



GEORGE P. BANE, INC. / P. O. BOX 4665 / TYLER, TEXAS 75712 / TELEPHONE 903/597-6641  
WATS NUMBER 800/594-2200  
FAX NUMBER 903/593-0519

April 5, 2021

Titus County #4  
100 West First Street  
Mt. Pleasant, Texas 75455

Dear Commissioner Jimmy Parker,

Thank you for the opportunity to quote our Liebherr machine to you. Our quote is as follows:

2015 Liebherr A900C S/N WLHZ1002CZK066761 with 1,750 hours on machine  
Air conditioning  
Rear and front outriggers  
Twin tires, Mitas NB38 10.00-20 PR16  
Individual control, four outriggers  
Speeder  
Rear space monitoring with camera  
Return filter for attachment  
Two-piece boom 11' 10"  
Pipe-fracture safety valve of stick cylinder  
Stick 8' 8"  
Swivel circuit  
Hammer – shear operation with tool control  
Return filter for hammer  
No warranty – Sold as is where is  
This quote includes a Helac tilting coupler, 36" bucket and 60" Ditch cleaning bucket. Delivery to your barn is included in price.

Cash Sales Price \$ 120,208.42

Once again, Thank you for the opportunity to fulfill your equipment needs. Please give me a call at 903/752-7601 if you have any questions.

Sincerely,

Byron Underwood  
George P. Bane, Inc.  
Governmental Salesman

**TITUS COUNTY, TEXAS**  
**March 17, 2021**

**INVITATION TO BID AND RELATED SPECIFICATIONS**  
**REQUEST FOR PROPOSAL FOR USED WHEELED EXCAVATOR AND RELATED**  
**ATTACHMENTS FOR PRECINCT #4**

**PROPOSAL DEADLINE: APRIL 7, 2021 AT 4:30 PM**

Electronic responses will not be accepted.

**RETURN PROPOSAL TO:** Titus County Auditor’s Office  
100 West First Street, Suite 106  
Mt. Pleasant, Texas 75455

**MARK ENVELOPE:** Titus County Used Wheeled Excavator RFP # 2021-003

**PUBLIC OPENING WITH NAMES OF BIDDERS READ ALOUD ONLY:** April 8, 2021 at 9 AM  
Titus County Courtroom, Room 205  
Titus County Courthouse

**ANTICIPATED SELECTION DATE BY COMMISSIONERS’ COURT:** April 26, 2021 Subject to Change

**LOCAL NEWSPAPER PUBLICATION DATES:** March 20 and 27. See Exhibit C for copy of newspaper notice.

**TO OBTAIN A COPY OF THIS PROPOSAL:** Please refer to the Titus County website at [www.co.titus.tx.us](http://www.co.titus.tx.us) and select the link listed in the lower left side of the home page labeled PURCHASING, then click on the Used - Wheeled Excavator item. You may also contact the Titus County Auditor at 903-572-8101 or by email at [auditor@co.titus.tx.us](mailto:auditor@co.titus.tx.us).

**INTRODUCTION**

Titus County is soliciting proposals for the purchase of a used wheeled excavator and two related attachments for precinct #4. Titus County appreciates your time and effort in preparing a proposal.

**QUESTIONS**

Please direct all questions regarding this RFP to the Titus County Auditor, Barbara Shurbet at 903-572-8101 or at [auditor@co.titus.tx.us](mailto:auditor@co.titus.tx.us). Any updates, questions with responses, addenda and special notices related to this application will be posted on the Titus County website at [www.co.titus.tx.us](http://www.co.titus.tx.us) accessed by following the link listed on the lower left side of the home page labeled PURCHASING, Used Wheeled Excavator. It is the applicant's sole responsibility to review this site and retrieve any related documents prior to the application due date. In an effort to allow all applicants an equal opportunity, items will not be posted to this website related to this document after March 31, 2021.

**PURPOSE & OBJECTIVES**

The purpose of this proposal is to meet the requirements of the local government code as stated in Chapter 262. This RFP is issued in compliance with the County Purchasing Act, Section 262.

The primary objective is to allow the Titus County Commissioners Court to have sufficient information to select the best well qualified proposal that offers the most favorable terms and conditions for the purchase of a used wheeled excavator and related attachments for precinct #4 at the sole discretion of Commissioners Court.

**SPECIFICATIONS**

The specifications for the used wheeled excavator and related attachments are attached in Exhibit A. Any deviation or alternate from the requested specifications must be noted in the proposal response.

**EVALUATION CRITERIA**

The submitted proposals shall be reviewed based on the following criteria:

- \*Purchase price
- \*Reputation of vendor & vendor's goods or services
- \*Quality of the vendor's goods as compared to the specifications
- \*Extent to which the goods or services meet the needs of the County
- \*Vendor's past relationship with the County
- \*Total long-term cost of ownership of the goods or services including costs of repair
- \*Location of proposed equipment in consideration of cost of on-site visit and test drives

- \*Availability to test drive the proposed equipment
- \*Any other item of interest determined to be in the best interest of Titus County.

Negotiations may be conducted with vendors whose submitted proposal is determined to be reasonably anticipated of possibly being selected for award. The award will not necessarily be made to the vendor submitting the lowest price proposal.

The County reserves the right to request additional information or to meet with representatives of the proposer, to test drive and evaluate the equipment, and to discuss or clarify items in the proposal. Any and all information collected during these interactions may be used in analyzing the proposal. All of these elements combine for the evaluation of the proposal.

The County will select the proposer that submits the best, most responsive overall proposal to satisfy the needs of the Titus County as determined solely by the Commissioners' Court and reserves the right to waive any technicalities in the best interest of Titus County.

#### **ATTACHMENTS**

Exhibit A – Specifications for Used Wheeled Excavator and related attachments, Precinct #4

Exhibit B – Conflict of Interest Questionnaire

Exhibit C – Newspaper Advertisement

#### **OTHER STIPULATIONS**

By submitting a proposal, the proposer certifies that at the time of submission, it is **NOT** on the federal government's list of suspended, ineligible or debarred contractors.



**CONFLICT OF INTEREST FORM – CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE**

A copy of the Conflict of Interest Questionnaire (CIQ) form and instructions (Exhibit B) from the Texas Ethics Commission is attached. Complete this form if the applicant has a conflict of interest with any Titus County Official, Employee or Department. The questionnaire should reflect the name of the individual with whom the conflict of interest occurs. If you have any questions regarding compliance with Chapter 176, please consult your legal representative. Compliance is the responsibility of each individual, business, agent or representative who is subject to the law's filing requirements.

Original completed forms should be sent to the Titus County Clerk's Office. Please see contact information below for this form:

Titus County Clerk  
Titus County Courthouse  
100 West First Street, Suite 204  
Mt. Pleasant, Texas 75455

**Also a copy of any completed CIQ should be included with the response to this proposal.**

*Applicable Law*

*Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of Titus County (County Clerk) no later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed.*

\*Availability to test drive the proposed equipment

\*Any other item of interest determined to be in the best interest of Titus County.

Negotiations may be conducted with vendors whose submitted proposal is determined to be reasonably anticipated of possibly being selected for award. The award will not necessarily be made to the vendor submitting the lowest price proposal.

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# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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  
 CERTIFICATION OF FILING**

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

George P. Bane, Inc.  
 Tyler, TX United States

Certificate Number:  
 2021-733906

Date Filed:  
 04/05/2021

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

Titus County #4

Date Acknowledged:

**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.**

2021-003  
 Purchase of Wheeled Excavator

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)

TITUS COUNTY, TEXAS

March 22, 2021

# ADDENDUM TO:

INVITATION TO BID AND RELATED SPECIFICATIONS  
REQUEST FOR PROPOSAL FOR USED WHEELED EXCAVATOR AND RELATED  
ATTACHMENTS FOR PRECINCT #4

**THE ONLY ADDENDUM IS TO EXHIBIT A – SPECIFICATIONS. SEE ATTACHED.**

WEDNESDAY

PROPOSAL DEADLINE: APRIL 7, 2021 AT 4:30 PM

Electronic responses will not be accepted.

RETURN PROPOSAL TO: Titus County Auditor's Office  
100 West First Street, Suite 106  
Mt. Pleasant, Texas 75455

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## **ADDENDUM TO: SPECIFICATIONS**

Commissioner Jimmy Parker has decided to accept both NEW and USED equipment proposals for Wheeled Excavators with horsepower ranging from 80 to 130 for precinct #4.

At this time, the original specifications remain otherwise unchanged with the one exception being the above notice to proposers.

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## EXHIBIT C

To: Mt. Pleasant Daily Tribune  
From: Barbara Shurbet  
Subject: Bid Notice – Wheeled Excavator - Used  
Date: March 17, 2021

*Please run the following notice on March 20 and 27.*

Request for Proposals # 2021-003  
Used Wheeled Excavator & Related Attachments

The Commissioners' Court of Titus County, Texas hereby provides notice that the Court intends to approve the purchase of a Used Wheeled Excavator and related attachments for Precinct #4 at the regular court meeting on April 26, 2021. All candidates must comply with all applicable state statutes as outlined in the RFP.

To obtain a RFP, please visit the homepage of the Titus County website at: [www.co.titus.tx.us](http://www.co.titus.tx.us) and click on the Purchasing Link on the left bottom section of the homepage then click on the Used – Wheeled Excavator item, or call 903-572-8101 or contact the auditor's office at [auditor@co.titus.tx.us](mailto:auditor@co.titus.tx.us).

Sealed applications will be accepted on or before April 7, 2021 at 4:30 PM in the auditor's office at 100 West First Street, Suite 106, Mt. Pleasant, Texas 75455.

Lump sum pricing will apply. Titus County reserves the right to accept or reject in whole or in part any proposal received and to waive any irregularities or formalities in the best interest of the County.

**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.



# 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.

George P. Baue, Inc.

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.

Phil B.

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 Phil B.  
 Signature of vendor doing business with the governmental entity

4-5-21  
 Date

## Spec's for Wheeled Excavator

2015 or Newer no more than 2000 hrs

100 to 130 hp

Ac

Rear and front outriggers or rear outriggers and front blade

Twin tires

Individual controls for outriggers

Speeder

Rear camera

Return filter for attachment

Two piece boom

Pipe fracture safety valve of stick cylinder

Stick

Swivel circuit

Hammer-shear operation with tool control

Return filter for hammer

Helac tilting coupler

36" bucket and 60" ditch cleaning bucket

Delivery to Titus County PCT 4 yard



**CONTRACT SUMMARY**

The undersigned agrees that this RFP becomes the property of Titus County after the official opening.

The undersigned affirms that they have familiarized themselves with the specifications requested and fully disclosed any known alternatives or variations within this proposal response.

The undersigned agrees, if this application is accepted, to furnish any and all items/services based on the terms of this agreement.

The undersigned affirms that they are authorized to act on behalf of the company represented, that this application has not been prepared in collusion with any other proposer, nor any employee of Titus County, and that the contents of this proposal have not been communicated to any other applicant or to any employee of Titus County prior to the official opening of this application process.

The undersigned affirms that they have read and do understand the requirements stated within this contract including any addenda and the specifications as presented in Exhibit A.

**Failure to complete and sign this form will result in the rejection of the entire application.**

SIGNATURE Phil B XXX

Phil Bauc  
Print Authorized Officer's Name

President  
Print Authorized Officer's Title

George P. Bauc, Inc.  
Name of Company

4-5-21  
Date

P.O. Box 4665  
Address

903-597-6641  
Office Phone Number

Tyler, Texas 75712  
City, State, Zip Code

N/A  
Cell Phone or Other Phone Number

N/A  
General Email for Company

pbauc@baucmachinery.com  
Email Directly to Above Authorized Officer

**SUBMITTAL INSTRUCTIONS**

Sealed applications clearly marked "Titus County Used Wheeled Excavator RFP # 2021-003" shall be delivered on or before April 7, 2021 at 4:30 pm to the following:

Titus County Auditor's Office – Titus County Courthouse  
100 West First Street, Suite 106  
Mt. Pleasant, Texas 75455

Proposers are responsible for actual delivery of the proposal on or before the date and time set for the deadline at the required location. The mere fact that a proposal was dispatched will not be considered including any proposals delivered to the incorrect address/location. All responses must be received in the Titus County Auditor's Office on or before April 7, 2021 at 4:30 PM.

**Items to Submit:**

- 1) A complete copy of this application,
- 2) A Specification Sheet with any alternates or deviations noted including a complete comparison of the proposed equipment to the specifications stated,
- 3) Copy of Completed Conflict of Interest Questionnaire, if any, and
- 4) Contract Summary signed by authorized officer.

Auditor Office

APR 06 2021

Received

2:02

/sm

**Titus County  
Used Wheeled Excavator  
RFP # 2021-003**