NEW BRAUNFELS 
INDEPENDENT SCHOOL DISTRICT

REQUEST FOR PROPOSALS

FOR

CHILLERS AT ELEMENTARY SCHOOL CAMPUSES

RFP No. # 23-06

RFP DEADLINE: January 26, 2023 by 3:00 PM
NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT
REQUEST FOR PROPOSALS CHILLERS AT
ELEMENTARY SCHOOL CAMPUSSES RFP #23-06

The New Braunfels Independent School District (“District”) is soliciting proposals from qualified vendors for the New Braunfels Independent School District Chillers at Elementary School Campuses Project (“Project”) utilizing the Request for Competitive Sealed Proposal (“RFP”) method as set forth in Chapter 2269, Subchapter D, Texas Government Code. This RFP is the only step for selecting a General Contractor for the Project as provided by Chapter 2269, Subchapter D of the Texas Government Code. This Solicitation will be conducted in compliance with the most restrictive procurement requirements between state law and the Federal procurement requirements required for federal funding eligibility. The District will select a responsible contractor possessing the ability to successfully perform the Project and which submits the proposal that offers the “best value” for the District based on the published selection criteria and weight of criteria, and on the District’s ranking evaluation. As indicated herein, factors other than price will be considered in making this determination. Persons or entities submitting proposals are referred to herein as “Offeror(s)” and responses to this RFP are referred herein as “Proposals.”

Bid packets may be downloaded at the District's Open and Awarded Bids site; https://www.nbisd.org/page/bus.bids

ALL RFP SUBMISSIONS MUST BE RECEIVED VIA MAIL

Submissions shall be submitted not later than: 3:00 P.M., LOCAL TIME, ON JANUARY 26, 2023

PROPOSALS MUST BE SUBMITTED ON THE PROPOSAL FORM ATTACHED AS EXHIBIT “A”. THIS RFP CONTAINS REQUIRED TERMS AND DESCRIPTIVE INFORMATION ABOUT THE SERVICES. RESPONSES NOT MADE AS SET FORTH IN THE RFP MAY BE DEEMED NON-RESPONSIVE AND MAY NOT BE CONSIDERED.

Proposals must include the information requested in Section III of this RFP in the sequence and format prescribed. In addition to and separate from the requested information, Offerors submitting Proposals may provide supplementary materials further describing their capabilities and experience. Offerors shall submit one (1) original and one (1) copy of the Proposal. The District will not acknowledge or receive Proposals that are delivered by telephone, facsimile (fax), or electronic mail (email). Any Proposal received after such time will not be considered and will be returned unopened.

Proposals shall be addressed to and received by:

New Braunfels Independent School District Business Office
1000 N. Walnut Ave.
New Braunfels, TX 78130

Proposal envelopes must be plainly marked on the outside with the Offeror’s name and address and the following:

SEALED PROPOSAL - DO NOT OPEN
New Braunfels Independent School District Chillers Project
DUE AT 3:00 P.M., JANUARY 26, 2023

ANY SUBMITTAL RECEIVED AFTER THE TIME AND DATE STATED ABOVE WILL NOT BE CONSIDERED. UNSIGNED SUBMITTALS AND/OR SUBMITTALS RECEIVED VIA FACSIMILE OR EMAIL WILL NOT BE CONSIDERED.

FAILURE TO COMPLY WITH SPECIFICATIONS INCLUDED IN THIS RFP MAY RESULT IN THE DISQUALIFICATION OF YOUR SUBMITTAL.
I. INTRODUCTION

1.1 The This Request for Proposals (“RFP”) is intended to solicit proposals from qualified and interested vendors for the Chillers at Elementary School Campuses Project.

The scope of work/design criteria may include, but is not limited to the installation of Chillers at the following New Braunfels ISD Campuses:

A. Lamar Elementary School, located at 240 N. Central, new Braunfels, Texas 78130;
B. Lone Star Early Childhood Center, located at 2343 W. San Antonio, New Braunfels, Texas 78130
C. Carl Schurz Elementary School, located at 633 W. Coll St, New Braunfels, Texas 78130;
D. Seele Elementary School, located at 540 Howard St. New Braunfels, Texas 78130;

The scope of the Project is more specifically described in the Drawings, Specifications, and other Contract Documents as listed below:

Attachment – C: Project Specifications Manual
Attachment – C-1: 100% Construction Documents dated 11-6-2022

The Owner designates the following person(s) as its Architect/Engineer representative regarding the technical Drawings and Specifications:

Brian C. Uhlrich, P.E, LEED AP
DBR Engineering Consultants, Inc.
9601 McAllister Fwy Suite 410
San Antonio, Texas 78216
Telephone: 210-293-4601
Mobile: 210-313-4327
E-mail: BUhlrich@dbrinc.com

1.2 TIME CONSTRAINTS. This project is time sensitive and the District desires to complete the Project as soon as possible. The District has set a deadline for the Project to be substantially complete January 31st, 2024. This deadline requirement should be considered by any firm choosing to participate in this selection process.

1.3 PROJECT BUDGET
The Owner’s overall construction budget for this Project is $1,350,000.00 Offeror understands and acknowledges that scope change may result in either an increase or decrease in budget.

II. NOTICE TO RESPONDENTS

2.1 Submittal Location and Deadline.
   A. Proposals shall be submitted in accordance with the requirements of this RFP. The Owner will not acknowledge or receive Proposals that are delivered by telephone, facsimile (fax), or electronic mail (e-mail). It is the sole responsibility of submitting firms to ensure timely receipt of the RFP response and to properly label the documents as indicated on the cover of this RFP.
B. Complete responses must be received via mail no later than: \textit{January 26, 2023 @ 3:00 P.M., CST}. Proposals may be withdrawn by written request received by the District \textit{prior to the deadline for submissions}.

C. The Request for Proposals (RFP) will be opened and read aloud publicly, at the District’s Administration Offices located at 1000 N. Walnut, New Braunfels, TX 78130, following expiration of the deadline time. Any Proposal or modification received after the deadline will NOT be accepted. New Braunfels Independent School District is not responsible for RFP’s submitted incorrectly. Offerors shall familiarize themselves with the submittal method as necessary to correctly submit their submission. Proposals sent by facsimile or email will not be accepted. The District reserves the right to request supplemental information of any and all Offerors to aid the District in the evaluation process.

2.2 \textbf{Pre-Submittal Conference and Walk-Through.}

A. A Non-Mandatory Pre-Submittal Walk-Through of the Project sites will be held on \textit{Wednesday – January 4th, beginning at 8:30 a.m.} The site Walk-Through will begin at NBISD Facility Services Office located at 566 Butcher St. Attendance at the Pre-Submittal Conference is \textbf{STRONGLY ENCOURAGED} to participate in order to become familiar with the breadth of the Project scope.

B. \textbf{Accessibility}. To arrange for special assistance to attend this meeting or if you have questions regarding accessibility, please contact the District in advance of the meeting at 830-627-6732.

2.3 \textbf{Point-of-Contact/Restriction on Communication}. The District designates the following persons as its representatives and Points-of-Contact for this RFP:

Lydia Seigal  
New Braunfels Independent School District  
1000 N. Walnut  
New Braunfels, TX 78130  
E-Mail: lydiaseigal@nbisd.org

A. Proposers shall restrict all contact with the District and direct all questions regarding this RFP, to the District’s Representative specified above. \textit{Do not contact members of the Board of Trustees or other employees of the District. Contact with any of these prohibited individuals after issuance of the RFP and before selection is made, may result in disqualification of your Proposal}. This restriction extends to “thank you” letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFP and/or proposal submitted by Offerors. All questions regarding this invitation must be submitted in writing email to lydiaseigal@nbisd.org. Requests for information/interpretation must be received by 8:00 a.m. on January 11, 2022. Only questions answered by formal written addenda posted the District’s website will be binding. Responses to questions submitted will be viewable by the date as specified in the schedule on the District website: \url{https://www.nbisd.org/page/bus.bids}.

B. The District reserves the right to contact any Offeror for clarification after responses are opened and/or to further negotiate with any Offeror if such is deemed desirable by District.

C. Violation of this provision by Offeror or Offeror’s agent may lead to disqualification of Respondent’s proposal from consideration.

2.4 \textbf{The Form of Agreement}. The form of Construction Contract utilized for this Project shall be the \textit{Standard Form of Agreement Between Owner and Contractor where the basis of payment is a stipulated sum} (AIA Documents A101-2017) as amended by the Owner and the \textit{General Conditions of the Contract for Construction}, AIA Document A201-2017, as amended by the Owner. Copies of the referenced contract documents are attached hereto respectively as Attachment “B” and Attachment “B-1”. \textit{At the time of Request for Proposal – Chiller Project}
Proposal submission, the Offeror will be required to delineate any comments or requested changes and include an explanation for the requested change in its RFP response, otherwise Respondent will be deemed to have accepted the form of Agreement as written.

2.5 Public Information. During the course of the selection process, the Qualifications Statements submitted by Offerors in response to this RFP are exempt from disclosure to the public under the Texas Public Information Act. The Proposals will however, upon the award of the contract, become a public record; and therefore, subject to disclosure to any person who makes a proper request for review of the documents. Some of the information you may provide in your Proposals may contain commercial or financial information which you consider privileged or confidential, or may be of a nature which you feel may cause substantial competitive harm to your business if disclosed by the District to a third-party even after the award. You may be entitled to protect this information at the time a request is made for disclosure; however, you will need to consult your legal counsel to assure that this kind of information, if included in your Response, is properly marked as confidential prior to submission. Wholesale marking of your entire proposal “Confidential” or “Proprietary” will not be effective. The District fully complies with the Texas Public Information Act. In the event information from Offeror’ Proposals is requested, the District will use its best efforts to notify the Offeror of such request, but will have no duty to assert any claim to the Attorney General that the proposal or any parts of the proposal are not subject to disclosure under the Act.

2.6 Conflicts of Interest. Offeror acknowledges that it is informed that District Policy and Chapter 176 of the Texas Local Government Code requires that persons, or their agents, who seek to contract for the sale or purchase of property, goods, or services with the District, shall file a completed conflict of interest questionnaire with the appropriate district records administrator not later than the 7th business day after the date that the person: (1) begins contract discussions or negotiations with the District; or (2) submits to the District an application, response to a request for qualifications, proposals or bids, correspondence, or another writing related to a potential agreement with the District. The conflict of interest questionnaire form is available from the Texas Ethics Commission at www.ethics.state.tx.us. Completed conflict of interest questionnaires may be mailed or delivered by hand the address indicated on page 1. Please consult your own legal counsel if you have questions regarding the statute or form.

2.7 Criminal Background Checks. Offeror certifies that it understands that Texas Education Code Chapter 22 requires that criminal history records be obtained regarding covered employees of entities that contract with school districts (“Contractors”) and entities that contract with school district contractors (“Subcontractors”). Texas Education Code §22.08341 requires that the Contractor obtain criminal history record information (“CHRI”) on Covered Employees with Disqualifying Criminal Histories (each defined below). These persons are prohibited from serving at a school district. Because of restrictions on what entities may access such information, prior to commencement of work under this Agreement, using the process established by the Owner, Contractor will be required to arrange with the Owner to obtain the national criminal history record information (“CHRI”) on all of Contractor’s employees, independent contractors, agents, or Subcontractors, Contractor’s Subcontractors of every tier (“Subcontractors”), if any of these persons is a “Covered Employee” as defined by the Statute, i.e. the person has or will have continuing duties related to the contracted for services, and said person has or will have the opportunity for direct contact with students in connection with those continuing duties. Contractor will also be required to reimburse the Owner for the costs and expenses associated with obtaining the criminal history information by entering into the proposed Contract Documents will be required to agree to accept the Owner’s interpretation of the report as to whether any Covered Employee has been determined to have a Disqualifying Criminal History and will be required to be excluded from assignment to the Project. The selected Contractor will not assign or permit Covered Employees (of either Contractor or any of its subcontractors, independent contractors, or consultants) with a Disqualifying Criminal History to performing any work on the District’s Project or property.

2.8 Evaluation Criteria.

Section 2269.055 and 2269.056, the District will rank the Proposals based on the following criteria and relative weights:

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<th>Criteria #</th>
<th>Criteria Description</th>
<th>Weighted Value</th>
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<tr>
<td>1</td>
<td>Price Proposal</td>
<td>40%</td>
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<td>2</td>
<td>The experience, background, and reputation of the Proposer and of the Proposer’s goods or services; based on information provided by the Proposer and references; past experience on similar projects for other school districts; record of on-time completion; record of claims and litigation, and other similar factors reflecting the experience and reputation of Proposer</td>
<td>20%</td>
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<tr>
<td>3</td>
<td>The quality of the Proposer’s goods or services, including its service scheduling ability, on-time and in-budget completion and reputation for consistent on-going support</td>
<td>15%</td>
</tr>
<tr>
<td>4</td>
<td>The extent to which the goods or services meet the District’s needs</td>
<td>10%</td>
</tr>
<tr>
<td>5</td>
<td>The Proposer’s past relationship with the District</td>
<td>5%</td>
</tr>
<tr>
<td>6</td>
<td>The total long-term cost to the District to acquire the Proposer’s goods or services</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>100%</strong></td>
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</tbody>
</table>

All responses in your Proposal may be used to rank Offerors based on the criteria. The District reserves the right to verify the accuracy and completeness of all responses by utilizing any information available to the District without regard to whether such information appears in your Proposal. Questions regarding this RFP may be submitted to the address indicated above.

2.9 **Respondent’s Acceptance of Evaluation Methodology.** By submitting its Proposal in response to this package, the Offeror accepts the evaluation process and acknowledges and accepts that determination of the “best value” will require subjective judgments by the District, based upon the information responsive to the Evaluation Criteria and Weight/Points Value as published with this package.

III. **SUBMITTAL REQUIREMENTS**

3.1 A principal of the firm must sign the completed response and affirm that the information provided is true, complete and accurate. Proposals shall be clearly marked for each part of the requirements listed below in (8 ½” x 11”), vertical format, minimum of three-quarter (3/4”) inch margins, and 11-point font.

3.2 To achieve a uniform review process and obtain the maximum degree of comparability, it is required that proposals be organized in the manner specified. ONE (1) original set and ONE (1) digital copy are required. This set should be labeled “ORIGINAL” and contain original signatures, preferably in blue ink. Additional sets are to be copies of the original and are to be labeled “COPY”.

3.3 Proposals shall be prepared **SIMPLY AND ECONOMICALLY**, providing a straightforward, CONCISE description of the Offeror’s ability to meet the requirements of this RFP. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner’s needs. Incomplete Proposals may be considered non-responsive and subject to rejection.
3.4 Offeror shall correctly reveal, disclose, and state the true and correct name of the individual, proprietorship, corporation, and/or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any). No nicknames, abbreviations (unless part of the legal title), shortened or short-hand, or local "handles" will be accepted in lieu of the full, true and correct legal name of the entity. These names shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Respondents and limited liability company Respondents shall include the 11-digit Comptroller’s Taxpayer Number on the signature page of the proposal. If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its identity on the signature page of its proposal, the District shall have the discretion, at any point in the contracting process, to suspend consideration of the response.

3.5 **Response Organization.** Respondent’s response shall include the following items in the following sequence:

a. **MONETARY PRICE PROPOSAL.** Provide a Stipulated Sum Price Proposal for all labor, services, materials, tools, equipment, and supervision necessary for final completion of construction of the Project in accordance with the Project Schedule, Contract Documents, Drawings and Specifications, Addenda and any Documents provided in connection with this RFP. Offeror’s Offer shall include no amount for sales or use taxes for which District is exempt. Offeror’s Monetary Proposal shall be prepared on the form attached hereto as RFP Attachment A, including Unit Price Information, if any, as requested herein.

b. **PROPOSER GENERAL QUESTIONNAIRE.** Complete and submit the Proposer Qualification General Questionnaire, RFP Attachment A-1.

c. **ACKNOWLEDGEMENT OF NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT TERMS AND CONDITIONS.** Complete, sign and submit the Acknowledgment of New Braunfels Independent School District Terms and Conditions Conditions, attached hereto as RFP Exhibit 1.

d. **CONFLICT OF INTEREST QUESTIONNAIRE:** Chapter 176 of the Texas Local Government Code requires that persons, or their agents, who seek to contract for the sale or purchase of property, goods, or services with District shall file a completed Conflict of Interest Questionnaire (CIQ) with District. The CIQ will be submitted as part of the response to a Request for Qualifications. The CIQ is available from the Texas Ethics Commission at [www.ethics.state.tx.us](http://www.ethics.state.tx.us), RFP Exhibit 2.

e. **FELONY CONVICTION NOTIFICATION:** Complete, sign and submit the Felony Conviction Notification Form, attached hereto as RFP Exhibit 3.

f. **NON-COLLUSION AFFIDAVIT.** Complete, sign and submit the Non-Collusion Affidavit, attached hereto as RFP Exhibit 4.

g. **CERTIFICATE OF INTERESTED PARTIES FORM 1295.** Complete, sign and submit the Certificate of Interested Parties Form 1295, attached hereto as RFP Exhibit 5.

3.6 Offerors are expected to examine this RFP carefully, understand the terms and conditions for providing the services listed herein and respond completely. **FAILURE TO COMPLETE AND PROVIDE ANY OF THE ABOVE ITEMS MAY RESULT IN THE OFFEROR’S PROPOSAL BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION.**

3.7 Any cost or expense incurred by the Offeror that is associated with the preparation of the Response, or during any phase of the selection process, shall be borne solely by the Offeror.

IV. **AMENDMENTS TO THE RFP**

Changes, amendments, or written responses to questions received regarding this RFP may be posted on the District’s website. It is Offeror’s responsibility to review this site and ascertain whether any amendments
have been made prior to submission of a proposal. An Offeror, who does not have access to the Internet must notify District if Offeror wishes to receive copies of amendments to this RFP by mail. No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in the RFP, and changes to the RFP – if any – shall be made in writing only.
This Proposal is submitted by _________________________________, whose address is ___________________________, (hereafter called “Offeror”), for the NBISD CHILLERS AT ELEMENTARY SCHOOL CAMPUSES PROJECT (hereafter called “Project” or “Projects”).

MONETARY PRICE PROPOSAL:
Proposer agrees to furnish for the total sum of _________________________ Dollars ($____________), for all labor, services, materials, tools, equipment, and supervision necessary for final completion of the Project in accordance with the Project Schedule, Contract Documents (including General, Supplementary and other Conditions of the Contract), Drawings and Specifications, Addenda and other Construction Documents provided. Proposer’s Offer shall include no amount for sales or use taxes for which Owner is exempt. Such taxes shall not be reimbursable costs the, and everything incidental thereto.

Proposer’s Monetary Proposal above is based on Substantial Completion not later than ________(____) days from issuance of Owner’s Notice to Proceed. [Please provide proposed Substantial Completion Date as part of your Proposal]

Proposer represents that, prior to preparing this Proposal, he or she has carefully read the Contract Documents, examined the site of the Project and has made an investigation such that he or she is fully informed of the conditions, facilities, difficulties, restrictions and requirements which he or she will, or may encounter in the completion of the Project in accordance with the terms of the Contract Documents.

Proposer acknowledges receipt of Addenda Nos. _____ through _____ and that the Proposals contained herein are offered in after review and consideration of same.

_____ No Addenda were issued
(initial)

Executed on this the ____ day of __________________2023.

Proposer:
[full name and business structure]

__________________________________________
Signature

__________________________________________
Printed Name, Title

Note: If Offeror is a Joint Venture, an authorized signature from a representative of each party is required.
SECTION A - GENERAL INFORMATION

1. **Company Information:** Provide the following information regarding your company.

   Name/Name of Agency/Company: ________________________________
   Address: ________________________________ State: ______________ Zip Code: ____________________
   Telephone No. ________________________________ Fax No: __________________

2. **Contact Information:** List the person who the District may contact concerning your proposal or setting dates for meetings.

   Name: ________________________________
   Address: ________________________________ State: ______________ Zip Code: ____________________
   Telephone No. ________________________________ Fax No: __________________
   Email: ________________________________

3. Does your Company anticipate any mergers, transfer of organization ownership, management reorganization, or departure of key personnel within the next twelve (12) months that may affect the organization's ability to carry out its proposal?

   Yes ☐   No ☐

4. Is your Company authorized and/or licensed to do business in Texas?

   Yes ☐   No ☐

5. Provide any other names under which your business has operated within the last ten (10) years.

6. Has the Company or any of its principals been debarred or suspended from contracting with any public entity?

   Yes ☐   No ☐

   If yes, identify the public entity and the name and current phone number of a representative of the public entity familiar with the debarment or suspension, and state the reason for or circumstances surrounding the debarment or suspension, including but not limited to the period of time for such debarment or suspension.

7. Has the Company or any of its principals had a bond or surety canceled or forfeited in the last 10 years?

   Yes ☐   No ☐

   If yes, state the name of the bonding company, date, amount of bond and reason for such cancellation or forfeiture.
8. Bankruptcy Information. Has the Company or any of its principals ever been declared bankrupt or filed for protection from creditors under state or federal proceedings?
   Yes ☐ No ☐

9. If you answered yes to question 8, state the date, court, jurisdiction, cause number, amount of liabilities and amount of assets.

SECTION B - PAST PERFORMANCE, EXPERIENCE, REPUTATION AND QUALIFICATIONS

1. Identify the three most significant clients (whether school district or non-school district projects) for which the Proposer has provided services similar to the Scope of Services requested by this RFP, within the past 5 years. Include a brief description of the services provided, the results/impact of the work performed, the dates of service, and a point of contact with name, address, and current fax, email, and phone number.

2. If not identified in the prior answer, describe projects where you provided a Scope of Services similar to the one requested by this RFP, within the past 5 years, in or around vicinity of the District. Include a brief description of the services provided, the results/impact of the work performed, the dates of service, and a point of contact with name, address, and current fax, email, and phone number.

3. Provide information on available resources, including total number of employees, number and location of offices, number and types of equipment available to support this Project.

4. Identify the number and professional qualifications (to include licenses, certifications, associations) of key staff to be assigned to the Project and relevant experience on projects of similar size and scope. Response provided should, at a minimum, include information regarding principals of the firm and proposed on-site construction superintendent.

5. Provide a discussion of the methods the Proposer intends to implement to ensure the timely and efficient completion of the project. Provide examples of how these methods benefited previous projects.

6. Describe your approach to assuring timely completion of this project, including methods for schedule recovery, if necessary.
   a. Provide proposed preliminary construction schedule to ensure complete understanding of construction sequencing requirements.

7. Provide an example of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.

8. What percentage of the Projects on which you have acted as General Contractor in the last five (5) years, have been completed on-time? _____ Percent
   Of those not completed on-time, what was the cause of the delay and how did you address it?

10. Provide an example of a Project on which you ran into unforeseen condition that required a material change in the project cost, but where you felt that you contributed to the handling of these challenges and brought the project back within budget or addressed needs for additional funding in creative ways.

11. Describe your firm's concepts for working in a team relationship with the Owner and Architect during the design and construction of major projects. Describe a conflict or conflicts with the an Owner, Consultant, Architect/Engineer, and/or subcontractor on at least one past project and methods used by the Proposer to resolve those conflicts.
12. Describe your quality assurance program. Explain the methods used to ensure quality control during the Construction phase of a project. Provide specific examples of how these techniques or procedures were used from any three (3) projects listed above.
EXHIBIT A TO RESPONDENT’S QUESTIONNAIRE

COMPANY REFERENCES/CLIENT PROFILE INFORMATION

**PROJECT NAME:**
In addition to providing the information set forth above in “Requirements of the Response” and set forth as Sections 1, 2, and 3, please submit a completed client profile information sheet for each reference.

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<td>(1) Client Name:</td>
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<td>(2) Address:</td>
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<td>(3) City, State, Zip Code:</td>
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<td>(4) Project Manager:</td>
<td></td>
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<tr>
<td>(5) Telephone Number:</td>
<td></td>
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<tr>
<td>(6) E-mail:</td>
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<tr>
<td>(7) Number of Employees in Client Organization:</td>
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<td>(8) Project Scope of Services/Goals:</td>
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<tr>
<td>(9) Contract Award Date:</td>
<td>Completion Date:</td>
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(10) Describe how the client's goals were met. Describe the architectural/engineering services performed and implemented. Attach additional pages, as necessary.

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<td>(11) Discuss significant obstacles to providing the required services and how those obstacles were overcome:</td>
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<td>(12) Has the client retained the Submitter for subsequent projects? If so, please describe current relationship.</td>
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<td>(13) Did the project come in at or under budget? If not, why?</td>
<td></td>
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CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006. Local Government Code. An offense under this section is a misdemeanor.

1. Name of vendor who has a business relationship with local governmental entity.

☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

2. Name of local government officer about whom the information is being disclosed.

Name of Officer

3. Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

4. Describe each employment or business relationship that the vendor named in Section 1 without a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

Signature of vendor doing business with the governmental entity

Date

Form provided by Texas Ethics Commission

www.ethics.state.tx.us

Revised 1/1/2021
CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/Docs/LG.htm/LG.176.htm. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): “Business relationship” means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
(B) a transaction conducted at a price and subject to terms available to the public; or
(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):
(a) A local government officer shall a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local governmental entity or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that:
(i) a contract between the local governmental entity and vendor has been executed; or
(ii) the local governmental entity is considering entering into a contract with the vendor;
(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than $100 in the 12-month period preceding the date the officer becomes aware that:
(i) a contract between the local governmental entity and vendor has been executed; or
(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)
(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
(B) that the vendor has given one or more gifts described by Subsection (a); or
(C) of a family relationship with a local government officer.
Texas Education Code, Section 44.034, Notification of Criminal History, Subsection (a), states “a person or business entity that enters into a contract with a School District must give advance notice to the Owner if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony.”

Subsection (b) states “a School District may terminate a contract with a person or business entity if the Owner determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The Owner must compensate the person or business entity for services performed before the termination of the contract.”

This notice is not required of a Publicly-Held Corporation.

I, the undersigned agent for the firm named below, certify that the information concerning notification of felony conviction has been received by me and the following information furnished is true to the best of my knowledge.

Vendor’s Business Name ____________________________

Authorized Company Official’s Name (Printed) ____________________________

A. My firm is a publicly-held, stock-exchange corporation, therefore this requirement is not applicable.

Signature of Company Official: ____________________________
Date Signed: ____________________________

B. My firm is not owned or operated by anyone who has been convicted of a felony.

Signature of Company Official: ____________________________
Date Signed: ____________________________

C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony (printed name and general description of type of felony or felonies):

1. __________________________________________________________

2. __________________________________________________________

3. __________________________________________________________

4. __________________________________________________________

Signature of Company Official: ____________________________
Date Signed: ____________________________

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Request for Proposal – Chiller Project

RFP EXHIBIT 4
REQUIRED FORM

__________________________________________, being first duly sworn, deposes and says this:

(1) He/She is ______________________________ of ____________________________.
    (a partner or officer) (the firm of, etc.)
the Offeror who has submitted the attached Proposal.

(2) He/She is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal.

(3) The Proposal is genuine and is not a collusive or sham response.

(4) Neither the said Offeror nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with another Offeror, firm or person, to submit a collusive or sham Response in connection with the Contract Documents for which the attached Proposal has been submitted or to refrain from proposing in connection with such Contract Documents, or has in any manner, directly or indirectly, sought by agreement or collusion, or communication or conferences, with any other Offeror, firm or person to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the District or any person interested in the proposed Contract Documents; and,

(5) The price or prices which are offered in connection with this Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Offeror or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Offeror’s Business Name): ____________________________________________

(Offeror’s Representative Signature) ______________________________________

(Offeror’s Representative Title) ____________________________________________

Subscribed and sworn to before me on this _____ day of __________________________.

__________________________________________
NOTARY PUBLIC, STATE OF TEXAS
CERTIFICATE OF INTERESTED PARTIES

Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

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

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

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

4 Name of Interested Party | City, State, Country (place of business) | Nature of Interest (check applicable)
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5 Check only if there is no Interested Party.

6 UNSWORN DECLARATION

My name is ____________________________________________, and my date of birth is ________________________.

My address is ____________________________________________, (street) ____________________________________________, (city) ____________________________________________, (state) ____________, (zip code) ____________, (country). I declare under penalty of perjury that the foregoing is true and correct.

Executed in _______________ County, State of _________________, on the __________ day of ______________, 20________. (month) (year)

Signature of authorized agent of contracting business entity (Declarant)

ADD ADDITIONAL PAGES AS NECESSARY

Form provided by Texas Ethics Commission

www.ethics.state.tx.us

Revised 12/22/2017

Must file online at www.ethics.state.tx.us/File