

TEXAS DEPARTMENT OF TRANSPORTATION
GENERAL SERVICES DIVISION

Revised Date of Form: April 99
(This revision supersedes all previous formats)

REQUEST FOR OFFER
TERMS AND CONDITIONS

1. **PURPOSE:** The purpose of this Request for Offer (RFO) is to solicit offers to provide equipment or service from Qualified Information System Vendors (QISV) approved by the Texas General Services Commission (GSC). As a result, an agreement(s) will be established with the Texas Department of Transportation (TxDOT) for which purchase order(s) may be issued as described herein at agreed prices. A description, minimum specifications, and mandatory requirements are detailed in the attached specification (as applicable).
2. **DEFINITIONS**
 - 2.1 Request for Offer (RFO): This term is used to identify a document issued to a QISV by entities in order to obtain an offer and facilitate negotiations through the catalog purchase procedure. An RFO establishes a method of negotiating prices, terms, and conditions with catalogue vendors. It assumes that negotiation for "best value" will occur with catalogue vendors, instead of making selections for goods and services based on the published prices, terms and conditions in the catalogues.
 - 2.2 Qualified Information Systems Vendor (QISV): A vendor that has been approved and qualified to sell automated information systems type products and/or services to eligible entities in the state of Texas.
 - 2.3 Best Value: The lowest overall cost for automated information system (AIS) equipment or services will be based on the following factors including, but not limited to: (A) purchase price; (B) compatibility to facilitate exchange of existing data; (C) capacity for expansion and upgrading to more advanced levels of technology; (D) quantitative reliability factors; (E) level of training required to bring end-users to a stated level of proficiency; (F) technical support requirements for maintenance of data across a network platform and management of the networks hardware and software; and (G) compliance with applicable Department of Information Resources (DIR) statewide standards validated by criteria adapted by the department by rule Texas Administrative Code (1 TAC 113.9).
 - 2.4 Response: The documentation including pricing and additional offers submitted by vendor in response to the RFO.
3. **CATALOG ADDENDUMS**
 - 3.1 Offerors shall submit an addendum to the GSC requesting to add an item offered in their response not currently listed in their approved QISV catalog. A subsequent copy of the addendum shall be provided to TxDOT with the response.
4. **RESPONSE EVALUATION**
 - 4.1 For purposes of determining the best value available, TxDOT will consider items, features, etc., which are in addition to requirements listed, as well as factors which, in TxDOT's opinion, add value to the product/service but are not specifically required within the RFO specification.
 - 4.2 TxDOT will be the sole judge as to which offer is the most advantageous and in the best interest of TxDOT.
 - 4.3 During the evaluation phase, TxDOT reserves the right to conduct formal negotiations pertaining to an offeror's initial responses, specifications, and prices.
 - 4.4 Negotiations will be conducted only with responsive offerors who submitted sealed responses and were judged to be the best offers.
5. **TERMS AND CONDITIONS:** THE TERMS AND CONDITIONS OF THIS RFO SUPERSEDE THOSE IN THE QISV CATALOG.
6. **CANCELLATION:** If the procurement is for a service that spans more than one fiscal year it is subject to cancellation, either in whole or in part, if funds are not appropriated by the Texas Legislature or otherwise made available.
7. **OFFEROR AFFIRMATION:** Offeror certifies that they have not received compensation for participation in the preparation of the specifications for this RFO.
8. **RESPONSE FORMAT AND CONTENT**
 - 8.1 The documentation provided with the response should be complete and comprehensive. TxDOT will not be responsible for locating or securing information not included in the response. Failure to furnish required documentation with the response may result in the response being deemed incomplete and non-responsive, resulting in rejection.
 - 8.2 The offeror should respond with its best possible offer from all aspects of the requirements and specifications contained herein.

- 8.3 TxDOT will not be responsible for any offeror expenses relating to solicited offers or response development of documentation that may result from this procurement action.
- 8.4 Price(s) quoted may not increase during the term of the purchase order or the agreement. Vendor shall offer price reductions that result in reduced cost to the vendor during the term of the purchase order.
- 8.5 The written response shall be considered the sole means of presenting pricing including any required permits, fees, etc. Requests for formal negotiations, additional meetings, information, etc., will be at the option of and by the initiative of TxDOT.

9. SUBMISSION OF RFO

- 9.1 Vendors that are not approved QISV, may respond to the RFO. However, vendors must seek QISV status and vendor shall be an approved QISV no later than the submission date and time of the RFO. Vendors may check their status with the General Services Commission by calling 512-463-5315 or at www.gsc.state.tx.us/hubbid/bidsrvs.html.
- 9.2 TxDOT reserves the right to reject any response not prepared and submitted in accordance with the provisions herein.
- 9.3 Offeror Information Sheet should be returned with response.
- 9.4 The offeror shall submit the required number of responses specified on Attachment A. Responses should be unbound. Ring binders or excessive information are not preferred. Responses may be tab indexed.
- 9.5 Attachment(s) listed on the Table of Contents page shall be returned with the response. Failure to return Attachment(s) with the response will result in disqualification of the response. Offeror shall include the following with their response.
 - 9.5.1 Copy of General Services Commission (GSC) catalog approval letter.
 - 9.5.2 Copy of current catalog cover page showing address, contact and telephone number.
 - 9.5.3 Copy of catalog pages showing the requested item(s) or product(s) with pricing.
 - 9.5.4 Or copy of addendum sent to GSC requesting that item(s) or product(s) be added to the QISV catalog
- 9.6 Offeror should return the appropriate Good Faith Effort Program form with response. (Optional, *)

*Used only in purchases over \$100,000. If the amount of the purchase will not be over \$100,000, delete 9.6 and this sentence.