

**KARNES CITY INDEPENDENT SCHOOL DISTRICT
REQUEST FOR COMPETITIVE SEALED PROPOSALS**

The Karnes City Independent School District (“District”) is soliciting proposals from qualified vendors for the Karnes City Independent School District CTE Building Project utilizing the Request for Competitive Sealed Proposal (“RFP”) method as set forth in Chapter 2269, Subchapter D, Texas Government Code. Persons or entities submitting proposals are referred to herein as “Offeror(s)” and responses to this RFP are referred to herein as “Proposals.”

**PROPOSALS MUST BE RECEIVED NO LATER THAN
2:00 P.M., May, 22, 2024.**

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 three (3) copies 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:

Katherine Kuenstler
Superintendent
Karnes City Independent School District
404 N Hwy 123
Karnes City, Texas 78118

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

**SEALED PROPOSAL - DO NOT OPEN
Karnes City Independent School District CTE Building Project
DUE AT 2:00 P.M., May 22, 2024.**

Following the deadline for receipt, the District’s staff will receive, publicly open, and read aloud the names of the Offerors and all fees and prices stated in the Proposals at the District’s Administration Office. Within forty-five (45) days following the date of the opening, District staff will evaluate and rank each Proposal submitted in relation to the selection criteria set forth herein. The District may also request additional information from Offerors at any time prior to final

ranking of Offerors. The District may select all, some or none of the Offerors for interviews. Interviews with Offerors, if any, will not be scored separately from the Proposal, but may result in an adjustment in score. A recommendation will be made to the Board of Trustees as to the ranking of the Proposals.

Following the Board's ranking of the Proposals based on the published selection criteria, the District will attempt to negotiate an agreement with the Offeror that offers the best value to the District. If the District is unable to negotiate an agreement with the selected Offeror, the District will, formally and in writing, end negotiations with that Offeror and begin the negotiation process with the next ranked Offeror in the order of selection ranking until a contract is reached or negotiations with all ranked Offerors end.

Pursuant to Texas Government Code Section 2269.055 and 2269.056, the District will rank the Proposals based on the following criteria and relative weights:

Criteria #	Criteria Description	Weighted Value
1	Price Proposal	40%
2	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	20%
3	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	15%
4	The extent to which the goods or services meet the District's needs	10%
5	The Proposer's past relationship with the District	5%
6	The total long-term cost to the District to acquire the Proposer's goods or services	10%
	Total	100%

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.

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.

I. INSTRUCTIONS TO OFFERORS

1. **PROPOSAL FORM:** The Proposal Form attached as Exhibit A must be filed out and signed by the Offeror.
2. **CONTRACT DOCUMENTS:** The form of Construction Contract utilized for this Project shall be the contract document attached hereto respectively as **Exhibit “B”**.
3. **CLARIFICATIONS AND INTERPRETATIONS:** Any clarifications or interpretations of this RFP that materially affects or changes its requirements will be issued by the District as an addendum. It is the responsibility of all Offerors to obtain this information in a timely manner. All such addenda issued by the District before the Proposals are due are part of the RFP, and Offerors shall acknowledge receipt of and incorporate each addendum in its Proposal. District will consider only those clarifications and interpretations that Offerors submit five (5) days prior to the submittal deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the District and should not be relied on in preparing Proposals.
4. **TIME:** Offeror agrees to hold the Proposal open for acceptance for ninety (90) days from the Proposal date.
5. **WITHDRAWAL OF PROPOSALS:** Offerors may request permission to withdraw a Proposal prior to the actual time for Proposal opening. Such request must be made in person or in writing at the same location designated to receive the Proposal. The District will return the Proposal documents unopened at that time.
6. **WAIVER:** By submitting a Proposal, each Offeror agrees to waive any claim it has or may have against the District, its trustees, agents and employees, and any reference sources, arising out of or in connection with the administration, evaluation, or recommendation of any Proposal; waiver of any requirements under the Proposal documents; acceptance or rejection of any Proposal; and award of the Proposal. The District shall have no contractual obligation to any Offeror, nor will any Offeror have any property interest or other right in the Proposal or contract being proposed unless and until the contract is unconditionally executed and delivered by all parties, and all conditions to be fulfilled by the Offeror have been fulfilled by the Offeror.
7. **OTHER INFORMATION:** The District believes the information included in this RFP is materially accurate, however, the District does not warrant this information to be free from errors or omissions. Offerors are encouraged to inspect the premises prior to submitting a response.
8. **POINT-OF-CONTACT:** The District designates the following person, as its representative and Point-of-Contact for this RFP. Offerors shall restrict all contact with the District and direct all questions regarding this RFP, including questions regarding terms and conditions, to the Point-of-Contact person:

Katherine Kuenstler

Superintendent
Karnes City Independent School District
404 N Hwy 123
Karnes City, Texas 78118
Phone: 830-780-2321
Email: kkuenstler@kcisd.net

9. NON-CONTACT: The Offerors, or any agent or representative of Offerors, shall not undertake any contact, activities or actions to promote or advertise their qualifications or Proposal to any member of the District’s Board of Trustees, the District’s Administration or their respective staff persons, except as specifically requested in writing by the District, at any time between the date of submission of the RFP and the date of award of the Contract Documents by the District’s Board of Trustees. 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.

10. PUBLIC INFORMATION: The District fully complies with the Texas Public Information Act, Texas Government Code Chapter 552. During the course of the selection process, RFP responses are exempt from disclosure to the public under the Texas Public Information Act. The submitted Proposals will, 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 provide in your Proposal may contain commercial or financial information which you consider privileged or confidential, or may be of a nature which you believe 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 type of information, if included in your Proposal, is properly marked as confidential prior to submission. Wholesale marking of your entire Proposal “Confidential” or “Proprietary” will not be effective. In the event information from your Proposal 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 regarding that the Proposal or any parts of the Proposal are not subject to disclosure under the Act.

11. 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 the District shall file a completed Conflict of Interest Questionnaire (CIQ) with District. Complete, sign and submit the CIQ as part of your response to a Request for Proposals, attached hereto as **Exhibit “C”**.

12. FELONY CONVICTION NOTIFICATION. Complete, sign and submit the Felony Conviction Notification Form attached hereto as **Exhibit “D”**.

13. NON-COLLUSION AFFIDAVIT. Complete, sign and submit the Non-Collusion Affidavit attached hereto as **Exhibit “E”**.

14. THE OFFEROR MUST SUBMIT THE FOLLOWING ITEMS:

- Proposal Form - Exhibit A

- Responses to Information to be Provided by Offerors
- Conflict of Interest Questionnaire Exhibit C
- Felony Conviction Notification - Exhibit D
- Non-Collusion Affidavit - Exhibit E
- Disclosure of Interested Parties – Exhibit F
- Acknowledgement of Addenda – Exhibit G
- Signature Page and Declaration of Compliance – Exhibit H

II. SCOPE OF WORK

- A. The scope of the Project is more specifically described in those documents attached hereto as **Attachment 1**.
- B. Link to Documents (**Attachment 1**): <https://pbk.files.com/f/a7b15e85789c3b13>

The Owner designates the following person(s) as its representative regarding the specifications and scope for this project:

Brian Revell
 AG|CM / Construction Manager
 1101 Ocean Drive, Corpus Christi, TX 78404
 P.O. Box 2682, Corpus Christi, TX 78403
 Mobile: 830-353-0630
 Facsimile:
 E-mail: brevell@agcm.com

Luis Ahumada, Assoc. AIA
 PBK Architects
 601 Loop 410 Suite 400
 San Antonio, TX 78216
 210-829-0123
 E-MAIL: luis.ahumada@pbk.com

- B. Project Schedule:
- | | |
|--------------------------------|----------------------------------|
| Written Questions Due: | MAY 10, 2024 , 2024 at 2:00 P.M. |
| Responses to Questions Posted: | MAY 14, 2024, 2024 at 4:00 P.M. |
| Pre-Submittal Walk-Through | MAY 08, 2024 at 9:00 A.M. |
| Response to CSP Due: | MAY 21, 2024 at 2:00 P.M. |
| Award of Contract: | TBD |

III. INFORMATION TO BE PROVIDED BY OFFERORS

Please provide the following information concerning your firm:

A. Offeror Information

1. Name of Firm
2. Business Address
3. Telephone Number
4. Fax Number
5. Type of Organization (Individual, Partnership, Corporation, Association)
6. Number of Permanent Employees. (Employees hired for the duration of a specific project or under a fixed-term contract are not considered permanent employees for purposes of this Proposal).
 - i. Home Office
 - ii. Field Office
7. Primary Contact Person for District inquiries
8. Main Office Location (if different than above)
9. Describe and substantial changes in ownership of your firm during the past five (5) years.
10. How many years has your firm operated under its current form of business organization?
11. List all professional or industry organizations in which your firm or its principals are members.
12. In order to assist the District in determining whether there exist any conflicts of interest, please describe any business or family relationships between any District Trustee and:
 - i. your firm;
 - ii. any principal of your firm;
 - iii. any subcontractor you are considering using to perform any portion of the project work; or,
 - iv. any principal of such subcontractor.

B. Personnel Information

Provide brief resumes (2 page limit) for the persons listed below:

1. Principals/Corporate Officers:
 - i. President
 - ii. Vice President
 - iii. Partners
2. Project Management Candidates
 - i. Project Manager

C. Educational Projects (Required)

List up to five (5) major educational building projects your firm has completed within the past five (5) years, and for each project list:

1. Name and location of the project
2. Brief description of the project
2. Client, Client Contact, and telephone number
3. Final Contract Amount
4. Date Completed

D. Non-Educational Projects (Optional)

List up to five (5) major non-educational building projects your firm has completed within the past five (5) years, and for each project list:

1. Name and location of the project
2. Brief description of the project
2. Client, Client Contact, and telephone number
3. Final Contract Amount
4. Date Completed

E. Claims and Litigation

1. Identify all claims, lawsuits or arbitration proceedings with respect to contracts for supplying equipment, if any, brought by or against your firm within the last five (5) years.
2. Describe all instances in which your firm was unable to complete the work under a contract.
3. Identify any judgments, claims arbitration proceedings or suits pending or outstanding against your firm or its officers.

F. Insurance & Bonding

Provide a statement in your response that Offeror is able to meet the Insurance and Bonding Requirements as specified in the Contract Documents.

G. Contract Documents

Provide any comments or requested changes to the form of Contract Documents and include an explanation for the change, otherwise Offeror will be deemed to have accepted the form of the Contract Documents.

IV. REPRESENTATIONS

By execution and submission of the Proposal Form, attached as Exhibit A, the Offeror hereby agrees, represents and warrants to District as follows:

1. Offeror will hold the Proposal open for acceptance for ninety (90) days.
2. Offer accepts District's right to reject any or all Proposals, to waive formalities and to accept the Proposal which District considers most advantageous.
3. By signing the Proposal Form, the undersigned on behalf of the Offeror affirms that, to the best of his knowledge, the information concerning this Proposal has been arrived at independently and is being submitted without collusion with anyone to obtain information or gain any favoritism that would in any way limit competition or give an unfair advantage over other offerors in the award of this Proposal.
4. Offeror has read and understands the RFP and the Contract Documents, and this Proposal is made in accordance with the RFP, and any addenda to it, and the Contract Documents.
5. All information submitted by the Offeror to the District in response to this RFP is true and correct. The District, or any authorized representative of the District, is authorized by the undersigned to contact any firm, institution, or person to obtain information about our firm's services, financial condition, and any other information which the District might determine as being desirable.
6. To the fullest extent permitted by applicable law, the Offeror waives any claim it has or may have against the District, its trustees, officers, shareholders, directors, partners, agents, contractors, consultants and employees arising out of or in connection with the administration, evaluation or recommendation of any offers; waiver of any requirements under the RFP or the Contract Documents; acceptance or rejection of any Proposals; and the award of a Contract.
7. Under Section 231.006, Texas Family Code, the Offeror certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.
8. Under Section 2155.004, Texas Government Code, the Offeror certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.
9. Under Section 2254.004, Texas Government Code, the Offeror certifies that each individual or business entity which is an engineer or architect proposed by Offeror as a member of its team was selected based on demonstrated competence and qualifications only.
10. A corporate Offeror certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporate Offeror is exempt from the payment of such taxes, or that the corporate Offeror is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable.

11. Offeror certifies that neither the Offeror nor the firm, corporation, partnership or Owner represented by the Offeror, or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state, codified in Texas Business and Commerce Code Chapter 15, or the Federal antitrust laws, nor communicated directly or indirectly the information in the Proposal to any competitor or any other person engaged in such line of business.

12. Offeror acknowledges and accepts that any costs incurred from the Offeror's participation in this RFP process shall be at the sole risk and responsibility of the Offeror.

13. Pursuant to Texas Government Code Chapter 2271, as amended, if the resulting contract is valued at \$100,000 or more and if the Offeror has at least ten (10) full time employees, then the Offeror, by its execution of any resulting agreement with the District, represents and warrants to the District that the Offeror does not boycott Israel and will not boycott Israel during the term of any resulting agreement. This section does not apply to a sole proprietorship.

14. Pursuant to Texas Government Code Chapters 2274 and 809, if the contract is valued at \$100,000 or more and if Offeror has at least ten (10) full-time employees, then Offeror represents and warrants to the District that the Offeror does not boycott energy companies and will not boycott energy companies during the term of the contract. This provision does not apply to sole proprietorships.

15. Pursuant to Texas Government Code Chapter 2274, if the contract is valued at \$100,000 or more and if Offeror has at least ten (10) full-time employees, then Offeror represents and warrants to the District that the Offeror does not discriminate against firearm entities or firearm trade associations and will not discriminate against firearm entities or firearm trade associations during the term of the contract. This provision does not apply to sole proprietorships.

16. In compliance with Chapter 2252 of the Texas Government Code, Offeror certifies that it does not engage in business with Iran, Sudan, or any foreign terrorist organization. Offeror also certifies that for the length of any resulting contract with the District, Offeror will not engage in any business with Iran, Sudan, or any foreign terrorist organization.

17. 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.

**EXHIBIT A
IDENTIFICATION OF OFFEROR
AND ACCEPTANCE OF TERMS**

IMPORTANT: A Proposal, to be valid, must be manually signed in ink by an authorized person in the space provided. By such signature, Offeror agrees to strictly abide by the terms, conditions, representations and specifications set out in the RFP.

Entity, Company or Firm Name: _____

Contact Person: _____

Address: _____

Telephone #: _____

Fax: _____

Date: _____

Signature: _____

Printed Name: _____

Title: _____

1. PROPOSAL AMOUNT: \$ _____

_____ DOLLARS.

2. ADDENDA

Undersigned acknowledges receipt of Addenda Nos. (if any):

_____.

EXHIBIT B
(Form of Contract)

**EXHIBIT C
CONFLICT OF INTEREST QUESTIONNAIRE**

CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity	FORM CIQ
<p>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</p> <p>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).</p> <p>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.</p> <p>A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>	OFFICE USE ONLY
<p>1 Name of vendor who has a business relationship with local governmental entity.</p>	<p>Date Received</p>
<p>2 <input type="checkbox"/> 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.)</p>	
<p>3 Name of local government officer about whom the information is being disclosed.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Name of Officer</p>	
<p>4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.</p> <p style="margin-left: 40px;">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?</p> <p style="margin-left: 80px;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 40px;">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?</p> <p style="margin-left: 80px;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.</p>	
<p>6 <input type="checkbox"/> 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).</p>	
<p>7</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Signature of vendor doing business with the governmental entity Date</p>	

**EXHIBIT D
FELONY CONVICTION NOTIFICATION**

The 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 district 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 district 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 district 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: _____

**EXHIBIT E
NON-COLLUSION STATEMENT**

_____, 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

EXHIBIT F

Disclosure of Interested Parties

Under certain circumstances, the District is required to comply with Texas Government Code, Section 2252.908, Disclosure of Interested Parties. If the District is entering into a contract with a “business entity” (defined below) which requires action by the Board of Trustees or which has a value of the contract is at least \$1 million, Section 2252.908, requires the District obtain a Disclosure of Interested Parties Form 1295 from the contracting business entity that, at the time the contract is signed binding the parties. The form requires disclosure of each “interested party” to the contract of which the contracting business entity is aware and must be signed by an authorized agent of the contracting business entity acknowledging that disclosure is made under oath and under penalty of perjury.

Since the Offeror qualifies as a “business entity” and the contract to be entered for this solicitation is for a value greater than \$1 Million or requires action or a vote by the Board of Trustees the selected Offeror will be required complete and submit Form 1295. **THE FORM MAY ONLY BE FILED ELECTRONICALLY.**

Form 1295 must be submitted on the form promulgated by the Texas Ethics Commission and in compliance with the Commission’s rules, at the time the business entity submits the signed contract to the District. The form must be completed electronically and the process for doing so can be found at the Texas Ethics Commission website at: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. The filing process will include:

1. **Completing Form 1295 electronically** with the Texas Ethics Commission using the online filing application. The portal for completion of Form 1295, instructions for completion and answers to Frequently Asked Questions can be found at the Texas Ethics Commission website: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm
2. **Printing a copy of the completed form** (make sure that it has a computer-generated certification number in the “Office Use Only” box)
3. Having an authorized agent of the business entity **sign the form before a notary public.**
4. **Submitting** the completed, signed and notarized Form 1295, showing the certification of filing with your signed contract.

The District will then acknowledge the receipt of the filed Form 1295 by notifying the Texas Ethics Commission of the receipt of the filed Form 1295 no later than the 30th day after the date the contract is executed by the District, binding all parties to the Contract. Within seven (7) business days after receiving acknowledgement from the District the Texas Ethics Commission will post the completed Form 1295 to its website.

A copy of the current Form 1295 is attached hereto for your reference. You are encouraged to contact your own legal counsel with any questions you may have about the process.

The following **definitions** apply:

1. **“Business Entity”** means an entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation. TEX. GOV’T CODE §2252.908(1).
2. **“Interested Party”** means a person:
 - a) who has a *controlling interest* in a Business Entity with whom the District contracts; or
 - b) who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the Business Entity. TEX. GOV’T CODE § 2252.908(3).
3. **“Controlling interest”** means:
 - a) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent;
 - b) membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or
 - c) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers.
4. **“Intermediary”** means a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who:
 - a) receives compensation from the business entity for the person’s participation;
 - b) communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
 - c) is not an employee of the business entity. TEX. ETHICS COMM. RULE 46.3(e).

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

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

OFFICE USE ONLY

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)	
		Controlling	Intermediary

5 Check only if there is NO interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____

My address _____
 (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

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

EXHIBIT G

Acknowledgement of Addenda

I, _____, acknowledge receipt of the following Addendums to the Request for Proposals – CTE Building Project issued by the Karnes City Independent School District, on behalf of the Offeror listed below:

Addendum No. ___ Dated: _____ Entitled: _____

Addendum No. ___ Dated: _____ Entitled: _____

Addendum No. ___ Dated: _____ Entitled: _____

Offeror’s Business Name: _____

Offeror’s Representative Signature: _____

Offeror’s Representative Title: _____

Date: _____

EXHIBIT H
Signature Page and Declaration of Compliance

Check (✓) the box that indicates business structure of Offeror.

Individual/Sole Proprietorship Partnership or Joint Venture Corporation Other
Entity (State Type) _____

The undersigned certifies that (s)he is _____ (title) of the Offeror entity named below; that (s)he is authorized to sign this Proposal (if a Corporation then by resolution with Certified Copy of resolution attached) for and on behalf of the entity, if any, named below, and that (s)he is authorized to execute same for and on behalf of and bind said entity to the terms and conditions provided for in the Proposal as required by this RFP, and has the requisite authority to execute an Agreement on behalf of Offeror, if awarded, and that the 11-digit Comptroller's Taxpayer Number for the entity, if any, is:

11-digit Comptroller's Taxpayer Number

Employer Identification No.

Offeror Organization Name

By: _____

Printed Name: _____

Title: _____

By: _____

(If Offeror is a Joint Venture, an authorized signature from a representative of each party is required.)

Printed Name: _____

Title: _____

By signing this Signature Page and Declaration of Compliance, I do hereby declare that I have read the Request for Proposals, on which our Proposal is submitted with full knowledge of the requirements and do hereby agree to furnish all services in full accordance with the requirements outlined in the Request for Proposals.

By signing and executing this Proposal, I further certify on behalf of my organization and represent to the Karnes City Independent School District that Offeror has not offered, conferred or agreed to confer any pecuniary benefit, as defined by **TEXAS PENAL CODE ANN. § 218**, or any other thing of value, as consideration for the receipt of information or any special treatment or advantage relating to this Proposal; the Offeror also certifies and represents that Offeror has not offered, conferred or agreed to confer a pecuniary benefit or other things of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this proposal; the Offeror certifies and represents that Offeror has neither coerced nor attempted to

influence the exercise of discretion by any officer, trustee, agent or employee of the Karnes City Independent School District concerning this Proposal on the basis of any consideration not authorized by law; the Offeror also certifies and represents that Offeror has not received any information not available to other Offeror so as to give the undersigned a preferential advantage with respect to this proposal; the Offeror further certifies and represents that Offeror has not violated any state, federal or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that Offeror will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent or employee of the Karnes City Independent School District in return for the person having exercised the person's official discretion, power or duty with respect to this Proposal; the Offeror certifies and represents that it has not nor and will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent or employee of the Karnes City Independent School District in connection with information regarding this Proposal, the submission of this Proposal, the award or performance of a contract in connection with this RFP.