



**City of Willow Park
City Council
Regular Meeting Agenda
Municipal Complex
516 Ranch House Rd, Willow Park, TX 76087
Tuesday, October 22, 2019 at 7:00 p.m.**

Call to Order

Invocation & Pledge of Allegiance

Public Comments (Limited to five minutes per person)

Residents may address the Council regarding an item that is not listed on the agenda. Residents must complete a speaker form and turn it in to the Secretary five (5) minutes before the start of the meeting. The Rules of Procedure states that comments are to be limited to five (5) minutes. The Texas Open Meetings Act provides the following:

- (a) If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:
 - (1) A statement of specific factual information given in response to the inquiry; or
 - (2) A recitation of existing policy in response to the inquiry.
- (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

Consideration of Minutes

- A. Approve City Council Meeting Minutes – October 08, 2019

Regular Agenda Items

1. Discussion: To consider revising/updating the Parks and Recreation Advisory Board section of Article 1.05 Boards and Commissions and Committees.
2. Discussion/ Action: To consider and take action on awarding a contract to perform architectural/engineering work for development of a City park.
3. Discussion/ Action: To consider and take action on adopting an ordinance regarding City Council Governance, rules of procedure for the Council and amendment of the procedures for the introduction, adoption and approval of ordinances and resolutions.

4. Discussion/ Action: To consider and take action on awarding a contract to a company to provide computer servers for the City.

Executive Session

The City Council may convene into a closed executive session pursuant to the provisions of the Texas Open Meetings Act, Texas Government Code Chapter 551, in accordance with the authority contained in the following sections:

Section 551.072 - Deliberation regarding real property;

Section 551.071 – Consultation with Attorney;

A. Purchase of real property for the Fort Worth Water Project

The City Council reserves the right to retire into closed, executive session on any of the regular agenda items listed above should the need arise and if authorized by Chapter 551, of the Texas Government Code, including but not limited to: Government Code Sections 551.071-Consultation with Attorney; 551.072-Deliberations about Real Property; 551.074-Personnel Matters; 551.087-Economic Development.

Following Executive Session, the City Council will reconvene into Regular Session and may take any action deemed necessary as a result of the Executive Session.

Informational

A. Mayor & Council Member Comments

B. City Manager's Comments

Adjournment

I certify that the above notice of this meeting posted on the bulletin board at the municipal complex of the City of Willow Park, Texas on or before October 18, 2019, at 5:00 p.m.

Alicia Smith TRMC, CMC
City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements at this meeting, please contact City Secretary's Office at (817) 441-7108 ext. 6 or email at asmith@willowpark.org, at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

This public notice was removed from the official posting board at the Willow Park City Hall on the following date and time:

By: _____
City Secretary's Office
City of Willow Park, Texas



**City of Willow Park
City Council
Regular Meeting Minutes
Municipal Complex
516 Ranch House Rd, Willow Park, TX 76087
Tuesday, October 8, 2019 at 7:00 p.m.**

Call to Order

Mayor Moss called the meeting to order at 7:00 PM.

Invocation & Pledge of Allegiance

Pastor Jonathan Mansur, First Baptist Willow Park led the invocation.

Cub Scout Troop 109 led the pledge of allegiance.

Presentations

The Rayfield Wright Proclamation will be read at the November meeting.

Dr. Susan Bohn, Aledo ISD superintendent, on the upcoming school bond election.

Public Comments

None

Consideration of Minutes

A. Approve City Council Meeting Minutes – September 24, 2019

Motion made by Councilmember Young

To approve the meeting minutes from September 24, 2019.

Seconded by Councilmember McKaughan

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan

Motion passed with a vote of 5-0.

Regular Agenda Items

1. Discussion/ Action: To consider and act on a request to rezone from R-1 Single-Family District and AG Agricultural District to R1/PD Single-Family/Planned Development District. Lot 1,2, Block 1, Willow Park Baptist Addition located on the Northwest corner of Crown Pointe Blvd. and J.D. Towles Drive.

- a. Open Public Hearing**
- b. Close Public Hearing**
- c. Adopt Ordinance 800-19**

Public Hearing was opened at 7:15 PM

Speakers for:

Clark Boshier, pastor, Willow Park Baptist Church

Chuck Stark, Engineer, Barron Stark Engineers

Speakers against:

None

Public Hearing was closed at 7:19 PM

Motion made by Councilmember Runnebaum

To adopt Ordinance 800-19, an ordinance to rezone from R-1 Single-Family District and AG Agricultural District to R1/PD Single-Family/Planned Development District.

Lot 1,2, Block 1, Willow Park Baptist Addition located on the Northwest corner of Crown Pointe Blvd. and J.D. Towles Drive

Seconded by Councilmember McKaughan

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan

Motion passed with a vote of 5-0

2. Discussion/ Action: To consider and act on a request to rezone from LR Local Retail/IH-20 Overlay District to PD/R3 Planned Development/Multi-Family

Senior Living at Willow Park, 9.27 acres Wesley Franklin Survey, Abstract No. 468, McKinney & Williams Survey, Abstract No. 954, City of Willow Park, Parker County, Texas, located on the Northwest corner of Mary Lou Drive and J.D. Towles Drive.

- a. Open Public Hearing**
- b. Close Public Hearing**
- c. Adopt Ordinance 801-19**

Public Hearing was opened at 7:25 PM

Speakers for:

Lisa Flowers –East Parker County Chamber of Commerce
comments read by Mayor Moss

Mary Robb – 207 Fairway Drive Willow Park

Marvin Glasgow – 124 Trinity Drive, Willow Park

KJ Hannah – 177 Melbourne Dr, Willow Park

Speakers against:

None

Public Hearing was closed at 7:33Pm

Motion made by Councilmember Young

To approve Ordinance 801-19, an ordinance to rezone from LR Local Retail/IH-20 Overlay District to PD/R3 Planned Development/Multi-Family Senior Living at Willow Park, 9.27 acres Wesley Franklin Survey, Abstract No. 468, McKinney & Williams Survey, Abstract No. 954, City of Willow Park, Parker County, Texas, located on the Northwest corner of Mary Lou Drive and J.D. Towles Drive.

Seconded by Councilmember Runnebaum

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan
Motion passed with a vote of 5-0

3. **Discussion/ Action: To consider and act on Site Plan for a senior living complex, 9.27 acres Wesley Franklin Survey, Abstract No. 468, McKinney & Williams Survey, Abstract No. 954, City of Willow Park, Parker County, Texas, located on the Northwest corner of Mary Lou Drive and J.D. Towles Drive.**

Motion made by Councilmember Young

To approve a Site Plan for a senior living complex, 9.27 acres Wesley Franklin Survey, Abstract No. 468, McKinney & Williams Survey, Abstract No. 954, City of Willow Park, Parker County, Texas, located on the Northwest corner of Mary Lou Drive and J.D. Towles Drive.

Seconded by Councilmember Fennell

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan
Motion passed with a vote of 5-0

4. **Discussion/ Action: To consider and act on appointing 2 additional citizen members and up to 4 alternates to serve in the absence of one or more members, to the Building and Standards Board for two-year terms.**

Motion made by Councilmember Fennell

To appoint Kenneth Housden and Michael Caldwell as citizen members of the Building and Standards Board and Jay Atwood as an alternate.

Seconded by Councilmember Runnebaum

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan
Motion passed with a vote of 5-0

5. Discussion/ Action: To consider and act on adoption of Parks Master Plan

Motion made by Councilmember Young

To adopt the Parks Master Plan

Seconded by Councilmember Fennell

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan

Motion passed with a vote of 5-0

6. Discussion/ Action: To consider and act on City Holiday Schedule for FY 2019-2020.

Motion made by Councilmember Young

To adopt a City holiday schedule for 2019-2020.

Seconded by Councilmember Contreras

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan

Motion passed with a vote of 5-0

7. Discussion/ Action: To consider and act on a Resolution to adopt an Official Newspaper for the FY 2019-2020.

Motion made by Councilmember McKaughan

To adopt a Resolution naming the Community news as the official newspaper of the City for 2019-2020.

Seconded by Councilmember Runnebaum

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan

Motion passed with a vote of 5-0

8. Discussion/ Action: To consider and take action on accepting and awarding the bid for the Outdoor Warning siren system.

Motion made by Councilmember Young

To award the bid for the Outdoor Warning siren system to Storm Sirens, Inc.

Seconded by Councilmember Fennell

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan

Motion passed with a vote of 5-0

9. Discussion/ Action: To consider and act on renewing our membership to Tex-21, a regional transportation organization promoting transportation projects in Texas.

Motion made by Councilmember McKaughan

To table the item until November

Seconded by Councilmember Young

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan

Motion passed with a vote of 5-0

Executive Session

Executive Session was convened at 8:18 PM

Regular Session was reconvened at 8:55 PM

Regular Agenda Items

10. Discussion/ Action: To consider and act on a settlement agreement with Henri and Stacey Laborde.

Motion made by Councilmember Young

To approve the agreement with Henri and Stacey Laborde.

Seconded by Councilmember McKaughan

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan

Motion passed with a vote of 5-0

Adjournment

Motion was made by Councilmember

To adjourn

Seconded by Councilmember

Aye votes: Councilmembers Contreras, Fennell, Runnebaum, Young and McKaughan

Motion passed with a vote of 5-0

APPROVED:

Doyle Moss, Mayor

ATTEST:

Alicia Smith, City Secretary



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: October 22, 2019	Department: Admin/Development	Presented By: Bernie Parker
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AGENDA ITEM:

Discussion: To consider revising/updating the Parks and Recreation Advisory Board section of Article 1.05 Boards and Commissions and Committees.

BACKGROUND:

2017 the City of Willow Park Codified their City Ordinances. Due to increased activities pertaining to the Parks Board. Staff recommends discussion on the ordinance.

STAFF/BOARD/COMMISSION RECOMMENDATION:

Seeking guidance and direction from council on revising/updating the Parks and Recreation Advisory Board section of Article 1.05.

EXHIBITS:

The current the Parks and Recreation Advisory Board section of Article 1.05 boards commissions and committees

ADDITIONAL INFO:	FINANCIAL INFO:	
	Cost	\$
	Source of Funding	\$

ARTICLE 1.05 BOARDS, COMMISSIONS AND COMMITTEES***Division 1. Generally****Secs. 1.05.001–1.05.030 Reserved****Division 2. Parks and Recreation Advisory Board****Sec. 1.05.031 Creation**

There is created a parks and recreation advisory board (board) for the city. (Ordinance 490-02, sec. 2, adopted 9/17/02; Ordinance 742-16, sec. 2, adopted 12/13/16)

Sec. 1.05.032 Membership; appointment and term of members; compensation; vacancies

(a) The park and recreation advisory board shall consist of seven members. Members will be appointed by the mayor with the advice and consent of the city council. The term of each member will be 2 years except as provided in subsection (b) below. Voting members will select the chairman by majority vote to serve for a period of 1 year.

(b) For the initial term the following members, upon consent of the city council, will serve as designated, with terms to begin October 1 of each year:

3 members - 1-year term;

4 members - 2-year term;

Councilmember, Place 5 - Ex-officio, 1-year term.

(c) Members of the board shall be citizens of the city. All members shall serve without compensation. New appointments will be made annually by the mayor each September upon the expiration of the respective terms.

(d) Vacancies shall be filled by appointment of the mayor with the approval of city council and in every case shall be for the unexpired term only of the member whose position has been vacated. The board and all of the members appointed to it, shall serve at the will of the city council.

(Ordinance 490-02, sec. 3, adopted 9/17/02; Ordinance 742-16, sec. 2, adopted 12/13/16)

Sec. 1.05.033 Duties

The board shall act in an advisory capacity only to the mayor and city council in developing and recommending an overall program for parks and recreation for the city. The board shall review the possibility of obtaining parkland for the city by donation or bequest. It shall make

* **State law reference**—Open meetings, V.T.C.A., Government Code, ch. 551.

recommendations to the mayor and the council on maintenance and supervision of public parks and recreational facilities within the city. The board shall perform such other functions as may be duly delegated to it, from time to time, by the city council or the city administrator. (Ordinance 490-02, sec. 4, adopted 9/17/02; Ordinance 742-16, sec. 2, adopted 12/13/16)

Sec. 1.05.034 Meetings

The board shall meet at least once per quarter on the 1st Thursday of October, January, April, and July, or as called. It shall operate in full compliance with state laws pertaining to open meetings, conflict of interest and open records. (Ordinance 490-02, sec. 5, adopted 9/17/02; Ordinance 491-02 adopted 10/15/02; Ordinance 742-16, sec. 2, adopted 12/13/16)

Sec. 1.05.035 Finances

The board may seek funds through grants, donations or through fundraising events. All funds received shall be deposited with the city. All expenditures are subject to budget, appropriation and approval by the city. (Ordinance 490-02, sec. 6, adopted 9/17/02; Ordinance 742-16, sec. 2, adopted 12/13/16)

Sec. 1.05.036 Quorum

(a) A quorum shall consist of a majority of the membership of the board, and any issue to be voted on shall be resolved by those present.

(b) The chairman shall be entitled to vote upon any issue, but shall have no veto power.

(Ordinance 742-16, sec. 2, adopted 12/13/16)

Sec. 1.05.037 Reports

The board shall report annually to the city council on its programs and budget status. The board shall make a study of the parks and recreational facilities and policies of the city and shall make recommendations in writing to the city administrator as to any changes. (Ordinance 490-02, sec. 8, adopted 9/17/02; Ordinance 742-16, sec. 2, adopted 12/13/16)

ARTICLE 1.06 CONFLICT OF INTEREST

Sec. 1.06.001 Prohibitions

No member of the city council shall hold any other employment or office under any city government while that member is a member of any city council or appointed board or commission thereunder, unless herein otherwise provided. No member of the city council or any member of any board or commission appointed by the city council, or any other officer of the corporation, shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the city treasury, or by an assessment levied by an ordinance or resolution of the city council, except as expressly authorized by law. No member of the city council or any other officer of the corporation may be the surety of any person having a contract, work or business with the city for the performance of which security may be required, nor be the surety on the official bond of any city officer. (1986 Code, ch. 1, sec. 15(A); 1993 Code, sec. 1.501)

Sec. 1.06.002 Purchases from cooperative association

The city may purchase equipment or supplies from a cooperative association to which one or more members of its governing body or of an appointed board or commission thereunder belongs if no member of the governing body, board or commission will receive a pecuniary benefit from the purchase except as is reflected in an increase in dividends distributed generally to members of the cooperative association. (1986 Code, ch. 1, sec. 15(B); 1993 Code, sec. 1.502)

ARTICLE 1.07 EMERGENCY MANAGEMENT***Division 1. Generally****Sec. 1.07.001 National Incident Management System adopted**

The governing body of the city does hereby adopt the National Incident Management System, dated March 1, 2004, as an operating protocol for management of natural disasters, man-made disasters or terrorism. (Ordinance 573-08 adopted 5/19/08)

Secs. 1.07.002–1.07.030 Reserved**Division 2. Emergency Management Program****Sec. 1.07.031 Office of director established**

(a) There exists the office of emergency management director of the city, which shall be held by the mayor in accordance with state law.

(b) An emergency management coordinator may be appointed by and serve at the pleasure of the director.

(c) The director shall be responsible for conducting a program of comprehensive emergency management within the city and for carrying out the duties and responsibilities set forth in this division. He or she may delegate authority for execution of these duties to the coordinator, but ultimate responsibility for such execution shall remain with the director.

(Ordinance 310-91, sec. (a), adopted 12/26/91; 1993 Code, sec. 1.1901)

Sec. 1.07.032 Powers and duties of director

The powers and duties of the director shall include the following:

- (1) Conduct an ongoing survey of actual or potential major hazards which threaten life and property within the city and an ongoing program of identifying and requiring or recommending the implementation of measures which would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur. As a part of his or her responsibility in hazard mitigation, the director shall supervise the

* **State law reference**—Local and interjurisdictional emergency management, V.T.C.A., Government Code, ch. 418.



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: October 22, 2019	Department: Admin/Development	Presented By: Bernie Parker
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AGENDA ITEM:

Discussion/ Action: To consider and take action on Accept / Award Parks (Playground) RFQ.

BACKGROUND:

2018 the City of Willow Park removed an existing playground to build their new Public Safety Building. Replacing the playground equipment was discussed during the planning process of this building. The proposed location of the Playground would be generally in the same location of the previous one. In order to move forward with this process a firm must be selected to establish drawings and bid documents for construction.

STAFF/BOARD/COMMISSION RECOMMENDATION:

EXHIBITS:

ADDITIONAL INFO:	FINANCIAL INFO:	
	Cost	\$
	Source of Funding	\$



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: October 22, 2019	Department: Admin	Presented By: City Manager
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AGENDA ITEM:

Discuss and take action on City Council Governance Policy

BACKGROUND:

The Governance Policy and the concurring ordinance is a general framework that provides information on the roles, responsibilities, and functions of the City Council; establishes regular meeting times and dates, conduct of the meeting; meeting processes, and the roles of the Mayor and City Council.

The ordinance amends certain sections of the Code of Ordinances in its entirety and replaces them with "Exhibit A". The articles amended in their entirety are:

Article 1.03, Division 2:

- Time and place; rules of procedure
- Recording of meetings
- Presiding Officer
- Quorum
- Placement of items on agenda

Article 1.04:

- Section 1.04.002; Introduction of ordinances
- Section 1.04.007; Veto power of mayor

STAFF/BOARD/COMMISSION RECOMMENDATION:

Passage of Ordinance and Exhibit A

EXHIBITS:

Exhibit A: Governance Policy

ADDITIONAL INFO:	FINANCIAL INFO:	
	Cost	\$
	Source of Funding	\$

ORDINANCE NO. 802-19

AN ORDINANCE AMENDING ARTICLE 1.03, DIVISION 2. IN ITS ENTIRETY AND SECTIONS 1.04.002 AND 1.04.007 OF ARTICLE 1.04 OF THE CITY OF WILLOW PARK CODE OF ORDINANCES TO PROVIDE FOR A GOVERNANCE POLICY AND RULES OF PROCEDURE FOR THE CONDUCT OF CITY COUNCIL MEETINGS AND ADOPTION OF ORDINANCES AND RESOLUTIONS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Willow Park desires to establish a governance policy and rules of procedure for the conduct of city council meetings and the adoption of ordinances and resolutions; and

WHEREAS, the City Council of the City of Willow Park finds that the establishment of a governance policy and rules of procedure for the conduct of city council meetings and the adoption of ordinances and resolutions is in the best interest of the City of Willow Park and will promote the proper discharge of the duties of the City Council and City staff that will benefit the health, safety and welfare of the citizens of the City of Willow Park and the general public.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

Section 1: The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Article 1.03, Division 2 is hereby amended in its entirety and Sections 1.04.002 and 1.04.007 of Article 1.04 of the Code of Ordinances are hereby amended in their entirety, all as set forth in the attached Exhibit "A."

Section 3: The City Council of the City of Willow Park declares that any prior ordinance or any provision in any prior ordinance, as may be applicable, is hereby repealed to the extent that such ordinance or provision of an ordinance conflicts or contradicts the amendments and provisions enacted herein.

Section 4: It is hereby declared to be the intention of the City Council of the City of Willow Park that this Ordinance and every provision thereof shall be considered severable and therefore, if any phrase, sentence, section, or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this Ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

Section 5: This Ordinance shall become effective after enactment as provided by State law.

PASSED, APPROVED AND ADOPTED on this the 22nd day of October, 2019.

Doyle Moss, Mayor

ATTEST:

Alicia Smith TRMC, City Secretary

APPROVED AS TO FORM:

William P. Chesser

The Willow Park City Council is acting on Ordinance No. 802-19, did on the 22nd day of October, 2019:

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Doyle Moss	_____	_____	_____
Erick Contreras, Place 1	_____	_____	_____
Amy Fennell, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
Lea Young, Place 4	_____	_____	_____
Gary McKaughan, Place 5	_____	_____	_____

EXHIBIT "A"

Division 2. Governance Policy and Rules of Procedure

Sec. 1.03.031 Introduction

(a) The city council is the governing body for the city. Therefore, it must bear the initial responsibility for the integrity of governance. Pursuant to State law, the council shall determine its own rules of order and business. The council is responsible for its own development, its responsibilities, its own discipline, and its own performance. The development of this policy is designed to ensure effective and efficient governance.

(c) This governance policy addresses mayor and council relations, council and staff relations, council and media relations, roles, meetings and ordinances and resolutions. By adopting this policy, we, as members of the city council, acknowledge our responsibility to each other, to our professional staff and to the public. This policy will be reviewed and adopted on an annual basis.

Sec. 1.03.032 Mission

(a) The city will provide for the health, welfare and safety for our citizens, neighbors and employees with a commitment to communicate and serve all with respect, dignity and courtesy, focusing on superior customer service. We will listen to our citizens and guests, address their needs, and provide a safe and appealing place to work, play and call home.

(b) In order to ensure proper discharge of duties for the improvement of democratic local government, members of the city council will display behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of the city and each other in their relationships.

Sec. 1.03.033 Information

(a) On major policy issues, the city administrator shall provide briefing material to the council in advance of council consideration of the policy alternatives. Whenever possible, the management report shall be presented as a discussion item at a regular city council meeting. The policy briefing item will be placed on the next city council meeting agenda for council consideration or a work session will be scheduled.

(b) All council members should have the same information with which to make

decisions. When one council member has an information request, the response will be shared with all members of the council so that each member may be equally informed.

(c) Staff should provide the city council with information on agenda items as far in advance of the meeting as possible. Staff should avoid giving information at the meeting on issues that will be considered during the meeting. In order to provide the council with timely information, please strive to submit questions on council agenda items ahead of the meeting. City council members are encouraged to submit their questions on agenda items to the city administrator as far in advance of the meeting as possible so that staff can be prepared to respond at the council meeting.

(d) The city administrator shall provide operational updates to the city council informing them of the progress on projects, items of concern, city events, and financial and legal issues currently pending before the city. The update shall be by email initially and then discussed at City council meetings at appropriate intervals.

Sec. 1.03.034 Roles

(a) The mayor shall preside at meetings of the council, and shall be recognized as head of city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties unless prescribed by State law. The mayor may participate in the discussion of all matters coming before the council. The mayor shall not be entitled to vote unless there is a tie vote of the council, and shall have no power of veto.

(b) At the first regular meeting of each new city council, or as soon thereafter as practicable, the council shall elect from among the council members a mayor pro tempore who shall act as mayor during the absence or disability of the mayor for a term of one (1) year. The council shall elect from among the council members a deputy mayor pro tempore who shall act as mayor pro tempore during the absence or disability of the mayor pro tempore for a term of one (1) year.

(c) As head of city government for ceremonial purposes, the mayor may issue and present proclamations and recognitions, and attend other ceremonial functions on behalf of the city. Council members may initiate, through the mayor or by a majority vote of the council, similar items of recognition. Major community events sponsored by the city shall be a policy decision of the council.

(d) The mayor shall preserve order and decorum and shall require council members engaged in debate to limit discussion to the question under consideration.

(e) The mayor is the spokesperson for the council on all official positions taken unless absent, at which time the mayor pro tem or the deputy mayor pro tem will assume the role.

(f) The mayor will encourage all council members to participate in council discussion and make sure all positions are adequately presented before an item is brought to vote.

(g) The mayor may appoint a subcommittee made up of council members and staff to evaluate policy alternatives and to recommend policy direction to the full council. Subcommittee reports shall be made under the standard item for such reports at work sessions and regular meetings. Council deliberation on the subcommittee recommendations shall occur at regular sessions.

Sec. 1.03.035 Meetings

(a) Regular and Special Called Meetings. The city council shall hold two (2) regular meetings each month and may hold as many special meetings as may be necessary to conduct city business. The first regular monthly meeting of the city council shall normally be held on the second (2nd) Tuesday of each month, at 7:00 p.m. in the municipal complex of the city. The second regular monthly meeting of the city council shall normally be held on the fourth (4th) Tuesday of each month, at 7:00 p.m. in the municipal complex of the city. The mayor or the city council shall retain the right to convene for only one (1) regular meeting in any month should they so desire or should circumstances so warrant. The mayor or the city council shall retain the right to change such regular monthly meeting dates in the event of a conflict with holiday schedules or other appropriate circumstances. The mayor, of his or her own motion, or on the application of three (3) councilmembers may call special meetings by notice to each member of the city council, the city secretary and the city attorney. Notice of all meetings shall be posted in accordance with the Texas Open Meeting Law. The procedure at all meetings of the city shall be in accordance with the provisions of the latest edition of Roberts Rules of Order. All regular and special meetings will be open to the public in accordance with the Texas Open Meetings Act.

(b) Quorum. A minimum of three (3) members of the council present shall constitute a quorum for the purpose of business at a regular council meeting. The presence of the Mayor shall not count toward the establishment of a quorum. A minimum of four (4) members of the council present shall constitute a quorum for the purpose of business at a special called meeting or at a meeting for the imposition of taxes. The quorum shall have the power to enact such regulations and ordinances not inconsistent with the laws and constitution of this state as shall be deemed proper for the government of the city.

(c) Work sessions. Work sessions will be held as needed and used to allow the city council to discuss policy or budgetary items. Work sessions will be open to the public in accordance with the Texas Open Meetings Act.

(d) Executive sessions. The city council may meet in executive session in compliance with the Texas Open Meetings Act. A final action, decision or vote on a matter deliberated in an executive session will be made in an open meeting for which proper notice is provided. All discussions in executive session shall remain confidential. Executive sessions are not open to the public in accordance with the Texas Open Meetings Act.

(e) Public notice. The agenda for all regular meetings, special meetings, work sessions, and executive sessions and the notice listing items to be considered shall be posted on the city's official bulletin board and web page in accordance with the Texas Open Meetings Act, at least 72 hours prior to the posted meeting.

(f) Attendance. Council members are expected to attend all meetings and stay in attendance during each meeting. No member shall leave a meeting without advising the presiding officer.

(g) Punctuality and recess. Members of the city council shall arrive at meetings at or before the scheduled time for the meeting to begin. At the beginning of each meeting, the chair shall announce those members absent and shall announce the arrival time of any member arriving after the beginning of any meeting. The chair may at any time, upon their own motion, or upon the request of a council member, declare a recess in the meeting. The time limit of the recess shall be strictly followed.

(h) Conflict of interest. A council member prevented from voting due to a conflict of

interest shall not vote on the matter, and shall otherwise comply with City ordinances, including Article 1.06 and state law concerning conflicts of interest. Any council member filing a conflict of interest affidavit on an executive session item shall not confer with staff, the city attorney, council members or the mayor regarding that matter.

(i) Recording of meetings. A person in attendance at a posted city council meeting may record all or any part of the open meeting by means of a tape recorder, video camera or other means of oral or visual reproduction. The location and manner of the recording equipment shall be such that it does not pose an impediment to the conduct of the meeting or in any way prohibit the council from being able to fully view the council chambers and the members of the public from being able to fully view the city council.

(j) City council members.

(1) During city council meetings and work sessions, council members shall assist in preserving order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the rules of the city council.

(2) A council member shall confine discussion to the question under debate, avoid the discussion of personalities and the use of inappropriate language, and refrain from personal attacks or from publicly criticizing a citizen, an individual employee or an operational issue. Criticism is differentiated from questioning facts or the opinion of staff.

(3) When there is more than one speaker from the floor on the same subject, council members shall delay their comments until after all speakers on the subject have been heard.

(4) The chair shall state all questions submitted for a vote and announce the result.

(5) The professional staff is expected to provide its best recommendations on issues, and provide information about alternatives to staff recommendations as appropriate, as well as pros and cons for recommendations and alternatives. Sometimes staff may make recommendations that may be unpopular with the public and council members. Staff respects the role of the council as policy makers for the city and understands that the council must consider a variety of opinions and community values in their decision-making in addition to staff recommendations.

(k) Administrative staff.

(1) Members of the administrative staff and employees of the city shall observe the same rules and decorum applicable to members of the city council.

(2) Although the presiding officer has the authority to preserve decorum in meetings, the city administrator also is responsible for the orderly conduct and decorum of all city employees under the city administrator's direction and control.

(3) The city administrator shall take such disciplinary action as may be necessary to ensure that decorum is preserved at all times by city employees in meetings.

(4) All persons addressing the city council, including the city administrator, shall be recognized by the presiding officer and shall limit remarks to the matter under discussion.

(5) All remarks and questions addressed to the city council shall be addressed to the city council as a whole and not to any individual member.

(l) Citizens and visitors.

(1) Citizens and visitors are welcome and encouraged to attend all public meetings of the city and will be admitted to the chamber or meeting room up to the fire safety capacity of the room.

(2) Everyone attending the meeting will refrain from private conversations and turn mobile phones to vibrate while the city council is in session.

(3) Citizens and visitors attending city council meetings and work sessions shall observe the same rules of propriety, decorum and good conduct applicable to members of the city council. Any person making profane or slanderous remarks or who becomes boisterous while addressing the city council or while attending the meeting or work session shall be removed from the room if so directed by the presiding officer. The person shall be barred from further audience before the city council during that session. If the presiding officer fails to act, any member of the council may move to require enforcement of the rules, and the affirmative vote of a majority of the council shall require the presiding officer to act.

(4) Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer, who may direct the removal of offenders from the room. In case the presiding officer shall fail to act, any member of the council may move to require enforcement of the rules and the

affirmative vote of the majority of the council shall require the presiding officer to act.

(5) No placards, banners, or signs will be permitted in the city council chamber or in any other room in which the council is meeting. Exhibits, displays and visual aids used in connection with presentations, however, are permitted.

(6) The city administrator shall act as sergeant-at-arms for the city council and shall furnish whatever assistance is needed to enforce the rules of the city council.

(m) Agenda.

(1) The mayor and/or city administrator shall set the agenda. Any council member may, either verbally or in writing, request an item be placed on a future agenda. The requested agenda item shall be included on the next agenda of a regularly scheduled meeting but no later than the second regularly scheduled meeting after receiving the request unless otherwise agreed upon by the city council.

(2) The “consent agenda” consists of operational items and previously discussed items that do not require deliberation by the council.

(3) Any council member may remove an item from the consent agenda for separate discussion and consideration of action.

(4) Any item may be deferred or postponed to a later date by the mayor if there is no objection. If a member of city council objects, a majority vote of the council is required to defer or postpone the item.

(5) The city administrator may remove an item from the consent agenda items by providing notice to the city council prior to the convening of the meeting. The chair shall announce the removal of an item from the consent agenda prior to requesting a motion.

(n) Speakers.

(1) All members of the public shall have the right to speak on each item on the agenda at an open meeting provided that they follow the rules as provided herein. A person wishing to address the city council must first complete an appearance card and register it with the city secretary, before addressing the council. The following information must be provided on the card: name, residence address, daytime telephone number, and the subject matter to be addressed by providing the agenda

item number. The council welcomes public comments and understands that the speaker might not have been expecting to address the council; however, procedure must be followed before addressing the council. Appearance cards will be available at the chamber entrance and at the public podium.

(2) Speakers must address their comments to the presiding officer rather than to individual council members or staff.

(3) Speakers must keep their remarks specific to the item being considered by the city council. If the speaker is addressing the city council under the “public comments” section, the speaker may address any item not slated for discussion on the agenda. The city council may not prohibit public criticism of the city, provided that the public criticism is not prohibited by law.

(4) A person who registers to speak on a public hearing item or during the public comment section will be called on at that time.

(6) All speakers will have an opportunity to address the council. All speakers will be asked to keep comments to a reasonable amount of time as determined by the chair, usually less than five minutes, depending on the number of speakers waiting to address the city council. A majority vote of the city council can force the chair to end the speaker’s comments or allow additional time.

(7) For called public hearings, the applicant will be allowed a specific amount of time to make a presentation.

(8) In accordance with the Texas Open Meetings Act, the city council will not discuss or consider any item addressed during the public comment section. Council members shall limit their response to public comment to a statement of specific factual information given in response to the inquiry or comment, or a recitation of existing policy in response to the inquiry or comment. Any deliberation of or decision about the subject of the public inquiry or comment shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

(9) Whenever it is necessary for a speaker to use an interpreter to translate comments to the city council, the time required for the translation will not be counted against the designated time allotted for the speaker to address the city council.

(o) Motions.

(1) The city council may discuss an agenda item prior to a motion being made. This allows a motion to be crafted that will incorporate the issues discussed.

(2) A motion made and seconded will be considered the main motion. Any council member may make a motion to amend a motion. The amendment must receive a second before it may be discussed and must be voted on prior to voting on the main motion.

(3) A motion may be withdrawn or modified by its mover without asking permission until the motion is voted upon. If the mover modified the motion, the council member who seconded the motion may withdraw the second.

(4) A motion to reconsider any action of the city council must be made no later than prior to the conclusion of the next regularly scheduled meeting of the city council. Such a motion may only be made by a council member who voted with the prevailing side. The motion to reconsider may be seconded by any member. No question shall be twice reconsidered except by unanimous vote of the city council, except that action relating to any contract may be reconsidered at any time before the final execution thereof.

(A) If a motion to reconsider is made at the same meeting at which the matter was acted upon, the motion may be heard and voted upon and the original action on the matter is set aside. Deliberation may then resume on the matter at that same meeting.

(B) If a motion to reconsider is made at the next meeting after the matter was acted upon, the motion to reconsider may be heard and voted upon and the original action on the matter is not set aside. Deliberation may not resume on the matter, but it shall be placed on the next available agenda for deliberation.

(C) If a motion to reconsider a zoning ordinance is made after the closing of the public hearing and action on the ordinance, the motion to reconsider may be heard and voted upon and the original action on the matter is not set aside. Deliberation may not resume on the matter until proper notice of a public hearing in accordance with state law is provided.

(5) If any two council members request that discussion cease during a work session, the mayor shall poll the council to obtain a consensus to continue or cease discussion.

(o) Suspension of rules. Any provision of these rules not governed by the city

charter, the city code, or state or federal law may be temporarily suspended by a majority vote of the members of the city council present. The vote on any such suspension shall be taken by yeas and nays and entered upon the record.

(p) Amendment of rules. These rules may be amended or new rules adopted, by a majority vote of the members of the city council.

(q) Failure to comply. A failure to comply with these rules does not invalidate any otherwise lawful act of the council.

(r) Tabling. An item under consideration may be tabled until a later point in the meeting.

(s) Postponement. An item may be postponed until a future meeting, a specific future date, or until a specific outside action occurs. Items may also be postponed indefinitely, which means the item is dead and cannot be brought back before the city council unless there is a change.

Sec. 1.03.036 Public spokesperson and media relations

(a) Representative government is only successful when the citizens are kept informed and educated about the issues facing their municipality; consequently, it is imperative that the media play an important role in the council-administrator-media relations. It is through an informed public that progress is ensured and good government remains sensitive to its constituents. These guidelines are designed to help ensure positive relationships with print, radio, and television reporters. The mayor, the city council and the city administrator recognize that the news media provide an important link between the council and the public. It is the council's desire to establish a professional working relationship to help maintain a well-informed and educated citizenry.

(b) All reporters will receive an agenda in advance and will be furnished support material needed for clarification if requested.

(c) The mayor shall be the primary spokesperson for decisions of the council. The mayor may designate that duty to the city administrator or, if a majority of the council so desires, to an alternate designee. The individual council members may interface with the media, the public and other agencies with respect to their opinions that are either before the council, have been in the past or could be in the future, but shall

make it clear that their opinions do not necessarily represent that of the city or the city council.

Sec. 1.03.037 Planning

The mayor and council are responsible for establishing a vision for the city and planning for its future.

(1) On an annual basis, the mayor, the city council and the city administrator may hold a minimum of one strategic planning session wherein they set priorities, goals and objectives. The goals and objectives shall address short-term and long-term needs, including financial, of the city.

(2) Policy direction shall be consistent with the strategic goals and objectives. Sufficient time and consideration should be given to policy alternatives to ensure that decisions are made consistent with the long-term vision and budgetary measures.

Sec. 1.03.038 Council/staff relations

(a) The city council's role is to establish city policies and priorities. The council appoints a city administrator to implement those policies and undertake the administration of the organization. The city administrator is appointed by the city council to enforce its laws, to direct the daily operations of city government, to prepare and monitor the annual budget, and to implement the policies and programs initiated by the city council. The city administrator is responsible to the city council, rather than to individual council members, and directs and coordinates the various departments. The city administrator is responsible for appointing all department directors and authorizing all other personnel positions. The city council authorizes positions through the budget process; based upon that authorization, the city administrator makes the appointments.

(b) The city council shall direct comments, correspondence and concerns about city operations to the city administrator's office. Citizens' concerns, comments and correspondence regarding city operations received by council members shall be forwarded to the city administrator for appropriate staff action and a timely response.

(c) The city council may inquire of the city administrator about the conduct of any office, department or agency of the city and make investigations as to municipal affairs, per the city charter. In no manner, either directly or indirectly, shall a council member become involved in, or attempt to influence, personnel matters that are under the

direction of the city administrator. Nor shall the city council be involved in, or influence, the purchase of any supplies beyond the requirements of the city purchasing procedures. Notwithstanding the foregoing, any member of the city council, may, prior to or during a meeting, make inquiry to a department head on an agenda item posted for the next council meeting. The council member will carbon copy (cc) the city administrator on any email communication to a staff member.

(d) On an agenda item posted for the next council meeting, documents provided to one council member shall also be distributed to all other members of the council. The city administrator shall prepare and submit to the council prior to the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year. The city administrator shall keep the council advised of the financial condition and future needs of the city and make such recommendations that may seem desirable.

(e) In order to ensure proper presentation of agenda items by staff, questions arising from council members after receiving their information packet should be, whenever possible, presented to the city administrator or the administrator's designated assistants for staff consideration prior to the council meeting. This allows staff the time to address the council members' concerns and provide all council members with the additional information.

(f) Seeking political support from staff is not appropriate. The city is a nonpartisan local government. Neither the city administrator nor any other person in the employ of the city shall take part in securing or contributing any money toward the nomination or election of any candidate for a municipal office. In addition, some professionals have professional codes of ethics, which preclude politically partisan activities or activities that give the appearance of political partisanship.

ARTICLE 1.04 ORDINANCES AND RESOLUTIONS

1.04.002 Introduction of ordinances; reading

All ordinances shall be in writing and shall be introduced by a city council member, the city administrator or designee or the city attorney at an open meeting of the city council when it shall be read and acted upon. It shall only be necessary to provide a brief

explanation and read the caption of the ordinance unless a majority of the city council votes to read the entire ordinance.

1.04.007 Reconsideration power of mayor

Every ordinance or resolution passed by the city council must be filed with the city secretary. Thereupon, the mayor may either sign or refuse to sign the ordinance or resolution. If refused, the objections must be set forth in writing and submitted to the city secretary before the fourth day after the date of the ordinance or resolution was adopted. If the mayor does not timely file his objections, the ordinance or resolution automatically goes into effect without the mayor's signature. If the mayor does timely file his objections, the city council shall reconsider the vote at its next regular meeting or at a special called meeting. If a majority of the total number of members of the city council, excluding the mayor, approve the ordinance or resolution on reconsideration and enter the votes in the minutes of the city council's proceedings, the ordinance or resolution shall take effect. If a majority of the total number of members of the city council do not approve the ordinance or resolution on reconsideration, the ordinance or resolution is null and void and shall be of no force and effect.



CITY COUNCIL AGENDA ITEM BRIEFING SHEET

Council Date: 10/22/2019	Department: Finance	Presented By: Candy Scott
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AGENDA ITEM:

Award bid for new servers

BACKGROUND:

The City received bids for the purchase of new servers.

Maverick Computers total bid - \$ 46, 588

Howard technology total bid - \$ 47,947.17

STAFF/BOARD/COMMISSION RECOMMENDATION:

Staff recommends awarding the bid to maverick Computers.

EXHIBITS:

BID PROPOSALS

ADDITIONAL INFO:	FINANCIAL INFO:	
	One Time Cost	
	Annual Cost	\$ 16,365.00
	Source of Funding	

1.0 Introduction and Statement of Work

1.1 Introduction and City of Willow Park Contact Information

The City of Willow Park is soliciting requests for competitive sealed proposals for computer server hardware as per the specifications contained in this Request for Proposal (RFP). Public procurement essentially operates in an environment where full and open competition is the primary goal and, in many cases, is a mandate.

Time is of the essence with this procurement. An Offeror's ability to promptly deliver the computer and server hardware is the most important selection criteria.

RFP Title:	Computer Server Hardware
RFP Control Number:	RFP2019-08-15
Date Advertised:	09/20/19, 09/27/19
Date Issued:	09/20/19
Due Date, Time, and Location:	10:00 am 10/07/19
	516 Ranch House Rd
	Willow Park, TX 76087
E-mail Address:	info@willowpark.org

1.2 Technical Specifications and Objective

The City of Willow Park is in the process of updating its financial and departmental software programs in order to have a fully integrated system. The server parts list below is specific to ensure that we accomplish that goal.

The City of Willow Park is requesting pricing for the following hardware or approved equivalent. This equipment is to be installed to operate with existing systems. Willow Park's Technical Support Contractor will make the installation.

- 3 Servers
- SAN
- Storage Switch
- Cables for Computers

Required Server Parts List

Qty	Mfr #	Description
3	7X02A03UNA	TS SR630 X/2.1 SLVR 4110 8C 16GB 750W
3	7XG7A05531	XEON SLVR 4110 8C 85W 2.1GHZ TS SR630
21	7X77A01302	16GB TRUDDR4 2666 MHZ 1RX4 1.2V RDIMM TS
3	7Y37A01093	M.2 W/ MIRRORING ENABLEMENT KIT TS
6	7N47A00130	M.2 CV3 128GB SATA 6GBPS SSD TS
3	7ZT7A00547	10GB 4PT SFP+ LOM TS
3	7N67A00883	750W 230/115V PLATINUM HSWAP P/S TS
3	4L67A08366	2.8M 10A/100-250V C13 TO C14 JUMPER CORD
3	5WS7A01490	5YR WTY FDN SVC
1	7Y75A001WW	TS DE4000H 2U24 ISCSI SFF
10	4XB7A14112	1.2TB DE SERIES HD 10K 2.5 2U24
2	4XB7A14105	800GB SSD 3DWD 2.5 2U24 TS DE SERIES
1	5WS7A21840	5YR FOUNDATION 9X5XNBD
1	7159A1X	THINKSYSTEM NE1032 REAR TO FRONT
20	00YL634	1M CBL SFP+ TO SFP+ ACTIVE OP
1	5WS7A00866	5YR WTY TECH INST NBD
3	7S050015WW	WIN SVR 2019 STD ROK 16 CORE MULTILANG
8	7S050027WW	MICROSOFT WIN SVR 2019 CAL 5U
1	228-11155	GV SQL SVR STD 2017 EN OLP 1LIC NO LVL
40	359-06597	GV SQL CAL 2017 EN OLP 1LIC NL U CAL

2.0 Solicitation Procedures

2.1 Pre-Proposal Conference

A Pre-Proposal Conference will not be held.

2.2 Questions and Communications

During the solicitation process, all forms of contact and correspondence regarding any aspect of this solicitation shall only be with the Procurement Manager at the email address identified in Section 1.1. Further, this Offer must be made based upon an independent price determination, an Offeror shall not have communications with others for the purpose of restricting competition. Any alleged breach of this Section may, at Willow Park's sole discretion, result in the rejection of the breaching Offeror's Proposal.

Questions must be directed to the Procurement Manager by email. Questions and answers will be emailed to all solicited firms. Verbal comments are not part of this solicitation.

2.3 Request for Approved Equals

Whenever brand, manufacturer, or product names are used, they are included for the purpose of establishing a description of the item. This inclusion is not advocating or prescribing the use of a particular brand, item, or product. Whenever such names appear, request for approved equal substitutions will be considered. Vendor's request for approved equals shall include all aspects of product which would document the products salient features.

Requests for substitutions, information, clarification, or questions must be submitted by the date and time listed in Section 2.1, "Solicitation Schedule". For every approved equal requested, the Proposer shall demonstrate the quality of its product to the City and shall furnish enough technical data, test results, or other information that the City shall require, enabling Willow Park to determine whether the Proposer's product is or is not equal to that specified.

2.4 Addenda to the RFP

The City of Willow Park reserves the right to amend the RFP at any time prior to the Proposal Due Date. Any such amendments will be issued as addenda to the RFP and will become part of the RFP. All Offerors shall acknowledge the receipt of all addenda in their Proposal. Failure to do so may result in the rejection of an Offeror's Proposal, at Willow Parks sole discretion. Solicited firms will be emailed addenda and the addenda will be posted on Willow Park's website at www.willowpark.org.

2.5 Proposal Content Requirements and Proposal Submission

Offerors must precisely follow all the instructions of the RFP. All Proposals must include the entire RFP document. Failure to conform to all requirements may result at Willow Park's sole discretion in rejection of an Offeror's Proposal. Each package shall contain one (1) original, signed document.

Time is of the essence with this procurement. Submitted proposals must include a firm timetable for product delivery. An Offeror's ability to promptly deliver the computer and server hardware is the most important selection criteria.

Section 3.0 - Pricing Schedule must be submitted with the proposal in a separate, sealed envelope. Failure to submit Section 3.0 – Pricing Schedule in a separate, sealed envelope will result in the immediate disqualification of the proposer as non-responsive. This requirement is to prevent the possibility of the proposed price influencing the scoring of the other evaluation criteria.

Proposals must describe the Offerors ability to fully provide and support all the system components. Descriptions must include the availability and timeliness of supplying parts. Descriptions of available support must say if support is on-line, by phone or on-site service and the days of the week and hours support is available. The lead time for on-site service must also be included.

Offerors must demonstrate their experience with projects of similar quality, scope and size.

Submitted proposals must be valid for 120 days after the proposal due date. This proposal will result in a firm, fixed price contract.

2.6 Modification or Withdrawal of Proposals

A modification of a Proposal already received will be accepted by Willow Park only if the modification is received prior to the Proposal Due Date or is made in response to a request for revised Proposal. All modifications shall be made in writing and executed and submitted in the same form and manner as the original Proposal.

An offeror may withdraw a Proposal prior to the Proposal Due Date by submitting to Willow Park a written request for withdrawal executed by the offeror's authorized representative. The withdrawal of a Proposal does not prejudice the right of an offeror to submit another Proposal within the time set for receipt of Proposals.

2.7 Proposal Evaluation

Proposals will be evaluated and scored using the criteria and processes explained herein. Willow Park may reject any or all Proposals or offerors for sound, documentable, business reasons. Willow Park reserves the right to award to other than the lowest price proposal

and to the proposal representing the Best Value to the City. Proposals with deviations, conditions, clarifications, reservations, and additional or contradictory terms may be rejected as non-responsive. Further, Willow Park reserves the right to waive minor defects or irregularities in any Proposal and to award to only responsive and responsible Offerors.

Willow Park will evaluate all proposals using the following criteria to determine which proposal provides the best value to the City: a) the purchase price; b) reputation of the vendor and vendor's goods or services, (c) the quality of the vendor's services; (d) the extent to which the services meet the City's needs; (e) the proposer's past relationship with the City; and (6) the total long-term cost to the City to acquire the vendor's services.

2.8 Notice of Intent to Award, and Contract Award

Once Willow Park has determined the Offeror to which it intends to award the Contract a Notice of Intent to Award letter will be sent to that Offeror requesting all Required Submissions, "Required Submissions for Selected Vendor(s) After Notice of Intent to Award". Failure to submit satisfactory documents within ten (10) business days may result, at Willow Park's sole discretion, in the contract being awarded to an alternative offeror. These documents must be accepted prior to initiation of work under the Contract. The Notice of Intent to Award does not bind Willow Park and is not an acceptance of the Offer.

The acceptance of an Offer for award, if made, shall be evidenced only by a fully executed Offer and Award Form, Form 3.3, delivered in person, by mail, or electronically to the Offeror whose Offer is accepted. No other act by Willow Park shall evidence acceptance of an Offer. Such notice shall obligate said Offeror to commence performance under the Contract.

AWARDED VENDOR NOTICE:

FORM 1295

REQUIREMENTS: https://www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html

Beginning Jan. 1, 2016, **awarded vendors** that require approval by our City Council shall be required by state law to complete online, print, and notarize the Certificate of Interested Parties Form 1295 and the original copy of the notarized form must be submitted to the purchasing staff member listed in the Request for Proposal or as notated below. For a list of Frequently Asked Questions you can go to: www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html. The form must be submitted at www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. This law applies to a contract of a governmental entity or state agency that either: (1) requires an action or vote by the governing body of the entity or agency; or (2) has a value of at least \$1 million. Government Code § 2252.908. The disclosure requirement applies to a contract entered into on or after Jan. 1, 2016.

2.9 Required Forms and Submissions

Forms 3.0-3.06 must be completed and included in the Offeror's Response to the RFP, even though some may not seem to apply to this solicitation. Failure to complete any of these forms may result, at Willow Park's sole discretion, in the rejection of that Bid.

When City of Willow Park has chosen an Offeror to which it intends to award the Contract, a Notice of Intent to Award letter, see Section 2.8, will be sent to the recommended vendor and will require all submissions prior to the award of the Contract.

3.0 Pricing Schedule

The Offeror hereby offers to furnish to the City of Willow Park all goods and/or services at the prices as proposed below, pursuant to all requirements, terms, and conditions as stated in the RFP and response.

Rates provided must be inclusive of all costs and fees, including but not limited to those fees imposed by Federal, state, and local governments. Rates must include shipping/delivery to the City of Willow Park at 516 Ranch House Rd, Willow Park, TX 76087 during regular business hours. No additional fees will be accepted.

Section 3.0 – Pricing Schedule must be submitted with the proposal in a separate, sealed envelope. Failure to submit Section 3.0 – Pricing Schedule in a separate, sealed envelope will result in the immediate disqualification of the proposer as non-responsive. This requirement is to prevent the possibility of the proposed price influencing the scoring of the other evaluation criteria.

Willow Park reserves the right to award by product to different vendors although the City may choose to not proceed with this right.

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Qty	Mfr #	Description	Cost Each	Extended Cost
3	7X02A03UNA	TS SR630 X/2.1 SLVR 4110 8C 16GB 750W	\$1765.00	\$5295.00
3	7XG7A05531	XEON SLVR 4110 8C 85W 2.1GHZ TS SR630	\$600.00	\$1800.00
21	7X77A01302	16GB TRUDDR4 2666 MHZ 1RX4 1.2V RDIMM TS	\$270.00	\$5670.00
3	7Y37A01093	M.2 W/ MIRRORING ENABLEMENT KIT TS	\$84.00	\$252.00
6	7N47A00130	M.2 CV3 128GB SATA 6GBPS SSD TS	\$110.00	\$660.00
3	7ZT7A00547	10GB 4PT SFP+ LOM TS	\$128.00	\$384.00
3	7N67A00883	750W 230/115V PLATINUM HSWAP P/S TS	\$138.00	\$414.00
3	4L67A08366	2.8M 10A/100-250V C13 TO C14 JUMPER CORD	\$22.00	\$66.00
3	5WS7A01490	5YR WTY FDN SVC	\$1400.00	\$4200.00
1	7Y75A001WW	TS DE4000H 2U24 ISCSI SFF	\$5922.00	\$5922.00
10	4XB7A14112	1.2TB DE SERIES HD 10K 2.5 2U24	\$273.00	\$2730.00
2	4XB7A14105	800GB SSD 3DWD 2.5 2U24 TS DE SERIES	\$730.00	\$1460.00
1	5WS7A21840	5YR FOUNDATION 9X5XNBD	\$1426.00	\$1426.00
1	7159A1X	THINKSYSTEM NE1032 REAR TO FRONT	\$2822.00	\$2822.00
20	00YL634	1M CBL SFP+ TO SFP+ ACTIVE OP	\$52.00	\$1040.00
1	5WS7A00866	5YR WTY TECH INST NBD	\$1194.00	\$1194.00
3	7S050015WW	WIN SVR 2019 STD ROK 16 CORE MULTILANG	\$800.00	\$2400.00
8	7S050027WW	MICROSOFT WIN SVR 2019 CAL 5U	\$211.00	\$1688.00
1	228-11155	GV SQL SVR STD 2017 EN OLP 1LIC NO LVL	\$725.00	\$725.00
40	359-06597	GV SQL CAL 2017 EN OLP 1LIC NL U CAL	\$161.00	\$6440.00

Name of Offeror: Maverick Computer Services

Signature of Offeror's Authorized Official:

Name and Title of Offeror's Authorized Official:

Marc Holtsclaw, Member

3.1 Product Warranty

The Offeror expressly warrants that all materials and work will be consistent with General Contractual Provision Section 4.2 Warranty and that all labor, materials, and systems shall be fully warranted for one year at no cost to the City of Willow Park.

The Offeror will also describe any additional product warranties available to the City of Willow Park at no cost.

The Offeror will also describe any other warranties available to the City and their cost by product. Willow Park reserves the right to select any, all or none of the extended warranties, and to select warranties by product although Willow Park may choose to not proceed with this right.

RFP 2019-08-15

Mfr #	Description	Additional Warranty Available at No Cost
7X02A03UNA	TS SR630 X/2.1 SLVR 4110 8C 16GB 750W	
7XG7A05531	XEON SLVR 4110 8C 85W 2.1GHZ TS SR630	
7X77A01302	16GB TRUDDR4 2666 MHZ 1RX4 1.2V RDIMM TS	
7Y37A01093	M.2 W/ MIRRORING ENABLEMENT KIT TS	
7N47A00130	M.2 CV3 128GB SATA 6GBPS SSD TS	
7ZT7A00547	10GB 4PT SFP+ LOM TS	
7N67A00883	750W 230/115V PLATINUM HSWAP P/S TS	
4L67A08366	2.8M 10A/100-250V C13 TO C14 JUMPER CORD	
5WS7A01490	5YR WTY FDN SVC	
7Y75A001WW	TS DE4000H 2U24 ISCSI SFF	
4XB7A14112	1.2TB DE SERIES HD 10K 2.5 2U24	
4XB7A14105	800GB SSD 3DWD 2.5 2U24 TS DE SERIES	
5WS7A21840	5YR FOUNDATION 9X5XNBD	
7159A1X	THINKSYSTEM NE1032 REAR TO FRONT	
00YL634	1M CBL SFP+ TO SFP+ ACTIVE OP	
5WS7A00866	5YR WTY TECH INST NBD	
7S050015WW	WIN SVR 2019 STD ROK 16 CORE MULTILANG	
7S050027WW	MICROSOFT WIN SVR 2019 CAL 5U	
228-11155	GV SQL SVR STD 2017 EN OLP 1LIC NO LVL	
359-06597	GV SQL CAL 2017 EN OLP 1LIC NL U CAL	

Other Warranties:

5 year warranty included with all hardware

Name of Offeror: Maverick Computer Services

Signature of Offeror's Authorized Official:

Name and Title of Offeror's Authorized Official: Marc Holtsclaw, Member

3.2 Acknowledgement

Failure to acknowledge all addenda may result in rejection of any such Bid, at Willow Park's sole discretion.

The Offeror acknowledges receipt of the following addenda. If the RFP did not have any addenda, please submit this form filled out as "NOT APPLICABLE".

Addendum Number NOT APPLICABLE, Dated _____

Addendum Number _____, Dated _____

Addendum Number _____, Dated _____

Addendum Number _____, Dated _____

Name of Offeror: Maverick Computer Services

Signature of Offeror's Authorized Official: _____

Name and Title of Offeror's Authorized Official: Marc Holtsclaw, Member

3.3 Offer and Award

By executing below, the Offeror hereby offers to furnish equipment and services as proposed, pursuant to all requirements, terms, and conditions as stated in the RFP and response, and incorporated in City's Request for Proposal RFP2019-08-15. Offeror stipulates that all terms of the Contract are negotiated, and that the consideration for this Contract is real and not merely a recital. This Contract is valid and enforceable with electronic, facsimile, and mechanically reproduced signatures, and if separately countersigned. This Offer shall remain open and valid for 120 days from the RFP Due Date.

Offer:

Company Name: Maverick Computer Services, LLC

Street Address: 921 South Main St.

City, State, Zip: Weatherford, Texas, 76086

Legal Entity (Check One):

Individual / Sole Proprietor

C Corporation

S Corporation

Partnership

Trust / Estate

Limited Liability Company

State of Incorporation: Texas

Tax ID Number: 821858157

Name of Authorized Official: Marc Holtsclaw

Title of Offeror's Authorized Official: Member

Signature of Offeror's Authorized Official

Date:

By executing below, the City of Willow Park accepts the Offer as indicated above.

Award:

Name and Title of Willow Park Official

Signature

Date

3.4 Request for Approved Equals

This form must be used to request an approval of items equal to items with specified brand names. This form must be submitted by the Request for Approved Equal Deadline, noted in Section 2.01. Each request must be submitted on a separate form. Multiple requests on the same form will not be answered. Attach additional pages if necessary. If Offeror has no Requests for Clarification, please submit this form filled out as "NOTAPPLICABLE".

RFP2019-08-15 Request Number:

Request for Approved Equal Regarding RFP Section:

Approved Equal:

NOT APPLICABLE

Reason/Rationale for Request:

NAME OF OFFEROR:

Maverick Computer Services

City Response:

3.5 Conflict of Interest Certification

No employee, officer or member of the City Council of the City of Willow Park shall solicit or be a party, directly or indirectly, to any contract between him/herself and any firm of which he/she is a partner, member or employee. Kinship shall extend to all parents, children, grandparents, grand- children, uncles, aunts, first cousins, nephews or nieces whether related by marriage or blood.

The contractor shall indicate below the names and kinship between the officers and/or principal beneficiaries of the firm proposing on this solicitation and any City of Willow Park employee, officer or board member who may exercise any discretion over the letting, evaluating, awarding or administering of this solicitation and resulting contract:

PLEASE INDICATE ANY RELATIONSHIPS BELOW. IF NONE EXIST, please submit this form filled out as "NONE EXIST".

Name Kinship
NONE EXIST

Name of Offeror:

Signature of Offeror's Authorized Official:

Name and Title of Offeror's Authorized Official:
Marc Holtsclaw, Member

Date:

3.6 RFP Checklist

To be considered in the evaluation of this contract, Proposers are required to submit all requested information (unless the section is marked “omitted by choice”), sign all forms, and return the entire RFP document.

Your Proposal must include:

All pages of the RFP document

Pricing Schedule (Form 3.0) submitted with the proposal in a separate, sealed envelope.

Product Warranty (Form 3.1)

Acknowledgment of Addenda (Form 3.2)

Offer and Award (Form 3.3)

Request for Approved Equals (Form 3.4)

Conflict of Interest Certification (Form 3.5)

Offeror hereby affirms that all required information has been included as set forth herein.

Name of Offeror: Maverick Computer Services

Signature of Offeror’s Authorized Official:

Name and Title of Offeror’s Authorized Official:

Marc Holtsclaw, Member

Date:

4.0 General Contractual Provisions

This Article contains terms and conditions of the Contract.

4.1 Contract, Contract Documents, and Conflicts

The documents (including portions of the RFP), and materials incorporated therein, listed below constitute the complete contract (referred to throughout the solicitation as the “Contract”) between the City of Willow Park (the City) and the Offeror. This Contract contains the entire agreement of the parties, and supersedes all prior negotiations, agreements, conversations, communications, and any other understandings with respect hereto.

The Contract consists of:

Amendments, if applicable

Best and Final Offer, if applicable

Addenda, if applicable

Introduction and Statement of Work (Article 1.0)

General Contractual Provisions (Article 4.0)

All other Articles and Sections of the RFP, as issued

Offeror Proposal

All requirements and duties of the Contract issued by the City of Willow Park are independent and shall augment any other similar requirements and duties stated herein. If any direct conflict among the requirements and duties of the Contract arises, the order of precedence shall be as listed above.

The Contract resulting from the acceptance of this order is to be construed according to the laws of the State of Texas and is non-assignable by Contractor except upon prior written approval of the Buyer.

4.2 WARRANTY:

Contractor expressly warrants that all materials and work covered by an order will conform to the specifications, drawings, samples or other description furnished or specified by the Buyer, and will be merchantable, of good materials and workmanship and free from defect and fit for the purposes intended. Contractor expressly warrants that all the material covered by an order which is product of Contractor, or is in accordance with Contractor’s specifications, will be for and enough for purposes intended. All labor, materials, and systems shall function at levels meeting or exceeding operational design specifications and shall be fully warranted for one year. A signed, original copy of Section 3.1 Product Warranty must be submitted with the proposal.

4.3 POTENTIALLY HARMFUL INGREDIENTS:

Contractor agrees to promptly furnish to Buyer, 1) Upon written request a list of all ingredients in materials purchased there under, and as necessary, the amount of one or more ingredients; and 2) Thereafter, information concerning any changes in such ingredients.

4.4 INSPECTION:

All material shall be received subject to Buyer's inspection and rejection. Defective material or materials not in accordance with Buyer's specifications will be held for Contractor's instructions and at Contractor's expense. Payment for material on an order prior to inspection shall not constitute an acceptance thereof, nor will acceptance remove Contractor's responsibility for latent defects.

4.5 CHANGE(S) IN SPECIFICATIONS:

Buyer reserves the right at any time, to make changes in drawings and specifications as to any material and/or work covered by an order and/or schedule. Any difference in price or performance time resulting from such changes shall be equitably adjusted and/or schedule shall be modified, in writing, accordingly.

4.6 REMEDIES

The remedies herein reserved shall be cumulative and additional to any other or further remedies provided in law or equity. No waiver or breach of any provisions of an order shall constitute a waiver of any other breach or such provision.

4.7 INSURANCE:

If the accomplishment of an order requires the performance of services or labor on the premises of Buyer, Contractor agrees to indemnify and protect Buyer against all liabilities, claims or demands for injuries or damages to any person or property growing out of the performance of this Contract by Contractor, its servants, employees, agents or representatives. Contractor agrees to carry and to furnish certificates from its insurance carriers showing that it carries valid insurance in the following minimum limits:

Workmen's Compensation-statutory limits for State of Texas or for the state in which the work is to be performed.

General Public Liability \$2,000,000. and Property Damage \$2,000,000.

Automobile Public Liability \$2,000,000. and Property Damage \$2,000,000.

Said certificates must set forth the amount of coverage, number of policies, and date of expiration. If Contractor is a self-insurer, the certificate of the appropriate state agency of

the state must be furnished by such agency directly to Buyer. The purchase of such insurance coverage or the furnishing of the aforesaid certificates shall not be a satisfaction of Contractor's liability thereunder or in any way modify Contractor's indemnification of Buyer.

EXEMPTION FROM TAXES:

The City of Willow Park is tax exempt under the Tax Code, Chapter 151, Section 151.309. The vendor certifies that all such taxes are not included in the prices shown herein.

CITY OF WILLOW PARK

REQUEST FOR PROPOSAL

Computer and Server Hardware

RFP# 2019-08-15

Issue date:

09/20/2019

Proposal due date and time:

10/10/2019 @ 10:00 a.m.

Contact Information:

Candice Scott
516 Ranch House Rd
Willow Park, TX 76087
Email: info@willowpark.org

1.0 Introduction and Statement of Work

1.1 Introduction and City of Willow Park Contact Information

The City of Willow Park is soliciting requests for competitive sealed proposals for computer server hardware as per the specifications contained in this Request for Proposal (RFP). Public procurement essentially operates in an environment where full and open competition is the primary goal and, in many cases, is a mandate.

Time is of the essence with this procurement. An Offeror's ability to promptly deliver the computer and server hardware is the most important selection criteria.

RFP Title:	Computer Server Hardware
RFP Control Number:	RFP2019-08-15
Date Advertised:	09/20/19, 09/27/19
Date Issued:	09/20/19
Due Date, Time, and Location:	10/07/19 @ 10:00 a.m. City of Willow Park Attn: Alicia Smith, City Secretary 516 Ranch House Rd Willow Park, TX 76087
E-mail Address:	info@willowpark.org

1.2 Technical Specifications and Objective

The City of Willow Park is in the process of updating its financial and departmental software programs in order to have a fully integrated system. The server parts list below is specific to ensure that we accomplish that goal.

The City of Willow Park is requesting pricing for the following hardware or approved equivalent. This equipment is to be installed to operate with existing systems. Willow Park's Technical Support Contractor will make the installation.

- 3 Servers
- SAN
- Storage Switch
- Cables for Computers

Required Server Parts List

Qty	Mfr #	Description
3	7X02A03UNA	TS SR630 X/2.1 SLVR 4110 8C 16GB 750W
3	7XG7A05531	XEON SLVR 4110 8C 85W 2.1GHZ TS SR630
21	7X77A01302	16GB TRUDDR4 2666 MHZ 1RX4 1.2V RDIMM TS
3	7Y37A01093	M.2 W/ MIRRORING ENABLEMENT KIT TS
6	7N47A00130	M.2 CV3 128GB SATA 6GBPS SSD TS
3	7ZT7A00547	10GB 4PT SFP+ LOM TS
3	7N67A00883	750W 230/115V PLATINUM HSWAP P/S TS
3	4L67A08366	2.8M 10A/100-250V C13 TO C14 JUMPER CORD
3	5WS7A01490	5YR WTY FDN SVC
1	7Y75A001WW	TS DE4000H 2U24 ISCSI SFF
10	4XB7A14112	1.2TB DE SERIES HD 10K 2.5 2U24
2	4XB7A14105	800GB SSD 3DWD 2.5 2U24 TS DE SERIES
1	5WS7A21840	5YR FOUNDATION 9X5XNBD
1	7159A1X	THINKSYSTEM NE1032 REAR TO FRONT
20	00YL634	1M CBL SFP+ TO SFP+ ACTIVE OP
1	5WS7A00866	5YR WTY TECH INST NBD
3	7S050015WW	WIN SVR 2019 STD ROK 16 CORE MULTILANG
8	7S050027WW	MICROSOFT WIN SVR 2019 CAL 5U
1	228-11155	GV SQL SVR STD 2017 EN OLP 1LIC NO LVL
40	359-06597	GV SQL CAL 2017 EN OLP 1LIC NL U CAL

2.0 Solicitation Procedures

2.1 Pre-Proposal Conference

A Pre-Proposal Conference will not be held.

2.2 Questions and Communications

During the solicitation process, all forms of contact and correspondence regarding any aspect of this solicitation shall only be with the Procurement Manager at the email address identified in Section 1.1. Further, this Offer must be made based upon an independent price determination, an Offeror shall not have communications with others for the purpose of restricting competition. Any alleged breach of this Section may, at Willow Park's sole discretion, result in the rejection of the breaching Offeror's Proposal.

Questions must be directed to the Procurement Manager by email. Questions and answers will be emailed to all solicited firms. Verbal comments are not part of this solicitation.

2.3 Request for Approved Equals

Whenever brand, manufacturer, or product names are used, they are included for the purpose of establishing a description of the item. This inclusion is not advocating or prescribing the use of a particular brand, item, or product. Whenever such names appear, request for approved equal substitutions will be considered. Vendor's request for approved equals shall include all aspects of product which would document the products salient features.

Requests for substitutions, information, clarification, or questions must be submitted by the date and time listed in Section 2.1, "Solicitation Schedule". For every approved equal requested, the Proposer shall demonstrate the quality of its product to the City and shall furnish enough technical data, test results, or other information that the City shall require, enabling Willow Park to determine whether the Proposer's product is or is not equal to that specified.

2.4 Addenda to the RFP

The City of Willow Park reserves the right to amend the RFP at any time prior to the Proposal Due Date. Any such amendments will be issued as addenda to the RFP and will become part of the RFP. All Offerors shall acknowledge the receipt of all addenda in their Proposal. Failure to do so may result in the rejection of an Offeror's Proposal, at Willow Parks sole discretion. Solicited firms will be emailed addenda and the addenda will be posted on Willow Park's website at www.willowpark.org.

2.5 Proposal Content Requirements and Proposal Submission

Offerors must precisely follow all the instructions of the RFP. All Proposals must include the entire RFP document. Failure to conform to all requirements may result at Willow Park's sole discretion in rejection of an Offeror's Proposal. Each package shall contain one (1) original, signed document.

Time is of the essence with this procurement. Submitted proposals must include a firm timetable for product delivery. An Offeror's ability to promptly deliver the computer and server hardware is the most important selection criteria.

Section 3.0 - Pricing Schedule must be submitted with the proposal in a separate, sealed envelope. Failure to submit Section 3.0 – Pricing Schedule in a separate, sealed envelope will result in the immediate disqualification of the proposer as non-responsive. This requirement is to prevent the possibility of the proposed price influencing the scoring of the other evaluation criteria.

Proposals must describe the Offerors ability to fully provide and support all the system components. Descriptions must include the availability and timeliness of supplying parts. Descriptions of available support must say if support is on-line, by phone or on-site service and the days of the week and hours support is available. The lead time for on-site service must also be included.

Offerors must demonstrate their experience with projects of similar quality, scope and size.

Submitted proposals must be valid for 120 days after the proposal due date. This proposal will result in a firm, fixed price contract.

2.6 Modification or Withdrawal of Proposals

A modification of a Proposal already received will be accepted by Willow Park only if the modification is received prior to the Proposal Due Date or is made in response to a request for revised Proposal. All modifications shall be made in writing and executed and submitted in the same form and manner as the original Proposal.

An offeror may withdraw a Proposal prior to the Proposal Due Date by submitting to Willow Park a written request for withdrawal executed by the offeror's authorized representative. The withdrawal of a Proposal does not prejudice the right of an offeror to submit another Proposal within the time set for receipt of Proposals.

2.7 Proposal Evaluation

Proposals will be evaluated and scored using the criteria and processes explained herein. Willow Park may reject any or all Proposals or offerors for sound, documentable, business reasons. Willow Park reserves the right to award to other than the lowest price proposal

and to the proposal representing the Best Value to the City. Proposals with deviations, conditions, clarifications, reservations, and additional or contradictory terms may be rejected as non-responsive. Further, Willow Park reserves the right to waive minor defects or irregularities in any Proposal and to award to only responsive and responsible Offerors.

Willow Park will evaluate all proposals using the following criteria to determine which proposal provides the best value to the City: a) the purchase price; b) reputation of the vendor and vendor's goods or services, (c) the quality of the vendor's services; (d) the extent to which the services meet the City's needs; (e) the proposer's past relationship with the City; and (6) the total long-term cost to the City to acquire the vendor's services.

2.8 Notice of Intent to Award, and Contract Award

Once Willow Park has determined the Offeror to which it intends to award the Contract a Notice of Intent to Award letter will be sent to that Offeror requesting all Required Submissions, "Required Submissions for Selected Vendor(s) After Notice of Intent to Award". Failure to submit satisfactory documents within ten (10) business days may result, at Willow Park's sole discretion, in the contract being awarded to an alternative offeror. These documents must be accepted prior to initiation of work under the Contract. The Notice of Intent to Award does not bind Willow Park and is not an acceptance of the Offer.

The acceptance of an Offer for award, if made, shall be evidenced only by a fully executed Offer and Award Form, Form 3.3, delivered in person, by mail, or electronically to the Offeror whose Offer is accepted. No other act by Willow Park shall evidence acceptance of an Offer. Such notice shall obligate said Offeror to commence performance under the Contract.

AWARDED VENDOR NOTICE:

FORM 1295

REQUIREMENTS: https://www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html

Beginning Jan. 1, 2016, **awarded vendors** that require approval by our City Council shall be required by state law to complete online, print, and notarize the Certificate of Interested Parties Form 1295 and the original copy of the notarized form must be submitted to the purchasing staff member listed in the Request for Proposal or as notated below. For a list of Frequently Asked Questions you can go to: www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html. The form must be submitted at www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. This law applies to a contract of a governmental entity or state agency that either: (1) requires an action or vote by the governing body of the entity or agency; or (2) has a value of at least \$1 million. Government Code § 2252.908. The disclosure requirement applies to a contract entered into on or after Jan. 1, 2016.

2.9 Required Forms and Submissions

Forms 3.0-3.06 must be completed and included in the Offeror's Response to the RFP, even though some may not seem to apply to this solicitation. Failure to complete any of these forms may result, at Willow Park's sole discretion, in the rejection of that Bid.

When City of Willow Park has chosen an Offeror to which it intends to award the Contract, a Notice of Intent to Award letter, see Section 2.8, will be sent to the recommended vendor and will require all submissions prior to the award of the Contract.

3.0 Pricing Schedule

The Offeror hereby offers to furnish to the City of Willow Park all goods and/or services at the prices as proposed below, pursuant to all requirements, terms, and conditions as stated in the RFP and response.

Rates provided must be inclusive of all costs and fees, including but not limited to those fees imposed by Federal, state, and local governments. Rates must include shipping/delivery to the City of Willow Park at 516 Ranch House Rd, Willow Park, TX 76087 during regular business hours. No additional fees will be accepted.

Section 3.0 – Pricing Schedule must be submitted with the proposal in a separate, sealed envelope. Failure to submit Section 3.0 – Pricing Schedule in a separate, sealed envelope will result in the immediate disqualification of the proposer as non-responsive. This requirement is to prevent the possibility of the proposed price influencing the scoring of the other evaluation criteria.

Willow Park reserves the right to award by product to different vendors although the City may choose to not proceed with this right.

RFP 2019-08-15

Qty	Mfr #	Description	Cost
3	7X02A03UNA	TS SR630 X/2.1 SLVR 4110 8C 16GB 750W	\$1,615.00
3	7XG7A05531	XEON SLVR 4110 8C 85W 2.1GHZ TS SR630	\$593.00
21	7X77A01302	16GB TRUDDR4 2666 MHZ 1RX4 1.2V RDIMM TS	\$141.00
3	7Y37A01093	M.2 W/ MIRRORING ENABLEMENT KIT TS	\$95.00
6	7N47A00130	M.2 CV3 128GB SATA 6GBPS SSD TS	\$120.00
3	7ZT7A00547	10GB 4PT SFP+ LOM TS	\$106.00
3	7N67A00883	750W 230/115V PLATINUM HSWAP P/S TS	\$165.00
3	4L67A08366	2.8M 10A/100-250V C13 TO C14 JUMPER CORD	\$27.00
3	5WS7A01490	5YR WTY FDN SVC	\$1,410.00
1	7Y75A001WW	TS DE4000H 2U24 ISCSI SFF	\$6,135.00
10	4XB7A14112	1.2TB DE SERIES HD 10K 2.5 2U24	\$300.00
2	4XB7A14105	800GB SSD 3DWD 2.5 2U24 TS DE SERIES	\$852.00
1	5WS7A21840	5YR FOUNDATION 9X5XNBD	\$1,427.00
1	7I59A1X	THINKSYSTEM NE1032 REAR TO FRONT	\$2,917.00

20	00YL634	1M CBL SFP+ TO SFP+ ACTIVE OP	\$61.00
1	5WS7A00866	5YR WTY TECH INST NBD	\$1,199.00
3	7S050015WW	WIN SVR 2019 STD ROK 16 CORE MULTILANG	\$781.00
8	7S050027WW	MICROSOFT WIN SVR 2019 CAL 5U	\$197.00
1	228-11155	GV SQL SVR STD 2017 EN OLP 1LIC NO LVL	\$698.00
40	359-06597	GV SQL CAL 2017 EN OLP 1LIC NL U CAL	\$159.00

Name of Offeror: Howard Technology Solutions, a division of Howard Industries, Inc.

Signature of Offeror's Authorized Official:

 _____

Name and Title of Offeror's Authorized Official:

Darlene Parker, Bid Specialist

3.1 Product Warranty

The Offeror expressly warrants that all materials and work will be consistent with General Contractual Provision Section 4.2 Warranty and that all labor, materials, and systems shall be fully warranted for one year at no cost to the City of Willow Park.

The Offeror will also describe any additional product warranties available to the City of Willow Park at no cost.

The Offeror will also describe any other warranties available to the City and their cost by product. Willow Park reserves the right to select any, all or none of the extended warranties, and to select warranties by product although Willow Park may choose to not proceed with this right.

RFP 2019-08-15

Mfr #	Description	Additional Warranty Available at No Cost
7X02A03UNA	TS SR630 X/2.1 SLVR 4110 8C 16GB 750W	
7XG7A05531	XEON SLVR 4110 8C 85W 2.1GHZ TS SR630	
7X77A01302	16GB TRUDDR4 2666 MHZ 1RX4 1.2V RDIMM TS	
7Y37A01093	M.2 W/ MIRRORING ENABLEMENT KIT TS	
7N47A00130	M.2 CV3 128GB SATA 6GBPS SSD TS	
7ZT7A00547	10GB 4PT SFP+ LOM TS	
7N67A00883	750W 230/115V PLATINUM HSWAP P/S TS	
4L67A08366	2.8M 10A/100-250V C13 TO C14 JUMPER CORD	
5WS7A01490	5YR WTY FDN SVC	
7Y75A001WW	TS DE4000H 2U24 ISCSI SFF	
4XB7A14112	1.2TB DE SERIES HD 10K 2.5 2U24	
4XB7A14105	800GB SSD 3DWD 2.5 2U24 TS DE SERIES	
5WS7A21840	5YR FOUNDATION 9X5XNBD	
7159A1X	THINKSYSTEM NE1032 REAR TO FRONT	
00YL634	1M CBL SFP+ TO SFP+ ACTIVE OP	
5WS7A00866	5YR WTY TECH INST NBD	
7S050015WW	WIN SVR 2019 STD ROK 16 CORE MULTILANG	
7S050027WW	MICROSOFT WIN SVR 2019 CAL 5U	
228-11155	GV SQL SVR STD 2017 EN OLP ILIC NO LVL	
359-06597	GV SQL CAL 2017 EN OLP ILIC NL U CAL	

Other Warranties:

Name of Offeror: Howard Technology Solutions, a division of Howard Industries, Inc.

Signature of Offeror's Authorized Official:


Name and Title of Offeror's Authorized Official:
Darlene Parker, Bid Specialist

3.2 Acknowledgement

Failure to acknowledge all addenda may result in rejection of any such Bid, at Willow Park's sole discretion.

The Offeror acknowledges receipt of the following addenda. If the RFP did not have any addenda, please submit this form filled out as "NOT APPLICABLE".

Addendum Number _____, Dated _____

Addendum Number _____, Dated _____

Addendum Number _____, Dated _____

Addendum Number _____, Dated _____

Name of Offeror: Howard Technology Solutions, a division of Howard Industries, Inc.

Signature of Offeror's Authorized Official: 

Name and Title of Offeror's Authorized Official:
Darlene Parker, Bid Specialist

3.3 Offer and Award

By executing below, the Offeror hereby offers to furnish equipment and services as proposed, pursuant to all requirements, terms, and conditions as stated in the RFP and response, and incorporated in City's Request for Proposal RFP2019-08-15. Offeror stipulates that all terms of the Contract are negotiated, and that the consideration for this Contract is real and not merely a recital. This Contract is valid and enforceable with electronic, facsimile, and mechanically reproduced signatures, and if separately countersigned. This Offer shall remain open and valid for 120 days from the RFP Due Date.

Offer:

Company Name: Howard Technology Solutions, a division of Howard Industries, Inc.

Street Address: 36 Howard Drive

City, State, Zip: Ellisville, MS 39437

Legal Entity (Check One):

Individual / Sole Proprietor

C Corporation

S Corporation

Partnership

Trust / Estate


Limited Liability Company

State of Incorporation: Mississippi

Tax ID Number: 64-0466143

Name of Authorized Official: Darlene Parker

Title of Offeror's Authorized Official: Bid Specialist



Signature of Offeror's Authorized Official

10/08/2019

Date:

By executing below, the City of Willow Park accepts the Offer as indicated above.

Award:

Name and Title of Willow Park Official

Signature

Date

3.4 Request for Approved Equals

This form must be used to request an approval of items equal to items with specified brand names. This form must be submitted by the Request for Approved Equal Deadline, noted in Section 2.01. Each request must be submitted on a separate form. Multiple requests on the same form will not be answered. Attach additional pages if necessary. If Offeror has no Requests for Clarification, please submit this form filled out as "NOTAPPLICABLE".

RFP2019-08-15 Request Number:

Request for Approved Equal Regarding RFP Section:

Approved Equal:

Reason/Rationale for Request:

NAME OF OFFEROR:

City Response:

3.5 Conflict of Interest Certification

No employee, officer or member of the City Council of the City of Willow Park shall solicit or be a party, directly or indirectly, to any contract between him/herself and any firm of which he/she is a partner, member or employee. Kinship shall extend to all parents, children, grandparents, grand- children, uncles, aunts, first cousins, nephews or nieces whether related by marriage or blood.

The contractor shall indicate below the names and kinship between the officers and/or principal beneficiaries of the firm proposing on this solicitation and any City of Willow Park employee, officer or board member who may exercise any discretion over the letting, evaluating, awarding or administering of this solicitation and resulting contract:

PLEASE INDICATE ANY RELATIONSHIPS BELOW. IF NONE EXIST, please submit this form filled out as "NONE EXIST".

Name Kinship NONE EXIST

Name of Offeror: Howard Technology Solutions, a division of Howard Industries, Inc.

Signature of Offeror's Authorized Official:



Name and Title of Offeror's Authorized Official: Darlene Parker, Bid Specialist

Date: 10/08/2019

3.6 RFP Checklist

To be considered in the evaluation of this contract, Proposers are required to submit all requested information (unless the section is marked "omitted by choice"), sign all forms, and return the entire RFP document.

Your Proposal must include:

All pages of the RFP document

Pricing Schedule (Form 3.0) submitted with the proposal in a separate, sealed envelope.

Product Warranty (Form 3.1)

Acknowledgment of Addenda (Form 3.2)


Offer and Award (Form 3.3)

Request for Approved Equals (Form 3.4)

Conflict of Interest Certification (Form 3.5)

Offeror hereby affirms that all required information has been included as set forth herein.

Name of Offeror: Howard Technology Solutions, a division of Howard Industries, Inc.

Signature of Offeror's Authorized Official: 

Name and Title of Offeror's Authorized Official: Darlene Parker, Bid Specialist

Date: 10/08/2019

4.0 General Contractual Provisions

This Article contains terms and conditions of the Contract.

4.1 Contract, Contract Documents, and Conflicts

The documents (including portions of the RFP), and materials incorporated therein, listed below constitute the complete contract (referred to throughout the solicitation as the "Contract") between the City of Willow Park (the City) and the Offeror. This Contract contains the entire agreement of the parties, and supersedes all prior negotiations, agreements, conversations, communications, and any other understandings with respect hereto.

The Contract consists of:
Amendments, if applicable
Best and Final Offer, if applicable
Addenda, if applicable
Introduction and Statement of Work (Article 1.0)
General Contractual Provisions (Article 4.0)
All other Articles and Sections of the RFP, as issued
Offeror Proposal

All requirements and duties of the Contract issued by the City of Willow Park are independent and shall augment any other similar requirements and duties stated herein. If any direct conflict among the requirements and duties of the Contract arises, the order of precedence shall be as listed above.

The Contract resulting from the acceptance of this order is to be construed according to the laws of the State of Texas and is non-assignable by Contractor except upon prior written approval of the Buyer.

4.2 WARRANTY:

Contractor expressly warrants that all materials and work covered by an order will conform to the specifications, drawings, samples or other description furnished or specified by the Buyer, and will be merchantable, of good materials and workmanship and free from defect and fit for the purposes intended. Contractor expressly warrants that all the material covered by an order which is product of Contractor, or is in accordance with Contractor's specifications, will be for and enough for purposes intended. All labor, materials, and systems shall function at levels meeting or exceeding operational design specifications and shall be fully warranted for one year. A signed, original copy of Section 3.1 Product Warranty must be submitted with the proposal.

4.3 POTENTIALLY HARMFUL INGREDIENTS:

Contractor agrees to promptly furnish to Buyer, 1) Upon written request a list of all ingredients in materials purchased there under, and as necessary, the amount of one or more ingredients; and 2) Thereafter, information concerning any changes in such ingredients.

4.4 INSPECTION:

All material shall be received subject to Buyer's inspection and rejection. Defective material or materials not in accordance with Buyer's specifications will be held for Contractor's instructions and at Contractor's expense. Payment for material on an order prior to inspection shall not constitute an acceptance thereof, nor will acceptance remove Contractor's responsibility for latent defects.

4.5 CHANGE(S) IN SPECIFICATIONS:

Buyer reserves the right at any time, to make changes in drawings and specifications as to any material and/or work covered by an order and/or schedule. Any difference in price or performance time resulting from such changes shall be equitably adjusted and/or schedule shall be modified, in writing, accordingly.

4.6 REMEDIES

The remedies herein reserved shall be cumulative and additional to any other or further remedies provided in law or equity. No waiver or breach of any provisions of an order shall constitute a waiver of any other breach or such provision.

4.7 INSURANCE:

If the accomplishment of an order requires the performance of services or labor on the premises of Buyer, Contractor agrees to indemnify and protect Buyer against all liabilities, claims or demands for injuries or damages to any person or property growing out of the performance of this Contract by Contractor, its servants, employees, agents or representatives. Contractor agrees to carry and to furnish certificates from its insurance carriers showing that it carries valid insurance in the following minimum limits:

Workmen's Compensation-statutory limits for State of Texas or for the state in which the work is to be performed.

General Public Liability \$2,000,000. and Property Damage \$2,000,000.

Automobile Public Liability \$2,000,000. and Property Damage \$2,000,000.

Said certificates must set forth the amount of coverage, number of policies, and date of expiration. If Contractor is a self-insurer, the certificate of the appropriate state agency of

the state must be furnished by such agency directly to Buyer. The purchase of such insurance coverage or the furnishing of the aforesaid certificates shall not be a satisfaction of Contractor's liability thereunder or in any way modify Contractor's indemnification of Buyer.

EXEMPTION FROM TAXES:

The City of Willow Park is tax exempt under the Tax Code, Chapter 151, Section 151.309. The vendor certifies that all such taxes are not included in the prices shown herein.

Phone: 1.888.912.3151
 Fax: 1.601.399.5077
 Online: www.howardcomputers.com



Howard Computers
 P.O. Box 1588
 Laurel, MS 39441

Online Quotation

Quote No:	AT6 968623.00	Quote Date:	October 02, 2019
Customer Name:	Alicia Smith	Phone Number:	8174417108
Company Name:	City of Willow Park	Fax Number:	
Quote Name:			

Item 1

Category	Description	Qty.	Unit Price	Ext. Price
System Type:	Accessories			
1:	Lenovo ThinkSystem SR630 7X02 - Server - rack-mountable - 1U - 2-way - 1 x Xeon Silver 4110 / 2.1 GHz - RAM 16 GB - no HDD - Matrox G200 - no OS - monitor: none - TopSeller MPN: 7X02A03UNA	3	\$1,615.00	\$4,845.00
2:	Intel Xeon Silver 4110 - 2.1 GHz - 8-core - 16 threads - 11 MB cache - for ThinkAgile VX 1U Certified Node 7Y93; ThinkAgile VX2320 Appliance 7Y93; ThinkSystem SR630 MPN: 7XG7A05531	3	\$593.00	\$1,779.00
3:	Lenovo TruDDR4 - DDR4 - 16 GB - DIMM 288-pin - 2666 MHz / PC4-21300 - 1.2 V - registered - ECC - for ThinkAgile VX 1U Certified Node; 2U4N Certified Node; ThinkAgile VX2320 Appliance MPN: 7X77A01302	21	\$141.00	\$2,961.00
4:	Lenovo ThinkSystem M.2 Mirroring Enablement Kit - Storage controller - M.2 - SATA 6Gb/s - 6 Gbit/s - for ThinkAgile VX 2U Certified Node; 2U4N Certified Node; ThinkAgile VX2320 Appliance MPN: 7Y37A01093	3	\$95.00	\$285.00
5:	Lenovo ThinkSystem CV3 - Solid state drive - 128 GB - internal - M.2 - SATA 6Gb/s - for ThinkAgile VX 2U4N Certified Node; ThinkAgile VX2320 Appliance; ThinkSystem SR250; ST250 MPN: 7N47A00130	6	\$120.00	\$720.00
6:	Lenovo ThinkSystem - Network adapter - LAN-on-motherboard (LOM) - 10 Gigabit SFP+ x 4 - for ThinkAgile HX3321 Certified Node; HX7520 Appliance; ThinkAgile VX 1U Certified Node MPN: 7ZT7A00547	3	\$106.00	\$318.00
7:	Lenovo - Power supply - hot-plug (plug-in module) - 80 PLUS Platinum - AC 115/230 V - 750 Watt - for ThinkAgile VX 1U Certified Node; ThinkSystem SR530; SR550; SR570; SR590; SR850; ST550 MPN: 7N67A00883	3	\$165.00	\$495.00
8:	Lenovo - Power extension cable - IEC 60320 C13 to IEC 60320 C14 - AC 100-250 V - 10 A - 9 ft - for ThinkAgile HX3721 Certified Node; ThinkSystem DB630; ThinkSystem SR250; SR590; SR950 MPN: 4L67A08366	3	\$27.00	\$81.00
9:	Lenovo Foundation Service - Extended service agreement - parts and labor - 5 years - on-site - business hours / 5 days a week - response time: NBD MPN: 5WS7A01490	3	\$1,410.00	\$4,230.00
10:	Lenovo ThinkSystem DE4000H Hybrid 2U24 SFF controller enclosure - Hard drive array - 24 bays (SAS-3) - iSCSI (10 GbE), iSCSI (25 GbE) (external) - rack-mountable - 2U MPN: 7Y75A001WW	1	\$6,135.00	\$6,135.00
11:	Lenovo - Hard drive - 1.2 TB - hot-swap - 2.5" - SAS 12Gb/s - 10000 rpm - for ThinkSystem DE2000H Hybrid; DE240S; DE4000F; DE4000H Hybrid; DE6000F; DE6000H Hybrid MPN: 4XB7A14112	10	\$300.00	\$3,000.00
12:	Lenovo - Solid state drive - 800 GB - hot-swap - 2.5" SFF - SAS 12Gb/s - for ThinkSystem DE2000H Hybrid; DE240S; DE4000F; DE4000H Hybrid; DE6000F; DE6000H Hybrid MPN: 4XB7A14105	2	\$852.00	\$1,704.00
13:	Lenovo Foundation Service - Extended service agreement - parts and labor - 5 years - on-site - business hours / 5 days a week - response time: NBD - for P/N: 7Y75CTO1WW MPN: 5WS7A21840	1	\$1,427.00	\$1,427.00
14:	Lenovo ThinkSystem NE1032 RackSwitch - Switch - L3 - managed - 32 x 1 Gigabit SFP/ 10 Gigabit SFP+ - rack-mountable - for ThinkAgile HX3721 Certified Node 7Y88 MPN: 7159A1X	1	\$2,917.00	\$2,917.00
15:	Lenovo - Direct attach cable - SFP+ to SFP+ - 1 m - fiber optic - active - for ThinkAgile HX3321 Certified Node; HX3721 Certified Node; HX7520 Appliance MPN: 00YL634	20	\$61.00	\$1,220.00
16:	Lenovo Foundation Service - Extended service agreement - parts and labor - 5 years - on-site - response time: NBD - for P/N: 7159A1X, 7159-HD1 MPN: 5WS7A00866	1	\$1,199.00	\$1,199.00
17:	Microsoft Windows Server 2019 Standard ROK 16C - ML MPN: 7S050015WW	3	\$781.00	\$2,343.00
18:	Microsoft Windows Server 2019 - License - 5 user CALs - OEM MPN: 7S050027WW	8	\$197.00	\$1,576.00
19:	Microsoft SQL Server 2017 Standard - License - 1 server - local - OLP: Government - Linux, Win - English MPN: 228-11155	1	\$698.00	\$698.00
20:	Microsoft SQL Server 2017 - License - 1 user CAL - local - OLP: Government - Linux, Win - English MPN: 359-06597	40	\$159.00	\$6,360.00

Sub-Total:	\$44,293.00
Parts & Accessories Shipping:	Included
Taxes:	\$ 3,654.17
Total for Item 1:	\$47,947.17

To expedite your order, please include your quote number with your Purchase Order.

Total for all pre-configured items

Sub-Total:	\$44,293.00
Parts & Accessories Shipping:	Included
Taxes:	\$ 3,654.17
Total:	\$47,947.17

Notes:

Pricing and availability subject to change without notice.
Packaging, Shipping, and Handling fees are not included unless specifically stated.
Prices and lease payments do not include applicable taxes.
Ship dates are approximations and are not guarantees.
Quick ship items not available in Alaska, Hawaii, or outside the United States.
Specific state laws may affect shipment of products.
If Purchaser fails to pay any invoice in full within the time quoted herein,
Seller may, without notice, accelerate the due date of all outstanding invoices
and require that all outstanding invoices, including any interest thereon, be
immediately due and payable in full.
For product return policies and information please visit: <https://www.howardcomputers.com/support/>