

JEFFERSON COUNTY PURCHASING DEPARTMENT Deborah L. Clark, Purchasing Agent

1149 Pearl Street, 1st Floor, Beaumont, TX 77701 409-835-8593 Fax 409-835-8456

LEGAL NOTICE Advertisement for Invitation for Bids

September 10, 2018

Notice is hereby given that sealed bids will be accepted by the Jefferson County Purchasing Department for IFB 18-042/JW, Sale of (3) Parcels of Land (217.892 acres, 175.5 acres, 162.9 acres) for Jefferson County. **Specifications for this project may be obtained from the Jefferson County Purchasing website at**: http://www.co.jefferson.tx.us/Purchasing/main.htm or by calling 409-835-8593.

Only bids received from Bidders that are a non-profit and nationally recognized conservation group with at least ten (10) years of continuing operations in working with federal or state government wildlife conservation agencies for the preservation and use by the public of wildlife habitat will be considered.

Bids are to be sealed and addressed to the Purchasing Agent with the bid number and name marked on the outside of the envelope or box. Bidders shall forward an original and two (2) copies of their bid to the address shown below. Jefferson County <u>does not</u> accept bids submitted electronically. Late bids will be rejected as non-responsive. Bids will be publicly opened and read aloud in the Jefferson County Commissioners' Courtroom at the time and date below. Bidders are invited to attend the sealed bid opening.

BID NAME:	Sale of (3) Parcels of Land (217.892 acres, 175.5 acres, 162.9 acres) for Jefferson County
BID NO:	IFB 18-042/JW
DUE DATE/TIME:	11:00 AM CDT, Tuesday, October 9, 2018
MAIL OR DELIVER TO:	Jefferson County Purchasing Department 1149 Pearl Street, 1 st Floor Beaumont, Texas 77701

Any questions relating to these requirements should be directed to Jamey West, Assistant Purchasing Agent at 409-835-8593 or jwest@co.jefferson.tx.us.

Jefferson County encourages Disadvantaged Business Enterprises to participate in the bidding process. Jefferson County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provisions of services. Individuals requiring special accommodations are requested to contact our office at 409-835-8593 to make arrangements no later than seven (7) calendar days prior to the submittal deadline. Jefferson County reserves the right to accept or reject any or all proposals, to waive technicalities and to take whatever action is in the best interest of Jefferson County.

All interested firms are invited to submit a bid in accordance with the terms and conditions stated in this bid.

RESPONDENTS ARE STRONGLY ENCOURAGED TO CAREFULLY READ THE ENTIRE INVITATION.

Deboah Classic

Deborah L. Clark, Purchasing Agent Jefferson County, Texas

Publish: Beaumont Enterprise & Port Arthur News – September 12th & September 19th, 2018

IFB 18-042/JW Sale of (3) Parcels of Land (217.892 acres, 175.5 acres, 162.9 acres) for Jefferson County Bids due: 11:00 AM CDT, Tuesday, October 9, 2018

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Bid Submissions:

Bidder is responsible for submitting:

- One (1) original bid copy to include a <u>completed copy</u> of this specifications packet, in its entirety.
- Two (2) numbered bid *copies* to include <u>at a minimum</u> all pages requiring completion and/or marked with instructions to be returned with bid submission and any other documentation requested within these specifications.

Additionally, Bidder must monitor the Jefferson County Purchasing Department Website (below) to see if addenda or additional instructions have been posted. Failure to return all required forms could result in a response being declared as non-responsive.

http://www.co.jefferson.tx.us/purchasing/main.htm

1. Bid Submission

Bids must be submitted in complete original form by mail or messenger to the following address:

Jefferson County Purchasing Department 1149 Pearl Street, 1st Floor Beaumont, TX 77701

Bids will be accepted at the above address until the time and date specified herein, and immediately after will be publicly opened and read aloud.

All bids shall be tightly sealed in an opaque envelope or box and plainly marked "SEALED BID." The outside of the envelope or box shall also include: Bid Number, Bid Name, Bid Due Date, Bidder's Name and Address; and shall be addressed to the Purchasing Agent.

Bidder is responsible for submitting one (1) *original* bid copy to include a <u>completed copy</u> of this specifications packet <u>in its entirety</u>; and two (2) numbered bid *hard copies* to include <u>at a minimum</u> all pages requiring completion and/or marked with instructions to be returned with bid submission and any other documentation requested within these specifications.

Late bids will not be accepted and will be returned unopened to the bidder.

All bids submitted in response to this invitation shall become the property of Jefferson County and will be a matter of public record available for review.

2. Bid Submissions During Time of Inclement Weather, Disaster, or Emergency

In case of inclement weather or any other unforeseen event causing the County to close for business on the date of a bid/proposal/statement of qualifications submission deadline, the bid closing will automatically be postponed until the next business day that County offices are open to the public. Should inclement weather conditions or any other unforeseen event cause delays in courier service operations, the County may issue an addendum to all known vendors interested in the project to extend the deadline. It will be the responsibility of the vendor to notify the county of their interest in the project should these conditions impact their ability to submit a bid/proposal/statement of qualifications submission before the stated deadline. The County reserves the right to make the final judgement call to extend any deadline.

Should an emergency or unanticipated event interrupt normal County processes, and bid/proposal/statement of qualifications submissions cannot be received by the Jefferson County Purchasing Department's office by the exact time specified in the IFB and urgent County requirements preclude amendment to the IFB, the time specified for receipt of bids will be deemed to be extended to the same time of day specified in the solicitation on the first business day on which normal County processes resume.

3. Courthouse Security

Bidders are advised that all visitors to the Courthouse must pass through Security. **Bidders planning to** hand deliver bids must allow time to get through Security, as a delay in entering the Courthouse will not be accepted as an excuse for late submittal. Mondays and Tuesdays are particularly heavy days. Bidders are strongly urged to plan accordingly.

4. Preparation of Bids

The bid shall be legibly printed in ink or typed.

The County requests that bid submissions <u>NOT</u> be bound by staples or glued spines.

If a unit price or extension already entered is to be altered, it shall be crossed out and initialed in ink by the bidder.

The bid shall be legally signed and shall include the complete address of the bidder.

5. Signatures

All bids, notifications, claims, and statements must be signed by an individual authorized to bind the bidder. The individual signing certifies, under penalty of perjury, that he or she has the legal authorization to bind the bidder.

6. <u>County Holidays – 2018:</u>

January 1	Monday	New Year's
January 15	Monday	Martin Luther King, Jr. Day
February 19	Monday	President's Day
March 30	Friday	Good Friday
May 28	Monday	Memorial Day
July 4	Wednesday	Independence Day
September 3	Monday	Labor Day
November 12	Monday	Veteran's Day
November 22 & 23	Thursday & Friday	Thanksgiving
December 24 & 25	Monday & Tuesday	Christmas
January 1, 2019	Tuesday	New Year's

7. Rejection or Withdrawal

Submission of additional terms, conditions or agreements with the bid document are grounds for deeming a bid non-responsive and may result in bid rejection. Jefferson County reserves the right to reject any and all bids and to waive any informalities and minor irregularities or defects in bids. Bids may be withdrawn in person by a bidder or authorized representative, provided their identity is made known and a receipt is signed for the bid, but only if the withdrawal is made prior to the time set for receipt of bids. Bids are an irrevocable offer and may not be withdrawn within 90 days after opening date.

8. Award

The bid will be awarded to the responsible, responsive bidder(s) whose bid, conforming to the solicitation, will be most advantageous to Jefferson County. Unless otherwise specified in this IFB, Jefferson County reserves the right to accept a bid in whole or in part, and to award by item or by group, whichever is deemed to be in the best interest of Jefferson County. Any bidder who is in default to Jefferson County at the time of submittal of the bid shall have that bid rejected. Jefferson County reserves the right to clarify any contractual terms with the concurrence of the Contractor; however, any substantial nonconformity in the offer, as determined by Jefferson County, shall be deemed non-responsive and the offer rejected.

In evaluating bids, Jefferson County shall consider the qualifications of the bidders, and, where applicable, operating costs, delivery time, maintenance requirements, performance data, and guarantees of materials and equipment. In addition, Jefferson County may conduct such investigation as it deems necessary to assist in the evaluation of a bid and to establish the responsibility, qualifications, and financial ability of the bidders to fulfill the contract.

Jefferson County reserves the right in accordance with the laws of the State of Texas, to waive any formality or irregularity, to make awards to more than one offeror, and/or to reject any or all bids. In the event the highest dollar offeror is not a awarded a contract, Offeror may appear before the Commissioners' Court and present evidence concerning Offeror responsibility after officially notifying the Office of the Purchasing Agent of Offeror's intent to appear.

9. Contract

A response to an IFB is an offer to contract with Jefferson County based upon the terms, conditions, and specifications contained in the IFB. Bids do not become contracts unless and until they are executed by Jefferson County, eliminating a formal signing of a separate contract. For that reason, all of the terms and conditions of the contract are contained in the IFB, unless any of the terms and conditions is modified by an

IFB Amendment, a Contract Amendment, or by mutually agreed terms and conditions in the contract documents.

10. Waiver of Subrogation

Bidder and bidder's insurance carrier waive any and all rights whatsoever with regard to subrogation against Jefferson County as an indirect party to any suit arising out of personal or property damages resulting from bidder's performance under this agreement.

11. Bid Results

Bid results are not provided in response to telephone inquiries. A preliminary tabulation of bids received will be posted on the Purchasing web page (http://co.jefferson.tx.us/ purchasing/main.htm) as soon as possible following bid opening. A final tabulation will be posted following bid award, and will also be available for review in the Purchasing Department.

12. Changes and Addenda to Bid Documents

Each change or addendum issued in relation to this IFB document will be on file in the Office of the Purchasing Agent, and will be posted on the Purchasing web site as soon as possible. It shall be the bidder's responsibility to make inquiry as to change or addenda issued, and to monitor the web site. All such changes or addenda shall become part of the contract and all bidders shall be bound by such addenda. Information on all changes or addenda issued will be available at the Office of the County Purchasing Agent.

13. Specifications

Any unsolicited alternate bid, or any changes, insertions, or omissions to the terms and conditions, specifications, or any other requirements of the bid, may be considered non-responsive.

14. Interpretation of Bid and/or Contract Documents

All inquiries shall be made within a reasonable time prior to the date and time fixed for the bid opening, in order that a written response in the form of an addendum, if required, can be processed before the bids are opened. Inquiries received that are not made in a timely fashion may or may not be considered.

15. Currency

Prices calculated by the bidder shall be stated in U.S. dollars.

16. Pricing

Prices shall be stated in units of quantity specified in the bid documents. In case of discrepancy in computing the amount of the bid, the unit price shall govern.

17. Certification

By signing the offer section of the Offer and Acceptance page, bidder certifies:

- The submission of the offer did not involve collusion or other anti-competitive practices.
- The bidder has not given, offered to give, nor intends to give at any time hereafter, any economic
 opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to any
 public servant in connection with the submitted offer.
- The bidder hereby certifies that the individual signing the bid is an authorized agent for the bidder and has the authority to bind the bidder to the contract.

18. Definitions

"County" – Jefferson County, Texas. "Contractor" – The bidder whose proposal is accepted by Jefferson County.

19. Minority-Women Business Enterprise Participation

It is the desire of Jefferson County to increase the participation of Minority (MBE) and women-owned (WBE) businesses in its contracting and procurement programs. While the County does not have any preference or set aside programs in place, it is committed to a policy of equitable participation for these firms.

The following requirements and specifications supersede General Requirements where applicable. Contact Jamey West, Assistant Purchasing Agent via e-mail at: <u>jwest@co.jefferson.tx.us</u>, or phone: 409-835-8593, regarding any questions or comments. Please reference bid number IFB 18-042/JW.

Objective

Jefferson County seeks to sell (3) Parcels of land.

Parcel No. 1: 217.892 acres, at Section 263, Abstract No. 358

All acres of this property are located in Jefferson County, Texas

Legal Description:

Being 217.892 acres, more or less, out of the T&NO RR Company Survey, Section No. 263, Abstract No. 358, Jefferson County, Texas, more particularly described as follows:

Beginning at the southwest corner of said T&NO RR Company Survey, Section No. 263, Abstract No. 358, said point being also on the north line of the S. A. Pannell Survey, Abstract No. 573, and also being the southeast corner of the T&NO RR Company Survey, Section No. 264, Abstract No. 516;

Thence north 87 deg. 10' 26" east, along the south line of Section 263 and along the north line of the S. A. Pannell Survey, A-573, a distance of 5,300 feet to the southeast corner of the T&NO RR Company Survey, Section 263, Abstract No. 358, said point also being in the west line of the W. J. Bryan Survey, Abstract No. 560;

Thence north 02 deg. 44' 00" west, along the east line of the T&NO RR Company Survey, Section 263, Abstract No. 358 and the west line of the W. J. Bryan Survey, Abstract No. 560, a distance of 3,123.28 feet, more or less, to a point for corner;

Thence south 60 deg 29' 56" west, parallel to the centerline of the Gulf Intracoastal Waterway, a distance of 5,936.11 feet, to a point in the west line of T&NO RR Company Survey, Section 263, Abstract No. 358, said point also being in the east line of the T&NO RR Company Survey, Section 264, Abstract No. 516;

Thence south 02 deg. 44' 00" east a distance of 458.38 feet to the point of beginning, containing 217.892 acres, more or less.

Access: Essentially None - While there is a private road extending northeast-southwest and paralleling the southeast side of the GIWW, this is within the strip of land retained by the grantors of the 217.892 acres when they conveyed title to Jefferson County. There is no provision in the conveying deed to acknowledge or grant access from the road within the retained strip to the conveyed 217.892 acres.

See Exhibit A (Pages 12-14) for additional information regarding this parcel of land.

Parcel No. 2: 175.5 acres

173.7 acres of this property is located in Chambers County, Texas 1.8 acres of this property is located in Jefferson County, Texas Refer to Plat – Vol. 5, Pg. 20, Deed Number: 1999046234

Parcel No. 3: 162.9 acres

112.5 acres of this property is located in Chambers County, Texas 50.4 acres of this property is located in Jefferson County, Texas Refer to Plat – Vol. 5, Pg. 20, Deed Number: 1999015300

Legal Descriptions (Parcel No. 2 & 3):

As depicted within the following exhibits, the north subject parcel is triangular in shape. According to the map filed of record (Volume 24 Page 286 of the Deed Records of Chambers County), the north parcel is identified as Tract or Section No. 1 of the subdivision of the John B. Murray Survey, Abstract No. 461 and the Mrs. A. J. Wynne Survey, Abstract No. 462 in Chambers County, and Abstract No. 553 in Jefferson County, Texas. This shows the south or east-west line of the subject parcel is 6,023 feet in length. The northwest line is 3,258.3 feet while the northeast line is 4737.5 feet. Though the conveying deed into the County identifies the land area as 162.8 acres, the Preliminary Survey Plat or Map drawn by the U.S. Fish and Wildlife Service identifies this parcel as having 175.5.acres (Tract 3b with 175.0 acres and Tract 3a with 0.5 acres). According to the Statement of Work provided by the appraiser by the AVSO representative: "For the purpose of this appraisal, the acreages as calculated by the FWS Land Surveyor are to be utilized". The second portion evaluated herein as a part of the Larger Parcel is situated approximately 986 feet south of the above described Lot or Tract 1.

Referencing the same plat of record, this south subject property is shown as 38 Tract or Section No. 3 of the subdivision. Considered north-south, the west line is 847 feet while the diagonal east boundary line is 1,542 feet. The north line extends east-west for 7,702 feet while the south line measures 9,050 feet. Again, the conveying deed into the County identifies the land area as 162.8 acres, but the Preliminary Survey Plat or Map drawn by the U.S. Fish and Wildlife Service identifies this parcel as having 162.90 acres (Tract 3d with 112. 5 acres and Tract 3c with 50.4 acres). By legal instructions, the acreages calculated by the USFWS Land Surveyor are to be utilized.

Therefore, the Larger Parcel considered herein is as follows: North Portion 175.5 Acres South Portion 162.9 Acres

Boat Access Only: As noted above, the west stretch of Mud Bayou enters the west end of the north parcel, Tract (3b), and this is reported as usable by a flat bottom boat or airboat during higher tides or with sufficient rainy conditions. The east side, or better stated northeast side, of Tract (3b) and (3a) is accessible from the other stretch of Mud Bayou as it leaves the GIWW and meanders in and out of the northeast boundary line of the subject parcel. Reportedly, this east stretch of Mud Bayou is more reliable access since it commonly has sufficient water to allow ingress and egress by a shallow draft boat or airboat. By using the east stretch of the widely meandering Mud Bayou, the other portion of the subject property, Tract (3c), is reached. Otherwise, interior access to other portions of the subject parcels is by airboat or perhaps a marsh buggy and, accordingly, tenuous.

See Exhibit B (Page 14-17) for additional information regarding these parcels of land.

Additional Terms

Jefferson County has determined that the above-identified land parcels will be put up for public sale and will consider offers from potential buyers (who meet the below qualifications) for the sale of the parcel.

<u>Bidder Qualifications:</u> Only bids received from Bidders that are a non-profit and nationally recognized conservation group with at least ten (10) years of continuing operations in working with federal or state government wildlife conservation agencies for the preservation and use by the public of wildlife habitat will be considered.

Jefferson County reserves the right to reject any or all offers to buy the property or properties and to provide preference to a governmental agency or a not-for-profit that is supporting the needs of the County. The County further reserves the right, that if the land is not sold, to dispose of the property as it sees fit.

The property described in this Invitation for Bid is sold "as is, where is."

Road access to any of these properties through private property cannot be guaranteed by the County.

The successful bidder will be required to provide a **NON-REFUNDABLE** "earnest money" deposit equal to at least one percent (1%) of the offering price to the County within (2) two working days of notification of award of the right to buy the property. Closing of the property must be completed within sixty (60) days of notification of award.

All offers must be submitted on the official bid form included as part of this IFB.

Please note that this IFB is not seeking an agent to represent the County in the offering for sale of property and no agent shall receive payment, fees, etc., from the accepted price to be paid for the property.

Along with the required number of copies (original & two <u>completed copies</u>) of this bid specifications packet, Bidder must attach a letter to this bid proposal that includes the following:

- Name of Non-Profit Organization
- Proof of Non-Profit Status
- Contact Person & Contact Information

 Description of your organization's history with working with federal or state government wildlife conservation agency

Description of intended use of the property described in this invitation for bid

Closing Cost

The successful bidder shall be responsible for appraisal fee for the tract and shall pay all costs to close the transaction.

Mineral Rights

All mineral rights shall remain the property of Jefferson County.

Bidder Information Form

Instructions: Complete the form below. Please provide legible, accurate, and complete contact information. PLEASE PRINT.
Bid Name & Number: IFB 18-042/JW, Sale of (3) Parcels of Land (217.892 acres, 175.5 acres, 162.9 acres) for Jefferson County
Bidder's Company/Business Name:
Bidder's TAX ID Number:
Contact Person: Title:
Phone Number (with area code):
Alternate Phone Number if available (with area code):
Fax Number (with area code):
Email Address:
Mailing Address:
Address
City, State, Zip Code

OFFER AND ACCEPTANCE FORM

OFFER TO CONTRACT

To Jefferson County:

We hereby offer and agree to purchase property as described within these specifications, in compliance with all terms, conditions, specifications, and amendments in the Invitation for Bid and any written exceptions in the offer. We understand that the items in this Invitation for Bid, including, but not limited to, all required certificates are fully incorporated herein as a material and necessary part of the contract.

The undersigned hereby states, under penalty of perjury, that all information provided is true, accurate, and complete, and states that he/she has the authority to submit this bid, which will result in a binding contract if accepted by Jefferson County.

We acknowledge receipt of the following amendment(s): _____, ____, ____, ____.

I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder:

Company Nan	ne		_ For clarification of	this offer, contact:	
Address			Name		
City	State	Zip	Phone	Fax	
Cianatura of D		ha Oisea			
Signature of P	erson Authorized	io Sign	E-mail		
Printed Name			-		
Title			-		

Bidder Shall Return Completed Form with Offer.

The Offer is hereby accepted for the following parcel(s) of land:

The Contractor is now bound to purchase the property listed by the attached contract and based upon the Invitation for Bid, including all terms, conditions, specifications, amendments, etc., and the Contractor's Offer as accepted by Jefferson County.

The contract shall henceforth be referred to as Contract No. 18-042/JW

Countersigned:	
Jeff R. Branick County Judge	Date
Attest:	
Carolyn L. Guidry County Clerk	
Bidder Shall Return C	ompleted Form with Offer.

Bid Form

Bid Item No. 1 – Description:	Bid Amount (Please Print Clearly)
Parcel No. 1: 217.892 acres at Section 263, Abstract No. 358	\$·
Bid Item No. 2 – Description:	Bid Amount (Please Print Clearly)
<u>Parcel No. 2:</u> 175.5 acres Refer to Plat – Vol. 5, Pg. 20, Deed Number: 1999046234	\$·
Bid Item No. 3 – Description:	Bid Amount (Please Print Clearly)
<u>Parcel No. 3:</u> 162.9 acres Refer to Plat – Vol. 5, Pg. 20, Deed Number: 1999015300	\$

Only bids received from Bidders that are a non-profit and nationally recognized conservation group with at least ten (10) years of continuing operations in working with federal or state government wildlife conservation agencies for the preservation and use by the public of wildlife habitat will be considered.

Bidder, please attach a letter to your bid submission that includes the following:

- Name of Non-Profit Organization
- Proof of Non-Profit Status
- Contact Person & Contact Information

Description of your organization's history with working with federal or state government wildlife conservation agency

Description of intended use of the property described in this invitation for bid

The successful bidder will be required to provide a NON-REFUNDABLE "earnest money" deposit equal to at least one percent (1%) of the offering price to the County within (2) two working days of notification of award of the right to buy the property. Closing of the property must be completed within sixty (60) days of notification of award.

Payment shall be made by the successful bidder on day of closing by guaranteed funds.

Payment will be made to: Jefferson County Auditor Patrick Swain 1149 Pearl Street, 7th Floor Beaumont, TX 77701

Acknowledgment of Addenda (if any):

Addendum 1 _____ Date Received_____

Addendum 2 _____ Date Received_____

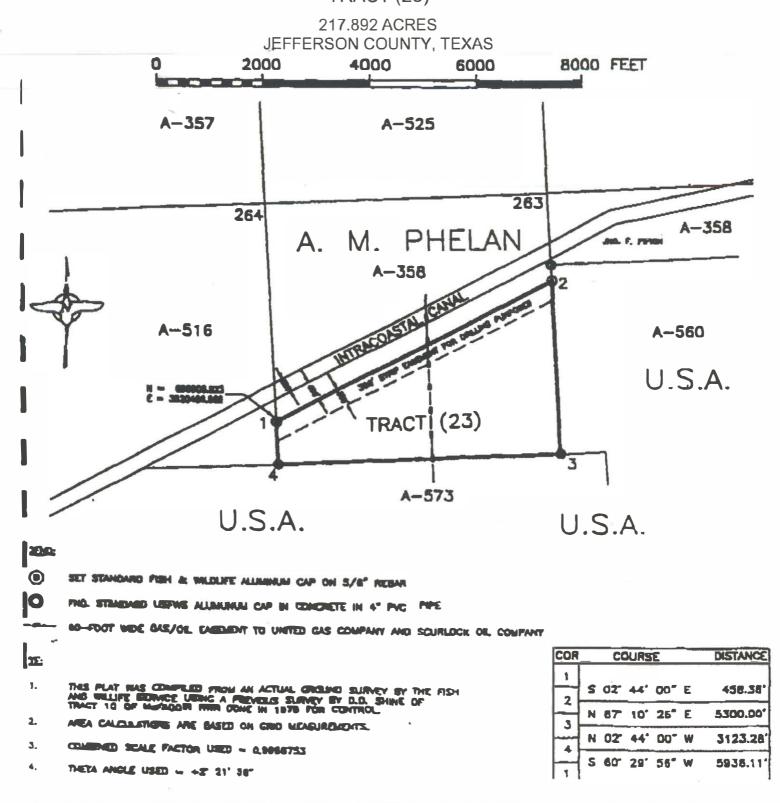
Addendum 3 _____ Date Received_____

Bidder Shall Return Completed Form with Offer.

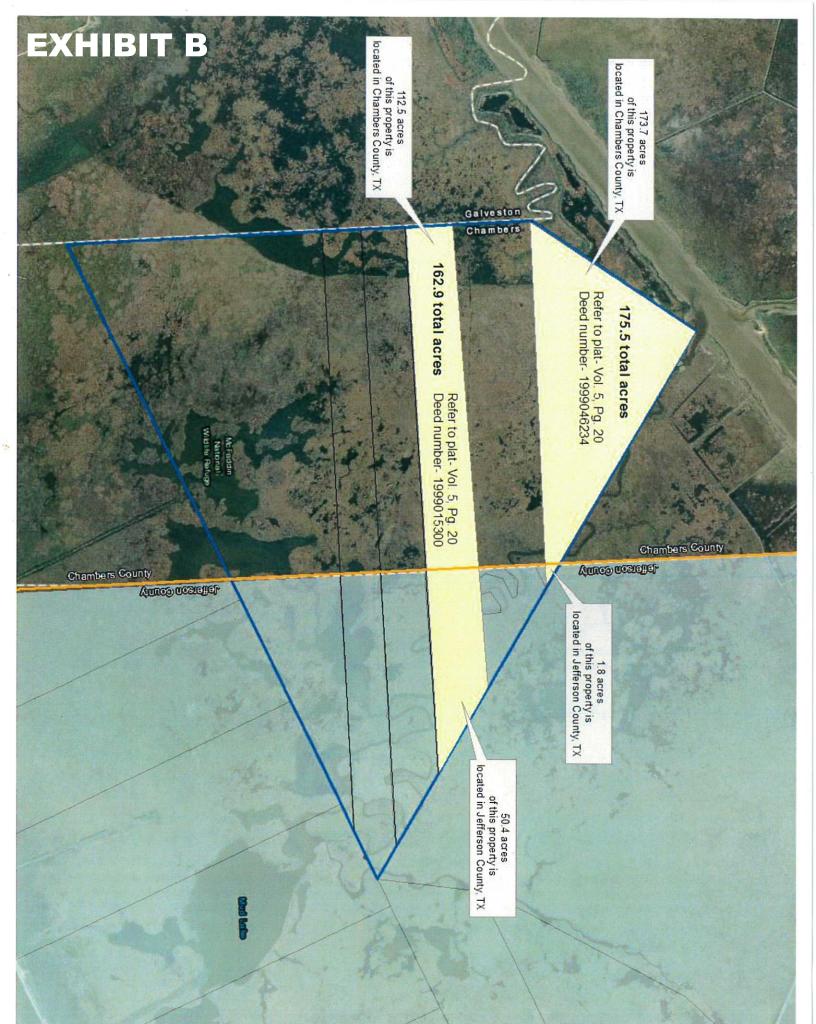
(IFB 18-042/JW), Sale of (3) Parcels of Land (217.892 acres, 175.5 acres, 162.9 acres) for Jefferson County Page 11 of 17

EXHIBIT A

UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE McFADDIN NATIONAL WILDLIFE REFUGE A. M. PHELAN ET AL TRACT (23)



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efferson County East Tract; 217.892 Acres	05/03/2018



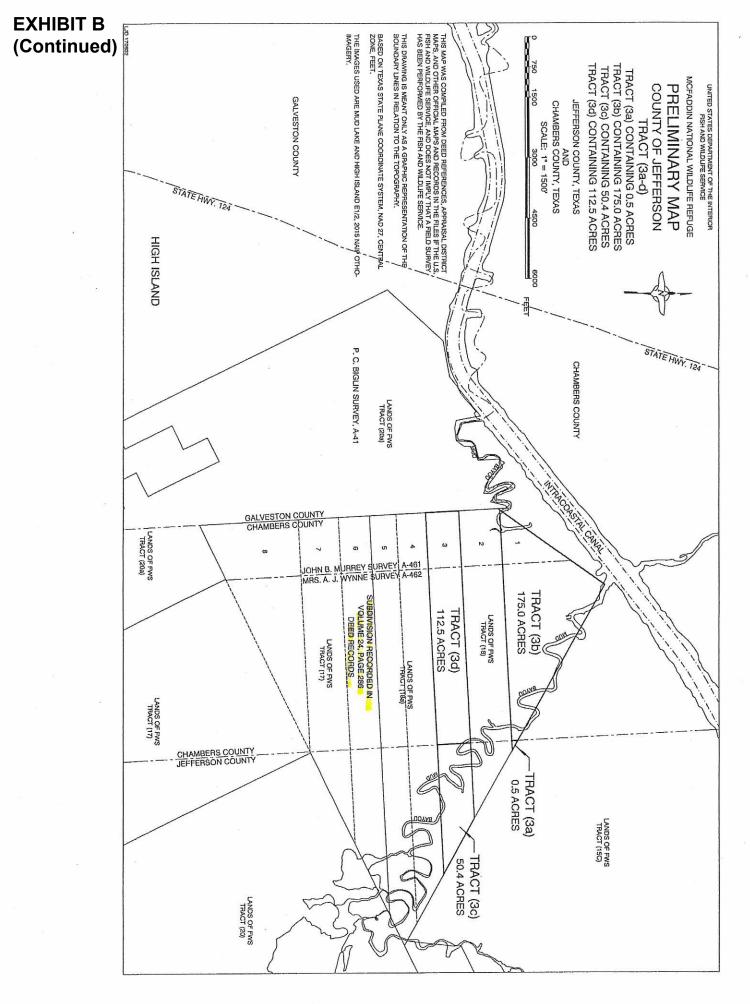
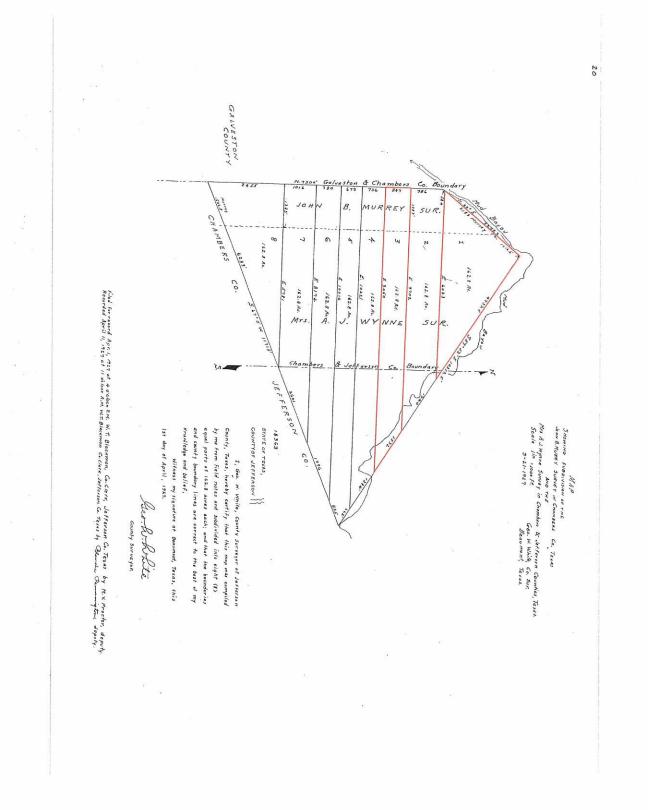


EXHIBIT B (Continued)



5-20

