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____
Federal Use Only		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO interested Party. ☐

6 UNSWORN DECLARATION

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

My address _____ (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