



## REQUEST FOR PROPOSAL

**Sam Houston State University**

A Member of The Texas State University System

**Procurement and Business Services**

**SOUND/LIGHTING PRODUCTION SERVICES for SHSU  
“SAMMYPALOOZA” CONCERT  
Reference Number 753-2-001KLK**

Mail Proposals To:  
Sam Houston State University  
Procurement & Business Services  
Box 2028  
Huntsville TX 77341

Hand/Express Deliver Proposals To:  
Sam Houston State University  
Procurement & Business Services - CHSS Bldg.  
1901 Avenue I Suite 452  
Huntsville TX 77340

**PROPOSAL MUST BE RECEIVED BY: September 13, 2011, at 3:00 PM Central Time**  
***FAX PROPOSALS WILL NOT BE ACCEPTED***

**Show Reference Number 753-2-001KLK,  
Opening Date and Time on Return Envelope**

**Note:** A proposal must be received and time stamped at Sam Houston State University by the hour and date specified for a proposal to be accepted for consideration. After receipt, only the names of offerors will be made public. Prices and other proposal details will only be divulged after the contract award, if one is made.

**Agency Invoice Address:**  
Sam Houston State University  
Accounts Payable  
Box 2185  
Huntsville TX 77341

**Refer Inquiries To:**  
Procurement and Business Services  
Kristie Kelarek, Purchaser I  
Telephone No: 936 294-1901  
E-mail: [klk008@shsu.edu](mailto:klk008@shsu.edu)

All proposals should be completed as required by the instructions in this Request For Proposal, signed and returned by the date and time specified.

**Note:** Failure to sign and return the Execution of Offer will result in the rejection of the proposal. (Required form is included with this Request For Proposal, Section E.)

**All addenda to and interpretation of this solicitation shall be in writing. The State shall not be legally bound by an addenda or interpretation that is not in writing.**

**Request For Proposal 753-2-001KLK**

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## Request For Proposal 753-2-001KLK

### Section A INTRODUCTION / BACKGROUND / OVERVIEW

#### A-1 Proposal Overview/Scope

The Division of Student Services of Sam Houston State University (SHSU) is requesting proposals for sound and lighting production services for “Sammypalooza,” an afternoon/evening festival of music, food, activities and tradition. The event will be held on Friday, September 30, 2011, in Johnson Coliseum on the SHSU campus in Huntsville, Texas. Sammypalooza will have inside and outside concert performances, local food/beverage vendors, student organization tables and various other interactive activities. **This Request for Proposal (RFP) is only requesting sound and lighting production services for the inside stage concert performances consisting of Vertical Horizon and Taking Back Sunday.**

The response to the RFP will include all-inclusive, turnkey sound and lighting services that meet EACH bands technical rider, maintain smooth transitions between performances, and produce a top quality event.

The Division of Student Services desires to present a top-quality concert event to entertain SHSU students and provide them with a new outlet for getting involved with SHSU. This event will also set the tone for the Fall 2011 semester. The target audience for the event consists of college students ranging in age from 17 – 40 and other attendees may include SHSU administration, faculty/staff, alumni, and community members. There is also the possibility of outside ticket sales. Students expect the quality of SHSU events to continually rise and each year the Division of Student Services strives to produce bigger and better programs and opportunities as students expect more large-scale events in the music genre.

#### A-2 Information About Sam Houston State University

Sam Houston was founded in 1879 and stands today as the third-oldest public university in Texas and the state’s fifth oldest continuously operating institution of higher education. With nearly 100,000 graduates, SHSU has touched the lives of generations of Texans by helping to shape the economic, social and cultural development of this state and beyond.

The establishment of Sam Houston Normal Institute was authorized by Texas Governor Oran M. Roberts on April 21, 1879. On October 10 of that year “the Normal” opened with 109 students, four faculty members and its first principal, Bernard Mallon.

Created to train school teachers, today’s Sam Houston State University offers a broad range of academic programs leading to bachelors, masters and doctoral degrees. Many of its academic programs and faculty have attained national and statewide recognition.

Sam Houston State University serves one of the most diverse populations of any education institution in Texas. In the fall of 2009, SHSU experienced another record enrollment, with 16,800 students.

Central to the university’s recent achievements is a dedicated faculty and staff that provide a caring education environment for students to learn and develop. With namesake, ties to Texas history and a record of 130 years of service to the people of the state, Sam Houston State University is truly “a great name in Texas education.”

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### Section B PROPOSAL INSTRUCTIONS AND REQUIREMENTS

#### B-1 Proposal Delivery Instructions

B-1a **Proposals Must Be Received By:** *3:00 PM Central Time September 13, 2011*

B-1b **Proposal Delivery:** The proposal must be time stamped at SHSU Procurement and Business Services before the hour and date specified for receipt of proposal. The proposer (not the carrier/mail service/other or the University) is solely responsible for ensuring that the proposal is received in the Procurement and Business Services prior to the specified opening date and time. If the proposal is hand carried to SHSU, Procurement and Business Services is located in CHSS Building, Suite 452.

*Mail Proposals To:*

Sam Houston State University  
Procurement & Business Services  
Box 2028  
Huntsville TX 77341

*Hand/Express Deliver Proposals To:*

Sam Houston State University  
Procurement & Business Services CHSS Bldg  
1901 Avenue I Suite 452  
Huntsville TX 77340

B-1c **Unacceptable Proposal Delivery Methods:** The University will not accept proposals submitted by telephone, facsimile (fax) transmission, or electronic submission (e-mail disk, CD-ROM, etc) in response to this RFP. **Faxed proposals are not acceptable.**

#### B-1d Proposer Responsibilities:

- a. The proposer, (not the carrier/mail service/other or University), is solely responsible for ensuring the proposal is received prior to the proposal opening date and time in the Procurement and Business Services Department as specified on the RFP form.
- b. Proposer should carefully read the information contained herein and submit a complete response to all requirements and questions as directed. Failure to submit a complete response may result in disqualification of Proposer's proposal.
- c. Persons signing the proposal must have the authority to bind the firm in a contract. Late offers will be returned to Respondent unopened.

B-1e **Proposal Envelope/Box/Container:** Each proposal should be placed in a separate envelope, box, or container that is completely and properly identified with RFP number, due date and time. It is the proposer's responsibility to have the proposal correctly marked and to SHSU Procurement and Business Services by the specified date and time for receipt.

#### B-2 RFP Methodology/Process

B-2a **Proposer's Acceptance of Evaluation Methodology:** By submitting a proposal, the proposer acknowledges acceptance of the proposal selection process, the criteria for award, the scope of services and conditions under which the services are to be performed, the terms and conditions of the RFP, and all other requirements and specifications set forth in this RFP. In addition, the proposer recognizes that some subjective judgments must be made by the University during the RFP process.

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**B-2b Selection Process:** The University will be the sole judge of the appropriateness and completeness of any and all submitted proposals. The University reserves the right to reject any or all proposals and in particular any proposal not containing the complete data or information requested. After the proposals are evaluated, the University reserves the right to further negotiate with the company receiving the highest evaluation score, based on the criteria set forth. The University will review all proposals from companies that meet the requirements and have properly followed all instructions, completed and manually signed the Execution of Offer.

**B-2c Criteria for Award:** The successful proposer, if any, selected by the University, in accordance with the requirements and specifications set forth in this RFP, will be the proposer that submitted a proposal in response to this RFP, on or before the submittal deadline, that is the most advantageous to the University. The factors to be considered by the University in evaluating proposals and selecting the successful proposer for this award, will be those factors listed, with their relative weights, in Section C of this RFP.

**B-2d Public Information:** The University considers all information, documentation and other materials submitted in response to this RFP to be of a non-confidential and non-proprietary nature and shall be subject to public disclosure under the Texas Public Information Act (*Texas Government Code*, Chapter 552.001) after the award. Proposer is hereby notified that the University strictly adheres to all statutes, court decisions and the opinions of the Texas Attorney General with respect to disclosure of public information.

**B-2e Costs of Preparing Proposals:**

1. The proposer shall bear, as its sole risk and responsibility, any costs that arise from preparation of the proposer's response to this solicitation.
2. Proposals should be prepared simply and economically, providing a straightforward, concise description of Proposer's ability to meet the requirements and specifications of this RFP. Emphasis should be on completeness, clarity of content, and responsiveness to the requirements and specifications of this RFP.

**B-2f Negotiations or Discussions:** If possible, an award will be made without holding negotiations. If negotiations are necessary, they will be scheduled after all proposals are evaluated. Negotiations will only be held with proposer(s) who have a reasonable chance of receiving contract award. Therefore, do not anticipate negotiations being held. Best and Final Offers will only be requested if negotiations are held. Therefore, you are strongly encouraged to submit your best offer at the date and time proposals are due.

**B-2g Pricing:** Include any and all costs including but not limited to materials, parts, labor, equipment, production elements, transportation, expenses (hotel/per diem/meals/airfare/ground transportation/travel), overhead, profit, delivery, installation, etc., and any and all fees and charges in the pricing of this proposal.

**B-2h Property of the University:** Proposals and any other information submitted by Proposer in response to this RFP shall become the property of University.

**B-2i Conditional Clauses:** Proposals that are qualified with conditional clauses; alter, modify, or revise this RFP in any way; or contain irregularities of any kind are subject to disqualification by University, at its option.

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**B-2j Proposal Validity Period:** Each proposal must remain valid, for University's acceptance, for a minimum of forty-five (45) days after the Submittal Deadline, to allow time for evaluation, selection, and any unforeseen delays. The successful proposal accepted by University shall remain valid for the full term of the Agreement or other contractual arrangements resulting from this RFP. Prices quoted must remain firm through date of event, September 30, 2011.

**B-2k Modification or Withdrawal:** Except as otherwise provided in this RFP, no proposal may be changed, amended, or modified after it has been submitted in response to this RFP. However, a proposal may be withdrawn and resubmitted at any time prior to the Submittal Deadline. No proposal may be withdrawn after the Submittal Deadline without University's consent, which shall be based on Proposer's submittal of a written explanation and documentation evidencing a reason acceptable to University, at its sole discretion.

**B-2-1 Failure to Comply:** Any proposal that fails to comply with the requirements contained in this RFP may be rejected by University, at its discretion.

### **B-3 Proposer Questions and Addenda**

**B-3a Proposer Questions:** After the RFP is advertised, proposers will have until **5:00 p.m. Central Time, September 6, 2011**, to submit **written** questions for clarification of the proposal. Send questions to Kristie Kelarek via e-mail to [klk008@shsu.edu](mailto:klk008@shsu.edu) or fax to 936 294-1997. All questions submitted and received will be reviewed, consolidated where possible, and answered in one addendum to the proposal. The addendum will be posted on the Texas Electronic State Business Daily (ESBD) and the Walker County Alliance web page. Addenda are usually posted within 2 business days unless the questions involve legal issues or complex subjects. **It is the proposer's responsibility to monitor the web site for Addenda or other written responses.**

**B-3b Addenda to Request For Proposal (RFP) and Award Information:** If it becomes necessary to revise any part of this RFP, including the answer of technical questions, a revision will be given in the form of an addendum. The addendum will be posted on the Texas Electronic State Business Daily (ESBD) at <http://esbd.cpa.state.tx.us/> and on the Walker County Alliance web page at [www.shsu.edu/wca](http://www.shsu.edu/wca). All Addenda shall become a part of this RFP and shall become part of the contract. It is the responsibility of the proposer to monitor the website for addenda or other written responses. In addition, information about the award will be posted on both web sites.

### **B-4 Pre-Proposal Conference /Site Visit**

**B-4a Site Visit:** Potential proposers are strongly encouraged to attend the site visit to be held **Friday, September 2, 2011, at 11:00 a.m.**

**B-4b Site Visit Location:** SHSU Bernard G. Johnson Coliseum  
1964 Bobby K. Marks Drive  
Huntsville, TX 77340

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### B-5 General Information

**B-5a Contact with the University:** Contact with the University must be through SHSU Procurement and Business Services. Procurement and Business Services may refer you to other individuals or departments for technical matters. Proposors are reminded that SHSU is not bound by any oral statements or representations. SHSU Procurement and Business Services is the only department that has the authority to provide official answers to questions, conduct discussions or negotiations, or enter into any binding agreement for this project.

Contact Prior to Award: Kristie Kelarek  
Phone: 936-294-1901  
Fax: 936-294-1997  
Email: [klk008@shsu.edu](mailto:klk008@shsu.edu)

Contact information for the end user will be provided to the awarded proposer.

**B-5b Parties to the Proposal/Resulting Contract:** Sam Houston State University (SHSU) Division of Student Services and the contractor.

**B-5c** An entity wishing to submit a 'No-Response' is requested to return the Execution of Offer. The returned form should indicate the responding entity's name and should include the words 'No-Response' on the Execution of Offer form.

**B-5d Length of Submission:** Please keep proposal submission short and to the point while still providing all requested documents and information. Overly long or elaborate proposals are not desired.

### B-6 Proposal Content

**B-6a Execution of Offer and Pricing:** Please complete, sign and return the attached Execution of Offer (Section E) as part of the proposal. The Execution of Offer must be signed by a representative of Proposer duly authorized to bind the Proposer to its proposal. **Failure to sign and return the Execution of Offer will result in the rejection of the proposal.**

**B-6b References:** Include a minimum of three (3) references from clients who have used your firm for similar or like services within the past two years, preferably from other institutions of higher education or state government.

References to include:  
Client/Company Name:  
Address:  
Phone:  
Email:  
Contact Person Name:  
Date of Event:  
Type of Event:

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**B-6c Experience:** Indicate the following:

Number of years experience in sound/lighting production,

Number of staff and their type and years of experience,

Previous experience with institutions of higher education and/or government agencies.

**B-6d Samples:** Include a minimum of three (3) samples of previous concert set-ups completed within the past two years which will indicate quality of work to include color photos and/or CDs/DVDs, event diagrams/layouts, etc. Two of the samples should be from included references, if possible. Include the following information for each sample: date, client/company name, type of event. Please label all samples with proposer name. SHSU will retain all samples.

NOTE: Samples MUST accompany proposal. Proposals without samples will be rejected and not considered for award.

**B-6e Ability to Meet Artist Specifications Outlined in Technical Riders:** Indicate ability to meet all artist specifications outlined in the attached technical riders for the following artists: Vertical Horizon and Taking Back Sunday. Please note any exceptions. Indicate whether additional power source is needed (in relation to current venue capabilities – see Specifications).

**B-6f Certifications/Professional Memberships:** Provide copies of any applicable certifications, professional memberships, or continuing education in sound and lighting production services with your proposal.

**B-6g Standard Contract Agreement:** Provide a sample copy with your proposal of proposer's Standard Contract Agreement, if applicable.

**B-6h Number of Copies:** Proposer should submit a total of six (6) complete and identical proposals (1 original and 5 copies). An original signature by an authorized officer of Proposer must appear on the Execution of Offer of at least one (1) submitted proposal. The proposal bearing an original signature should contain the mark "original" on the front cover of the proposal.

**Note:** The above listing of items to be included in the proposal submission is a summary provided to aid proposers in putting together their proposal package. Any items stated in other sections of the RFP, but not listed in this section, are still required to be provided as part of the proposal submission.

## **B-7 Contractual Requirements**

**B-7a Contract Administration:** Contract administration will be by SHSU Procurement and Business Services in conjunction with the Division of Student Services.

**B-7b Purchase Order Changes:** All addenda to and interpretation of this solicitation shall be in writing. The State shall not be legally bound by any addenda or interpretation that is not in writing. All changes must be supported by a written Purchase Order Change Notice prepared and processed by SHSU Procurement and Business Services. Other SHSU personnel do not have the authority to issue changes, oral or written, to the resulting purchase order.

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### B-7c **Invoice and Payment:**

- A. SHSU is an agency of the State of Texas and is Tax Exempt.
- B. Payment will be made by SHSU Accounts Payable after receipt of a correct Invoice and receipt of a Payment Approval Form from the awarding department.

#### C. Submit Invoices To:

Sam Houston State University  
Accounts Payable  
Box 2185  
Huntsville TX 77341

Fax: 936-294-3796

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### Section C EVALUATION CRITERIA

C-1 **Criteria for Award:** The successful proposer, if any, selected by the University, in accordance with the requirements and specifications set forth in this RFP, will be the proposer that submits a proposal in response to this RFP on or before the submittal deadline and is the most advantageous to the University. The University will review all proposals from eligible companies that have properly followed all instructions, completed and manually signed the Execution of Offer.

C-2 **Review Panel:** Proposals will be evaluated by a review panel on the basis of the criteria listed below. Relative weights of the criteria are listed below. Only criteria designated in the solicitation can be considered in the award determination.

C-3 **Weighted Values:** Evaluation factors will be weighted as follows:

|  |      |
|--|------|
| <b>Price, and Company Response to RFP:</b><br>Cost of proposed services,<br>Proposer filled out and provided all documentation requested in RFP,<br>How well the Proposer followed the RFP Format/Instructions.  | 40 % |
| <b>References and Samples:</b><br>Include a minimum of three (3) references from clients for whom you have done business for within the past two years, preferably from institutions of higher education or state government.<br>Include a minimum of three (3) samples of previous concert set-ups completed within the past two years to include color photos and/or CDs/DVDs, event diagrams/layouts, etc.<br>Samples should illustrate company's quality of work.<br>Two of the samples should be from included references, if possible. | 20%  |
| <b>Experience and Certifications/Professional Memberships:</b><br>Indicate the following experience:<br>Number of years experience in sound/lighting production,<br>Number of staff and their type and years of experience,<br>Previous experience with institutions of higher education and/or government agencies.<br>Provide copies of any applicable certifications, professional memberships, or continuing education in sound and lighting production with your proposal.  | 10%  |
| <b>Ability to Meet Artist Specifications Outlined in Technical Riders:</b><br>Indicate ability to meet all artist specifications outlined in attached technical riders for the following artists: Vertical Horizon and Taking Back Sunday. Please note any exceptions.<br>Indicate whether additional power source is needed (in relation to current venue capabilities – see Specifications).   | 30%  |
| Total  | 100% |

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**Section D SPECIFICATIONS**

**SOUND/LIGHTING PRODUCTION SERVICES for SHSU “SAMMYPALOOZA”  
For Inside Stage Concert Performances Only**

**Event Date:** Friday, September 30, 2011  
**Location:** Sam Houston State University  
Johnson Coliseum  
1964 Bobby K. Marks Drive  
Huntsville TX 77340

**Thursday, September 29, 2011**

**Set-Up Begins:** 3:00 p.m.

**Friday, September 30, 2011**

**Sound Check:** 2:00 – 5:00 p.m.\*

**Doors Open for Main Venue:** 7:00 p.m.

**Indoor Concert Performances:**

**Vertical Horizon** 8:00 – 9:00 p.m.

**Taking Back Sunday** 9:30 – 10:45 p.m.

**Load-out:** 11:00 p.m.

\*Time subject to change as per tour manager

**Notes:**

1. RFP is only for sound and lighting services for INSIDE concert performances in Johnson Coliseum: Vertical Horizon and Taking Back Sunday.
2. Proposer is to produce a top-quality event and provide all requirements to meet the specifications in each of the technical riders of the three artists and maintain smooth transitions between performances.
3. Proposer to provide backline as noted, beginning on page 14.  
Vertical Horizon 8:00 – 9:00 p.m.  
Taking Back Sunday 9:30 – 10:45 p.m.
4. Date, venue, and artists have been secured as per Dave Stevens from Concert Ideas August 9, 2011. Technical riders are current.
5. Proposer should be willing to accommodate last minute artist requests to the best of their ability.
6. Proposer to provide all equipment for sound and lighting production. Set up, tear down, and transportation of equipment is responsibility of proposer.
7. If additional power source is needed, proposer will identify and procure any necessary power additions.
8. SHSU master electrician must approve any outsourced power brought onto campus.
9. Proposer to supply entire technical staff for sound and lighting production.

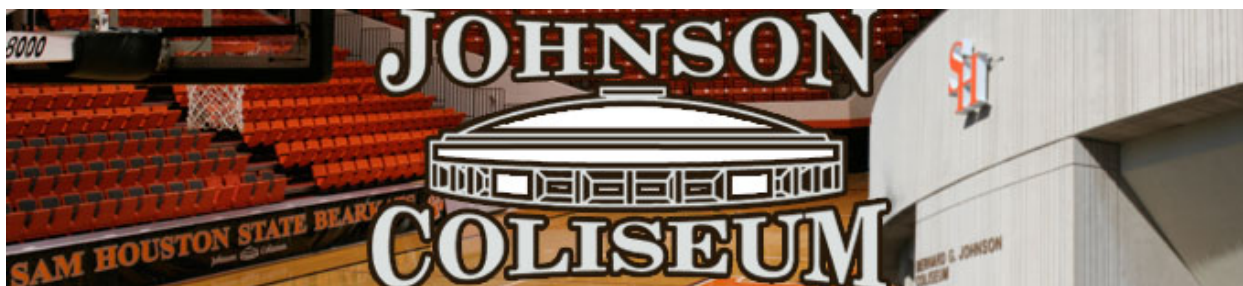
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10. Proposer responsible for bringing adequate staff to set-up, take-down, load-in/load-out all sound and lighting equipment and production elements.
11. Venue cannot fly or rig sound and light equipment. All trusses must be ground supported and follow the specifications of the artist lighting plot.
12. Proposer will have access to venue at 3:00 p.m. on Thursday, September 29, 2011, and must be ready for sound check as per artist requirements on event day (detailed in technical rider).
13. Run through of event will be held according to production schedules.
14. Pricing to include total, all-inclusive price for any and all costs including but not limited to sound and lighting production services, labor, equipment, transportation of equipment, materials, parts, set-up, take-down, travel, lodging, meals, per diem, delivery, installation, etc., and any and all fees and charges.
15. Price quoted must remain firm through date of event.
16. If Sammypoalooza 2011 should need to be rescheduled due to unforeseen circumstances beyond the control of SHSU including, but not limited to, Acts of God (hurricanes, floods, earthquake, wind), fire, epidemic, Government restrictions, wars, insurrections and/or any other cause beyond the reasonable control of the university, SHSU and proposer will work together to reschedule on a mutually agreeable date and all pricing will remain the same at least through the end of the Fall Semester 2011, 12/10/11. SHSU shall undertake reasonable action to notify vendor if such a circumstance occurs.
17. Proposer must carry its own insurance for any subcontractors or employees and is responsible for its own liability and auto insurance and taxes.

#### General Event Schedule:

| DATE         | TIME            | ACTIVITY                           | RESPONSIBLE PARTY   |
|--------------|-----------------|------------------------------------|---|
| Sept.<br>29  | 3:00 PM         | Venue open – Production Load-In    | Awarded Proposer  |
| September 30 | 7:30 AM         | Venue open – set-up continues      | Awarded Proposer  |
|              | 10:00 AM – Noon | Outdoor production set-up          | TBD   |
|              | Noon – 3:00 PM  | Outdoor artists load-in            | TBD   |
|              | 2:00 – 5:00 PM  | Sound Check for all inside artists | Awarded Proposer/Artists – Time subject to change as per tour manager |
|              | 3:30 PM         | SAMMYPALOOZA Begins                | SHSU Staff  |
|              | 4:00 – 7:00 PM  | Various outdoor artists (2 stages) | TBD/SHSU Staff  |
|              | 7:00 PM         | Doors open for main venue          |   |
|              | 6:30 – 7:15 PM  | Outdoor headliner performs         | OH Sleeper/SHSU Staff   |
|              | 8:00 – 9:00 PM  | Vertical Horizon                   | Awarded Proposer  |
|              | 9:30 – 10:45 PM | Taking Back Sunday                 | Awarded Proposer  |
|              | 10:45 PM        | Load-out                           | Awarded Proposer/SHSU Staff   |

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### Sound/Light Production and High Voltage Specifications for Concerts

|                               |   |
|-------------------------------|---|
| Load-in:<br>capacity          | East Tunnel Entrance (sloped), one tractor trailer  |
| Tunnel Door:                  | 12' X 9'  |
| Loading Dock:                 | NO LOADING DOCK   |
| Truck Ramp:                   | All equipment will be unloaded off truck via truck ramp   |
| Stage Ramp:                   | All equipment should be loaded onto stage via a stage ramp  |
| Forklift:                     | In some cases, a forklift may be available. Forklifts DO NOT have FULL access around performance stage. Permanent Basketball Flooring does not permit it. |
| <hr/>                         |   |
| Power:                        | One - 400 amp, 120/208v 3 Phase 4 Wire w/ Grd.<br>One - 200 amp, 120/208v 3 Phase 4 Wire w/ Grd.  |
| Tie-in/Disconnect:            | All tie-in and disconnects must be made by a Sam Houston State University, High Voltage Electrician. No Exceptions.                                       |
| Location:                     | South Garage, East Tunnel   |
| Distance to Stage:            | Approximately 50 ft   |
| Distance to FOH Console Area: | Approximately 120 ft  |

# VERTICAL HORIZON

## 2011 TECHNICAL REQUIREMENTS

### SOUND REINFORCEMENT

The SOUND REINFORCEMENT SYSTEM should consist of the following:

A Stereo, State-of-the-Art, 3, 4, or 5 Way Electronically Crossed-Over Speaker Array able to develop 110 dBA at the Front of House Mix Site (75 feet MAXIMUM) with no audible distortion. (JBL Vertec,

V-DOSC, E.A.W., E.V. X-Array, Meyer, Turbosound)

Amplification should be consistent with the speaker manufacturer's specifications regarding reasonable headroom and/or

the requirements of the venue. (Crown Macro, Crest, QSC).

**Vertical Horizon requests an ALLEN & HEATH I-Live Digital console I or T series 112, 144 or 176, 250 ft.**

**Cat 5 "snake" and I-DR stage box.**

### MONITOR SYSTEM

The MONITOR SYSTEM should consist of the following:

**Sennheiser Wireless Ear Monitor Rig (5 units) for 5 stereo in ear mixes. We request an ALLEN & HEATH I-Live**

**Digital Console R-72 with iDR 32 stage box and 20 ft. cat 5 cable.**

**These are for the EXCLUSIVE USE of VERTICAL HORIZON.**

You will need to provide Wedge Monitors for ALL support acts or other bands on the bill not using their own Monitor

System.

MICROPHONES, STANDS and CABLES

**We will need all of the necessary Microphones, DI's, cables, and mic stands for the stage.**

**These are listed on the input list.**

ELECTRICAL

We require, in addition to adequate power for the P.A., Monitors, and any Stage Lighting, FIVE 110v,20 Amp circuits with

Edison Quad Boxes located on the stage (refer to Stage Plot for placement). **THESE MUST BE**

**ON THE SAME**

**GROUND AND NEUTRAL AS THE MAIN SOUND SYSTEM.**

**If you have any questions regarding this Technical Rider please call Jay Phebus 601-918-0660.**

# VERTICAL HORIZON

## Supplied Backline Requirements 2011

**\* Please note: Backline tech will be needed for sound check and during performance to address any backline issues. \***

### **DRUM KIT**

DW Drums

18"x22" kick drum

8"x12" rack tom

16"x16" floor tom with legs

6.5"x14" brass snare x 2

12" popcorn snare

**ALL DRUMS MUST HAVE**

TOMS - Remo Coated Emperor on top and Remo Clear Ambassador on bottom

SNARES - Remo CS reverse dot coated on snare tops and Remo hazy on bottom of snares

KICK DRUM - Remo Powerstroke clear

DW Hardware Zildjian Cymbals

Hi-Hat Stan 14" A custom or new beat hi-hats

3 Snare Stands 22" A custom ride

5 Boom Cymbal Stands (2) 19" A custom crashes

2 DW 9000 or 5000 single bass drum pedals 18" A custom crash

Throne 18" Oriental china trash

### **BASS RIG**

Ampeg SVT Classic

2 (TWO) Ampeg front ported 4 X 10 cabinets (B-410HLF series or PN-410LF series)

Fender 5-string bass - or similar

Radial or Countryman Passive DI

2 guitar stands

### **GUITAR RIGS**

3ea MARSHALL JCM 2000 or DSL 50 Heads (DSL 100 is an acceptable substitute)

3ea MARSHALL STRAIGHT FRONT 4 x 12 Cabinets with Celestion Greenback Speakers

2 Spare guitars: (Gibson Les Paul AND "American" Fender Strat)

**We also will need a guitar boat, 3 single guitar stands and spare 1/4 inch cables.**

### **VOCAL MICS**

**We will need all the mics, di's, cables and stands listed on our input list.**

### **MONITORS**

An Allen & Heath R72 Digital Console and iDR, with Cat 5 cables (Profile & M7CL approved substitutes) with 4 Sennheiser G3 In

Ear Monitor units. Unless iLive's supplied. we will also need a split tail from our monitor console to the front of house splitter,

### **FOH**

An Allen & Heath iLive T or I series 112, 144 or 176 Digital Console and iDR with Cat 5 cable.

(AVID Venue Profile approved substitute. Also have a mix for a M7CL.)

**If you have any questions please contact Tour Manager, [jayphebus@gmail.com](mailto:jayphebus@gmail.com)/601-918-0660.**

**Any and ALL substitutions MUST be approved in advance !!!**

# VERTICAL HORIZON INPUT LIST 2011

Vertical Horizon requests an ALLEN & HEATH iLive112, 144 or 176 Digital console and stage box for Front of House, AND an ALLEN & HEATH R-72 Digital console and iDR32 stage box for monitors. Cat 5 cables needed for both.

AVID Venue Profile (FOH) and M7CL (MON) approved substitutes.

Mic stands and cables are also needed.

Ch 1 Kick/Beta 91 short boom

Ch 2 Kick/Beta 52 short boom

Ch 3 Snare/Beta 57 med. boom

Ch 4 #2 Side Snare/Beta 57 med. boom

Ch 5 HiHat/M 81 med. boom

Ch 6 Tom 1/Senn. 609 med. boom

Ch 7 FI 1/Senn. 609 med. boom

Ch 8 OH/SR SM 81 boom

Ch 9 OH/SL SM 81 boom

Ch 10 Bass/DI S.L. DI & XLR

Ch 11 Bass Mic/Beta 52 short

Ch 12 S.R. Gtr/Senn 609 short boom

Ch 13 S.R. Gtr/SM 57 short boom

Ch 14 Matt Gtr/Senn 609 short boom

Ch 15 Matt Gtr/SM 57 short boom

Ch 16 Acoustic Gtr./DI Upstage ctr. XLR

Ch 17 S.R. Vox/Beta 58 boom

Ch 18 Matt Ctr/Beta 58 boom

Ch 19 S.L. Vox/Beta 58 boom

Ch 20 Sampler DI XLR

Ch 21 Click DI (monitor only) XLR

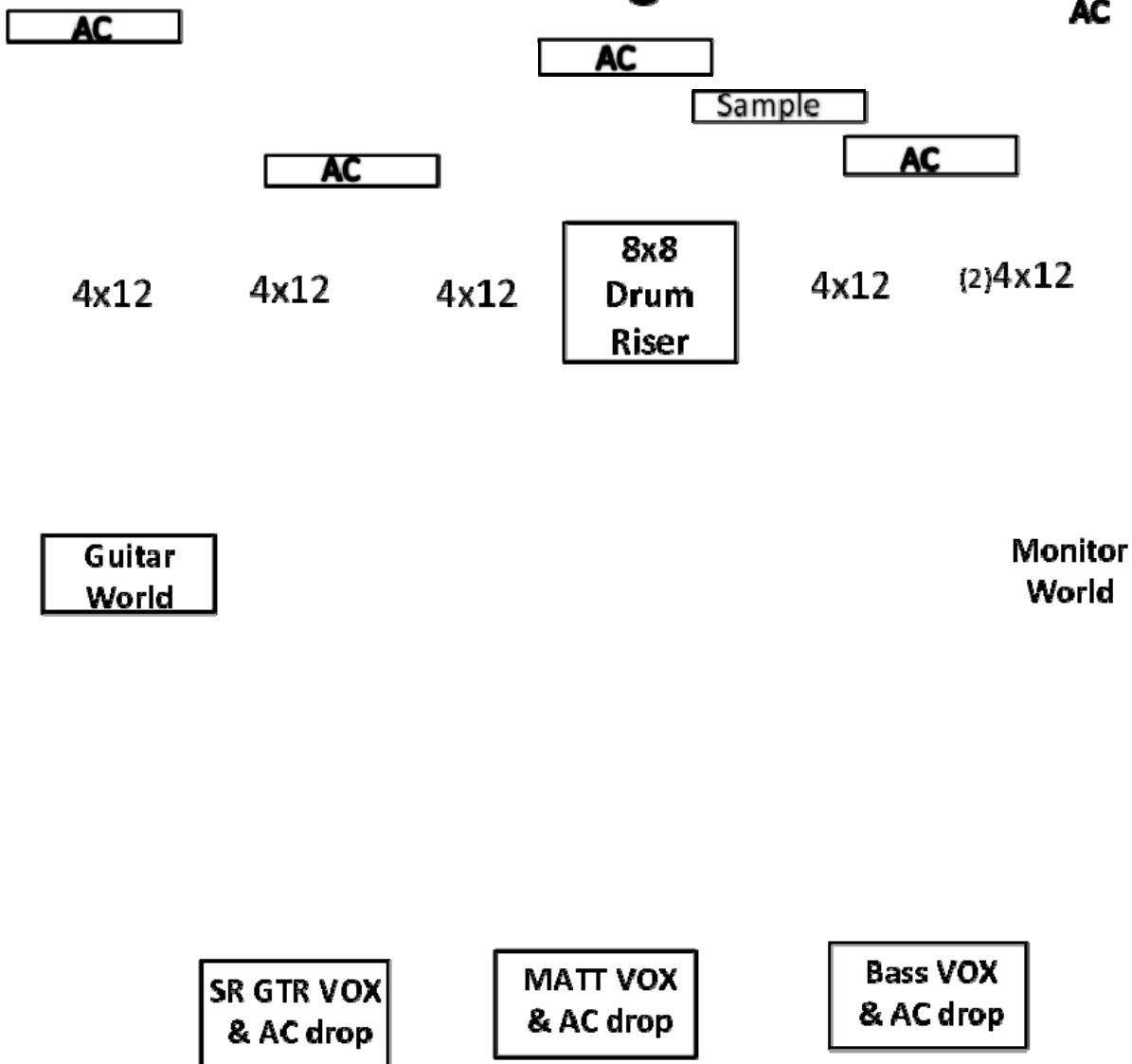
If you have any questions regarding this Input List,

Please email [jayphebus@gmail.com](mailto:jayphebus@gmail.com) or

call/text Jay Phebus @ 601-918-0660.

Vertical Horizon 2011 Stage Plot

# Vertical Horizon Stage Plot 2011



## Request For Proposal 753-2-001KLLK

### Taking Back Sunday • Audio Production Requirements (2011)

#### Front of House System minimum requirements

##### Front Of House Console

- Digidesign / Avid Profile Preferred. 2nd Choice Yamaha PM5D
- 40+ channels
- 6+ post-fader post-EQ aux sends
- 4 bands parametric EQ per channel (sweepable freq & Q)
- hi-pass filter and polarity inversion switches on each channel
- 8 sub-groups / busses
- 8+ VCAs
- Programmable mute groups
- Aux send to stage, TalkBack to stage
- Inserts available on all channels and sub-groups
- FOH positioned on center to the PA

##### Outboard

- Three (3) digital reverbs: SPX990 / PCM91 / M2000 or similar (not required with digital consoles)
- One (1) digital delay w/tap tempo (TC 2290/D-Two) (not required with digital consoles)
- 8 channels of compressor/limiters and 4 channels of gate/expanders (not required with digital consoles)
- 1/3 octave stereo graphic EQ (KT / BSS) (not required with digital consoles)
- CD player

##### Amplification and Speakers

- a high quality, well maintained PA system, w/accessible active crossover/system processor, capable of 120db (C avg) program material, undistorted, 20-16Khz+, at front-of-house position
- system should be configured in **stereo**
- system should cover full audience area evenly
- coverage in front rows is very important. crowd-fills (pit-fills) should be provided when needed
- PA should be flown wherever possible.

##### Communications

- Clearcom available at FOH, MON, and Lighting

##### AC Power requirements.

- Monitor and Front-of-House sound should be powered together on common leg, separate from lighting.
- Minimum (5) AC quad boxes available on stage, each circuit 20 amps or better.

##### Stage Monitor System Minimum Requirements

###### Monitor Console

- **Yamaha PM5D Preferred**
- **Yamaha PM5D Preferred**
- **Yamaha PM5D Preferred**
- 40+ input channels
- 12+ mixes & cue mix
- 4 bands parametric EQ per channel
- Midas / Crest / Soundcraft / Yamaha (no peavey / mackie / behringer)

###### Processing

- 4 channels of gate / expanders (not required with digital consoles)
- 1 Digital Reverb (SPX 990 / PCM91 / M2000) not require with digital console.
- 1/3 octave EQ for each wedge mix

###### Monitor Cabinets and Amplification

For TBS:

- Two (2) identical bi-amped or tri-amped side fills.
- One (1) drum fill Sub.
- Plus any support band Wedge and Drum Fill Requirements.

###### Microphones/DIs/Stands/Cabling

- All necessary multi-cores, subsnakes, cables, spares.
  - 30+ XLR cables for stage. Additional cables for support acts.
  - High quality, adjustable mic stands per attached input list. Additional stands for support acts.
- In most cases we will be supplying our own microphones and DIs. House mics and DIs should be available for support acts and for situations where our equipment is unavailable.

###### Important Notes

**All equipment must be functioning properly. This means no blown speaker components, bad console channels, intermittent pots, faders, or meters.**

**Troubleshooting and repair of any such problems should be completed before we arrive. Any problem equipment must be repaired or replaced in a timely manner.**

**The above equipment is to cover Taking Back Sunday. Please be aware of any other requirements for other acts on the bill. No shared channels between Taking Back Sunday and support acts.**

###### Any Questions Contact:

*Ward McDonald (Tour/ Production Manager)*

*Cell (626) 627-0870*

[wardmcd@gmail.com](mailto:wardmcd@gmail.com)

*Marc Hudson (FOH)*

*Cell (810) 210-1313*

[Audiolux@me.com](mailto:Audiolux@me.com)

## ***Taking Back Sunday***

### **Backline Requirements - 2011**

Tour / Production Manager – Ward McDonald

+1 (626) 627 0870

[Wardmcd@gmail.com](mailto:Wardmcd@gmail.com)

Stage Manager – Ray Jeffrey

+1 (617) 892 5914

[raymondandrewjeffrey@gmail.com](mailto:raymondandrewjeffrey@gmail.com)

#### **GUITARS:**

Cabinets:

2 x Orange 4x12 Straight Cab

2 x Marshall 1960a or 1960b 4x12 Cab

Amps:

2 x Orange Rocker 30 (or Orange AD 30)

2 x Marshall JCM800

*\*\*\*\*1 x JCM 900 or 2000 may be substituted\*\*\*\**

#### **BASS:**

Cabinets:

Ampeg 8x10 (x2)

Amps:

Ampeg SVT Classic (x2) 2nd amp may be substituted for something similar if needed

#### **ACCESSORIES:**

Speaker Cables:

3 ft (x4)

10 ft (x1)

25 or 30 ft (x1)

Instrument Cables:

25 ft (x8)

#### **KEYBOARDS:**

Nord Electro 3 (x1)

Yamaha CP-33 or comparable digital piano (x1)

Single X Keyboard Stand (x2)

#### **IN EAR WIRELESS MONITORS and GUITAR WIRELESS SYSTEMS:**

Full Sennheiser G2 In Ear Monitor System

With antenna combiner & Sennheiser Conical Antennae

6 x Stereo Mixes. 2 Receiving Packs for each Channel.

3 x Sennheiser Guitar Wireless Systems.

2 Transmitter Packs for each Frequency.

## ***Taking Back Sunday***

### Backline Requirements - 2011

Drum Tech – Kevin Kaufmann

+1 (516) 830 0506

[Kevinkaufmann59@gmail.com](mailto:Kevinkaufmann59@gmail.com)

**DRUMS: DW – we are a DW drum and hardware endorsee.** [garrison@dwdrums.com](mailto:garrison@dwdrums.com)

(diameter x depth)

Kick 24x18

Snare 14x6 or 14x6.5 or 14x7 \*\*\*2 snares must be present\*\*\*

Rack 14x12

Floor 18x16

\*\*\*Coated Remo Emperor heads on snare and toms, & Remo Power Stroke 3 on kick\*\*\*

Hardware: DW Hardware Only

Boom Cymbal Stand (x5)

Hi-Hat Stand

Snare stand (x3)

Throne

Tom stand(s) if needed

Pedal:

DW Double Chain Delta 2 (\*\*not a double pedal\*\*) (x2)

Cymbals: **Sabian We are a Sabian Endorsee** [ChristianS@sabian.com](mailto:ChristianS@sabian.com)

AA 14” Regular Hats

AA 18” Medium Crash x2

AA 19” Medium Crash x2

AAX 21” Stage Ride (brilliant finish)

AAX 21” Stage Ride (glossy finish)

\*\*\*\*\* *rug/carpet for riser*\*\*\*\*\*

**MISC: 1 x High Powered Fan.**

**2 x 5 space Guitar Stand Boats.**

**3 x Power Strips**

**3 x Power Extension Cables**

# Request For Proposal 753-2-001KLK

## Taking Back Sunday - Input List & Stage Plot 2011

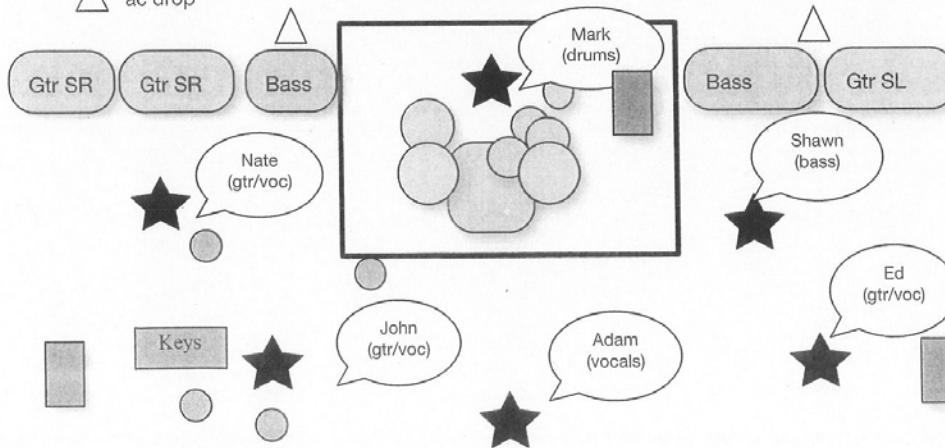
FOH: Marc Jacob Hudson  
810-210-1313  
audiolux@me.com

| monitor mixes         |
|-----------------------|
| 6 (drum sub)          |
| 7 Sidefill SL         |
| 8 Sidefill SR         |
| 13-14 USR IEM Nate    |
| 15-16 SL IEM Ed       |
| 17-18 Center IEM Adam |
| 19-20 SR IEM John     |
| 21-22 USL IEM Shaun   |
| 23-24 Drum IEM Mark   |
| Sennheiser            |
| EKIEM300G2            |
| Freq:                 |
| 640-776 MHz           |

|    | channel          | mic         | insert | stand    |
|----|------------------|-------------|--------|----------|
| 1  | Kick in          | E901**      | gate   | pad**    |
| 2  | Kick out         | E902**      | gate   | claw**   |
| 3  | Snr top          | e904**      |        | claw**   |
| 4  | Snr btm          | ksm137**    |        | claw**   |
| 5  | Hat              | AT4031**    |        | claw**   |
| 6  | Rack             | e904**      | gate   | clip**   |
| 7  | Floor            | e904**      | gate   | clip**   |
| 8  | 808              | DI**        |        |          |
| 9  | Oh SR            | SM81**      |        | claw**   |
| 10 | Oh SL            | SM81**      |        | claw**   |
| 11 | Bass DI A        | DI          | comp   |          |
| 12 | Bass DI B        | Sansamp**   |        |          |
| 13 | Gtr 1 SR         | DI**        |        |          |
| 14 | Gtr 2 SR         | e906**      |        | zbar**   |
| 15 | Gtr 3 SR         | DI**        |        |          |
| 16 | Gtr 4 SR         | e906**      |        | zbar**   |
| 17 | Gtr 5 SL         | e906**      |        | zbar**   |
| 18 | Gtr 5 SL         | e609**      |        | zbar**   |
| 19 | FX Vocal         | Bullet/DI** | comp   | straight |
| 20 | Voc SR A         | e935**      | comp   | boom     |
| 21 | Voc SR B         | e935**      | comp   | boom     |
| 22 | Voc USR          | e935**      | comp   | boom     |
| 23 | Voc Center       | beta58**    | comp   | straight |
| 24 | Voc Spare        | beta58**    | comp   | boom     |
| 25 | Keys 1           | DI          |        |          |
| 26 | Keys 2           | DI          |        |          |
| 27 | Acoustic         | DI          | comp   |          |
| 28 | Click (MON only) | DI**        |        |          |
| 47 | TB (MON)         |             |        |          |
| 48 | TB (FOH)         |             |        |          |
| ST | iPod (FOH)       |             |        |          |

- mic stand
- ★ artist position
- △ ac drop

\*\* THESE MICS AND DI'S SUPPLIED BY TAKING BACK SUNDAY



## Request For Proposal 753-2-001KLK

Sam Houston State University  
Sound/Lighting Production Services for SAMMYPALOOZA Concert 2011  
Addendum to Request for Proposal:

### COLISEUM ADDITIONAL INFORMATION PAGE

#### STAGE

SHSU will be providing stage (approximately 40'x24'x4'), pipe/drape (12ft.), and a 2-man 25 ft. Genie Lift is available for use, if needed. Two 6'x8' risers are also available for use, if needed.

#### FLOOR

Coliseum Floor Dimensions: 119 ft. carpet to carpet area (East/West)  
131 ft. wall to wall (North/South)

Standing room only in front of stage for 1500 attendees (no chairs). Barrier will be placed separating stage and audience.

#### CEILING

Ceiling Height to Floor: Approximately 85 ft.

Height of Catwalk to Coliseum Floor: Approximately 40 ft.

Venue cannot fly or rig sound and light equipment. All trusses must be ground supported.

#### LOAD-IN & LOAD-OUT

Vendor provided lifts can come up to edge of basketball court floor, but not actually be on the floor.

Capacity of wooden floor is 1000 lbs. per sq. ft.

Load-out can begin after concert at 11:00 p.m. on 9/30/11 and vendor will have until 12:00 noon the next day, 10/1/11 to be completely out of the Coliseum.

**Request For Proposal 753-2-001KLK**

**E EXECUTION OF OFFER**

1. In compliance with this RFP, and subject to all the conditions herein, the undersigned offers and agrees to furnish any and all commodities or services at the prices quoted.
2. By signature hereon, the offeror hereby certifies that he/she is not currently delinquent in payment of any franchise taxes owed the State of Texas under Chapter 11, Tax Code.
3. By executing this offer, offeror affirms that he/she has not given, offered, or intends to give at any time hereafter, any economic opportunity, future employment, gift loan, gratuity, special discount, trip, favor, or service to public servant in connection with the submitted offer. Failure to sign the offer, or signing it with a false statement, shall void the submitted offer or any resulting contracts, and the offeror shall be removed from all proposals lists.
- 4.
5. By the signature hereon affixed, the offeror hereby certifies that neither the offeror or the firm, corporation, partnership, or institution represented by the offeror or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this State, codified in Section 15.01, et. seq., Texas Business and Commerce Code, or the Federal anti-trust laws, nor communicated directly or indirectly the offer made to any competitor or any other person engaged in such line of business. By signing this offer, offeror certifies that if a Texas address is shown as the address of the offeror, offeror qualified as a Texas Resident Proposer as defined in Rule 1 TAC 113.8.

**This offer consists of pages number 1 through 27 of 753-2-001KLK**

**Federal Employer Identification Number (FEIN):** \_\_\_\_\_

**Proposer/Company:** \_\_\_\_\_

**Signature (ink):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Name (typed/printed):** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Address:**

|                  |      |       |          |
|------------------|------|-------|----------|
|                  |      |       |          |
| Street or PO Box | City | State | Zip Code |

**Telephone Number:** \_\_\_\_\_

**Total/All-Inclusive Cost of Sound and Lighting Production Services for Sammypalooza 2011:**

\$ \_\_\_\_\_

(Pricing to include total, all-inclusive price for any and all costs including but not limited to sound and lighting production services, labor, equipment, transportation of equipment, materials, parts, set-up, take-down, travel, lodging, meals, per diem, delivery, installation, etc., and any and all fees and charges.

**PLEASE COMPLETE, SIGN AND RETURN WITH PROPOSAL. FAILURE TO SIGN AND RETURN THIS EXECUTION OF OFFER WILL RESULT IN THE REJECTION OF THE PROPOSAL.**

## Request For Proposal 753-2-001KLK

### Section F TERMS AND CONDITIONS:

**ITEMS BELOW APPLY TO AND BECOME A PART OF PROPOSAL. ANY EXCEPTIONS THERETO MUST BE IN WRITING.**

#### 1. PROPOSAL REQUIREMENTS:

- 1.1 **Rules, Regulations & Statutes:** Proposers must comply with all rules, regulations and statutes relating to purchasing in the State of Texas in addition to the requirements of this form.
- 1.2 **Unit Price:** Proposers must price per unit shown. Unit prices shall govern in the event of extension errors.
- 1.3 **Late or Unsigned Proposals:** Late and/or unsigned proposals will not be considered under any circumstances. Person signing proposal must have the authority to bind the firm in a contract. The proposer (not the carrier/mail service/other or the University) is solely responsible for ensuring that the proposal is received in Procurement and Business Services prior to the specified opening date and time.
- 1.4 **FOB Point:** Quote FOB destination, freight prepaid and allowed unless otherwise stated within the specifications.
- 1.5 **Pricing Firm:** Proposal prices are requested to be firm for SHSU acceptance for 45 days from proposal opening date (**unless otherwise stated in specifications**). “Discount from list” proposals are not acceptable unless requested. Cash discounts are not considered in determining an award. Cash discounts will be taken if earned.
- 1.6 **Tax Exempt:** Purchases made for State use are exempt from the State Sales tax and Federal Excise tax, per Texas Tax Code, Section 151.309(4). Do not include tax in the proposal.
- 1.7 **Right to Accept or Reject:** The State reserves the right to accept or reject all or any part of any proposal, waive minor technicalities and award the proposal to best serve the interests of the State.
- 1.8 **Withdrawal:** Any proposal may be withdrawn in writing prior to the date and time set for receipt of proposals. Any proposal not so withdrawn shall constitute an irrevocable offer, for a period of 45 days, to provide the commodity or service set forth in the specifications, or until a selection has been made by SHSU Procurement and Business Services.
- 1.9 **Proposal Costs:** Proposers electing to respond to this RFP are responsible for any and all costs of proposal preparation. The University is not liable for any costs incurred by a proposer in response to this RFP.
- 1.10 **Exceptions:** If a proposer takes exception to any specifications within this Request for Proposal, they must notify Procurement and Business Services in writing, prior to the scheduled proposal opening date and time.
- 1.11 **Texas Public Information Act:** Information, documentation, and other material collected, assembled or maintained by the University in connection with this solicitation or any resulting contract may be subject to public disclosure pursuant to Chapter 552 of the Texas Government Code (the “Public Information Act”). If a proposer believes any information contained in the proposer’s response package contains any proprietary or confidential information the proposer must clearly mark the verbiage claimed to be proprietary or confidential. If a Public Information Act request for documents is filed, the University will make best efforts to contact proposer prior to release of claimed proprietary information. If, at that time, the proposer still believes information provided is proprietary or confidential, the proposer shall timely notify the University in writing of the factual and legal basis of the claim. If the University submits the documents to the Texas Attorney General’s Office for a ruling on the proposer’s claim of privilege, the latter may elect to make arguments directly to the Attorney General’s Office in support of the claim of privilege.

## Request For Proposal 753-2-001KLK

### 2. SPECIFICATIONS

2.1 **Brand Name Descriptive:** Catalogs, brand names or manufacturer's references are descriptive only, and indicate type and quality desired. Proposals on brands of like nature and quality will be considered unless otherwise stated in the Request for Proposal (RFP). If proposing other than brand referenced, proposal should show manufacturer, brand or trade name, and other description of product offered. If other than brand(s) specified is offered, illustrations and complete description of product offered are requested to be made part of the proposal. Failure to take exception to specifications or reference data will require proposer to furnish specified brand names, numbers, etc.

2.2 **New Items:** Unless otherwise specified, items shall be new and unused and of current production.

2.3 **Electrical Standards:** All electrical items must meet all applicable OSHA standards and regulations, and bear the appropriate listing from UL, FMRC or NEMA.

2.4 **Samples:** Samples, when requested, must be furnished free of expense to the State. Each sample should be marked with the proposer's name and address, and requisition number. Do not enclose in or attach proposal to sample. All samples become the property of the University.

2.5 **Oral Statements:** SHSU will not be bound by any oral statement or representation contrary to the written specifications of the Request for Proposal (RFP).

2.6 **Manufacturer's Warranty:** Manufacturer's standard warranty shall apply unless otherwise stated in the RFP.

### 3. DELIVERY

3.1 **Delivery Days:** Show number of days required to place material in receiving agency's designated location under normal conditions. Delivery days mean calendar days, unless otherwise specified. Failure to state delivery time obligates proposer to deliver in 14 calendar days. Unrealistic delivery promises may cause proposal to be disregarded.

3.2 **Foreseen Delays:** If delay is foreseen, vendor shall give written notice to SHSU. Vendor must keep SHSU advised at all times of status of order. Default promised delivery (without accepted reasons) or failure to meet specifications authorizes SHSU to purchase supplies elsewhere and charge full increase, if any, in cost and handling to defaulting vendor.

3.3 **Substitutions:** No substitutions permitted without written approval of SHSU.

3.4 **Delivery Hours:** Delivery shall be made during normal working hours (8:00 a.m. to 4:00 p.m.) only, unless prior approval has been obtained from ordering agency.

4. **INSPECTION AND TESTS** – All goods will be subject to inspection and test by SHSU. Authorized SHSU personnel shall have access to supplier's place of business for the purpose of inspection merchandise. Tests shall be performed on samples submitted with the proposal or on samples taken from regular shipment. All costs shall be borne by the vendor in the event products tested fail to meet or exceed all conditions and requirements of the specification. Goods delivered and rejected in whole or in part may, at SHSU's option, be returned to the vendor or held for disposition at vendor's expense. Latent defects may result in revocation of acceptance.

### 5. AWARD OF CONTRACT

5.1 A response to this RFP is an offer to contract based upon the best price, terms, conditions and specifications contained herein. **Proposals do not become contracts until they are accepted through a purchase order.** The contract shall be governed, construed and interpreted under the laws of the State of Texas, and SHSU policy as the same may be amended from time to time. Any legal actions must be filed in Walker County, Texas.

## Request For Proposal 753-2-001KLK

5.2 No Guarantee of Award: University makes no warranty or guarantee that an award will be made as a result of this RFP. University reserves the right to accept or reject any or all proposals, waive any formalities or minor technical inconsistencies and delete any requirement or specification from this RFP or the Agreement when deemed to be in University's best interest. University reserves the right to seek clarification of any item contained in Proposer's proposal prior to final selection. Such clarification may be provided by telephone or personal meeting with or in writing to University, at University's discretion. Representations made by Proposer within its proposal will be binding on Proposer. University will not be bound to act by any previous communication or response submitted by Proposer, other than this RFP.

**6. CANCELLATION OF CONTRACT** – If contract is cancelled, for any reason, any prepaid fees shall be refunded on a pro-rated basis.

**7. PAYMENT** – Vendor shall submit an itemized invoice showing SHSU purchase order number. SHSU will incur no penalty for late payment, if payment is made in 30 or fewer days from receipt of goods or services on an uncontested invoice. Regardless of the invoice date, the payment process will begin when Procurement and Business receives a written authorization/acceptance from the awarding department.

**8. NON-DISCLOSURE:** No public disclosures or news releases pertaining to this RFP shall be made without prior written approval of SHSU.

**9. CONFLICTS:** In event of a conflict between standard proposal requirements and conditions and the attached detail specification, the detail specification shall govern.

**10. PATENTS OR COPYRIGHTS** – The vendor agrees to protect SHSU from claims involving infringement of patents or copyrights.

**11. VENDOR ASSIGNMENTS** – Vendor hereby assigns to ordering agency any and all claims for overcharges associated with this contract arising under the antitrust laws of the United States 15 U.S.C.A. Section 1, et seq. (1973), and the antitrust laws of the State of Texas, TEX. Bus. & Comm. Code Ann. Sec. 15.01, et seq. (1967). Inquiries pertaining to RFPs must give the requisition number, codes, and opening date.

**12. FUNDING OUT CLAUSE** – Sam Houston State University reserves the right to cancel, without penalty, if funds are not appropriated or otherwise made available at any time during the contract period.

**13. PROPOSER AFFIRMATION** – Signing this proposal with a false statement is material breach of contract and shall void the submitted proposal or any resulting contracts, and the proposer shall be removed from all proposal lists. By signature hereon affixed;

13.1 The proposer 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 a public servant in connection with the submitted proposal.

13.2 The proposer is not currently delinquent in the payment of any franchise tax owed with the Texas Comptroller of Public Accounts . For more information see the website for the Texas Comptroller of Public Accounts: <http://ecpa.cpa.state.tx.us/vendor/tpsearch1.html>.

13.3 Neither the proposer nor the firm, corporation, partnership, or institution represented by the proposer, or anyone acting for such firm, corporation or institution has violated the

**Request For Proposal 753-2-001KLK**

antitrust laws of this State or the Federal Antitrust Laws (See Section 8, above) nor communicated directly or indirectly the proposal made to any competitor or any other person engaged in such line of business.

13.4 The proposer has not received compensation for participation in the preparation of the specifications for this RFP.

13.5 If applicable, pursuant to Texas Family Code, Title 5, Subtitle D, Section 231.006(d), regarding child support, the proposer certifies that the individual or business entity named in this bid is not ineligible to receive the specified payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate. Furthermore, any proposer subject to Section 231.006 must include the names and Social Security numbers of each person with at least 25% ownership of the business entity submitting the bid. This information must be provided prior to contract award.

13.6 Pursuant to Section 2155.004 Government code re: collection of state and local sales and use taxes, the proposer certifies that the individual or business entity named in this proposal is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and/or payment withheld if this certification is inaccurate.

13.7 The Contractor shall defend, indemnify, and hold harmless the State of Texas, SHSU, all of its officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or omissions of contractor or any agent, employee, subcontractor, or supplier of contractor in the execution or performance of this contract.

13.8 Proposer agrees that any payments due under this contract will be applied towards any debt, including but not limited to delinquent taxes and child support that is owed to the State of Texas.

13.9 Proposer certifies that they are in compliance with Texas Government Code, Title 6, Subtitle B, Section 669.003 of the Government Code, relating to contracting with the executive head of a State agency. If Section 669.003 applies, proposer will complete the following information in order for the proposal to be evaluated:

- Name of Former Executive: \_\_\_\_\_
- Name of State Agency: \_\_\_\_\_
- Date of separation from State Agency: \_\_\_\_\_
- Position with proposer: \_\_\_\_\_
- Date of Employment with proposer: \_\_\_\_\_

**14. NOTICE TO PROPOSER:**

14.1 Any terms and conditions attached by the proposer to their proposal will not be considered unless specifically referred to on this proposal form and may result in disqualification of the proposal.

14.2 Equal Opportunity – Proposer represents and warrants that it shall not discriminate against any person on the basis of race, color, national origin, creed, religion, political belief, sex, sexual orientation, age or disability in the performance of the resulting contract.

August 2011