THIRD PARTY BILLING COMPANY FOR
SCHOOL HEALTH AND RELATED SERVICES

REQUEST FOR PROPOSAL # 2020-005

Issued by:

Edcouch-Elsa Independent School District

Sealed Proposals must be received by:

2:00 pm
Thursday, June 25, 2020

For Further Information, Contact:

EEISD Business Office
Attn: Sylvia Garza
920 West Santa Rosa Avenue, Edcouch, TX 78538
PH: 956-262-6000
FX: 956-262-6039
Email: sygarza@eeisd.org
REQUEST FOR PROPOSAL #2020-005

Edcouch-Elsa Independent School District is soliciting PROPOSALS for a Third-Party Medicaid Billing Provider as per enclosed specifications. All items are to meet all requirements or have the same specifications. All deviations from the specifications must be clearly illustrated and duly noted on the PROPOSAL form. If additional space is needed, please reference it and submit additional documentation. The proposal must be received by no later than, Thursday, June 25, 2020 at 2:00 pm. Formal approval by the Board of Trustees will be July 22, 2020. An agreement will be executed per the specifications of the proposal between Edcouch-Elsa Independent School District and the winning vendor. All vendors will be notified in writing of the final decision. The decision of the Board of Trustees is final.

REQUIRED VENDOR DATA & INFORMATION

<table>
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<th>COMPANY NAME:</th>
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<tr>
<td>CONTACT PERSON:</td>
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<td>ADDRESS:</td>
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<td>CITY/STATE/ZIP:</td>
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<td>TELEPHONE:</td>
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<td>FAX:</td>
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<td>EMAIL:</td>
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The undersigned, having fully and carefully read and examined the Request for Proposal (RFP) Documents, Enclosures and Addenda, hereby offers to Edcouch-Elsa Independent School District a Proposal for Third-Party Medicaid Billing Services in accordance with the solicitation documents. The undersigned affirms that they are duly authorized to execute this contract, to fully comply with the terms and conditions of this Request for Proposal, including all forms and attachments included herein, that this company, corporation, firm, partnership or individual has not prepared this Proposal in collusion with any other Bidder, and that the contents of this Proposal as to prices, terms or conditions of said Proposal have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this solicitation.

Signature:  
Title:  

2
1. INTRODUCTION
Edcouch-Elsa ISD is seeking a Third-Party Medicaid Billing Provider to provide Medicaid Consultation and Billing services and SHARS cost settlement assistance to the Special Education Department. Proposal prices must prevail for a period of three (3) years from the date of contract which is October 1, 2020 or otherwise specified. The proposal must be received by no later than, Thursday, June 25, 2020 at 2:00 PM. An agreement will be executed per the specifications of the proposal between EEISD and the winning vendor. All vendors will be notified in writing of the final decision. The decision of the Board of Trustees is final. All costs incurred by the proposer in preparation of a response, quotation or proposal shall be borne by the proposer. No contract shall be construed to exist unless all necessary parties sign a written contract. EDCOUCH-ELSA ISD RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS AND TO SOLICIT ADDITIONAL PROPOSALS IF THAT IS DETERMINED TO BE IN THE BEST INTEREST OF THE DISTRICT.

2. REQUIRED SERVICES
Edcouch-Elsa ISD is seeking a qualified Third-Party Medicaid Provider to provide Medicaid and SHARS Services to the Special Education Department for a period of three (3) years with the option to extend two (2) one (1) year terms.

A. Must have proven experience and expertise in developing and implementing a direct service SHARS program with a working knowledge of Medicaid rate structures, timelines, regulations, etc. in a school district of a comparable size to the EEISD within the state of Texas

B. Must be fully versed in legal requirements of Health Care Financing Administration, Texas Education Agency, Texas Health and Human Services Commission, Centers for Medicare and Medicaid services and/or any other state or federal agencies governing SHARS program and services

C. Must be able to comply at all times with all requirements (and any revisions of such) set forth by the HHSC, CMS and any other state, local or federal agency governing the SHARS program and services (including documentation requirements)

D. Must have the capacity to fully implement all aspects of the SHARS reimbursement services within the time frame established by EEISD

E. Must do all data entry for SHARS claims

F. Must have an internal systemic capacity of validating all SHARS requirements for billing to include—but not limited to:
   a) Parental consent to bill
   b) Existence of a current Individualized Educational Plan (IEP) that authorizes the frequency and duration of school health and related services
   c) Verification of licensure and certifications for all service providers
   d) Verification of prescription for services provided to students
   e) Medicaid eligibility at different times of the year
   f) Proper documentation on SHARS
G. Must provide relevant training to District personnel as needed to ensure legal compliance and efficient claim processing
H. Must provide, and agree to furnish all EEISD billing and related data as requested by EEISD.
I. Must provide a software demonstration that illustrates the use of your Medicaid Billing systems to include personal care services, transportation, speech therapy, and a sample of the reports generated. You can submit a CD or provide a link to your software demo.
J. Must provide a copy of the services or reports to complete the annual SHARS cost report.
K. Must explain if software interface is compatible with TXEIS, Esped, or applicable software
L. Must provide education and training to school employees concerning the SHARS program in order to help maximize efforts and funds available to the District at no additional cost
M. Offeror will electronically bill for services provided to all eligible Medicaid Students
N. Must provide hard copies sample of documentation forms to be used to seek reimbursement

3. BACKGROUND INFORMATION

A. EEISD is currently utilizing Texas State Billing Services to provide a platform for Medicaid billing and SHARS cost settlements.
B. EEISD’s current form of billing is primarily electronic with the exception of transportation.
C. EEISD documents their services via electronic and paper.
D. The District’s goal is to reduce paper logs.
E. The District’s service providers document all services delivered.
F. EEISD has no associated audit findings within the District’s Medicaid program.
G. The District prefers assistance and monitoring with the audit.
H. EEISD currently seeks reimbursements from the Texas Medicaid Program for the following services: Personal Care, LSSP Assessments, Counseling, Speech, OT, and PT.
I. Current provider manages the Random Moment Time Studies.
J. The District’s intention is to begin submitting claims on all allowable services and maximize district revenues.
K. EEISD receives reimbursements for direct service claims directly from the Texas Medicaid Program and not from any Managed Care Organizations.
L. EEISD receives interim payments per invoice based on the total provided by date of claim as part of a cost settlement process.
M. EEISD requires assistance with the cost settlement process.

N. Below is how much SHARS cost settlement reimbursements the district received in the last three years:
   - 2018-2019 $553,429
   - 2017-2018 $371,283
   - 2016-2017 $205,962

O. Below is how much the district received in interim SHARS payments for the last three years:
   - 2018-2019 $283,183
   - 2017-2018 $327,053
   - 2016-2017 $470,029

P. Below is Edcouch-Elsa ISD students counts:
   - Total Students: 4,999
   - Special Education child count: 653
   - Special Education students with one or more related services: 439
   - Special Education students that are Medicaid eligible: 516

Q. EEISD will require training of approximately 103 staff members

4. EVALUATION CRITERIA – A committee selected by EEISD will review and evaluate all responsive proposals and make a recommendation for contract award to the EEISD Board of Trustees based on the following, as provided in the Texas Education Code 44.031(b):

   1.) Price/Discount  30%
   2.) The reputation of the vendor  10%
   3.) Electronic billing abilities and ease of program use  20%
   4.) Measures in place to ensure compliance with laws governing Medicaid billing  10%
   5.) Ability to provide timely reports to school district and provide accurate data as required  15%
   6.) Customer service procedures to include the ability to meet the needs of the district and offered trainings  15%

   _________
   100%
GENERAL INFORMATION

1. RFP FORM. The Request for Proposal forms may be obtained beginning **June 9, 2020** on-line only at the district website [www.eeisd.org](http://www.eeisd.org) website. Please direct any questions by email to:

Sylvia Garza  
Edcouch-Elsa ISD  
PO BOX 127  
Edcouch, TX 78538  
Phone: 956-262-6000  
Email: sygarza@eeisd.org

2. PROPOSED SCHEDULE

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request for Proposal released</td>
<td>June 9, 2020</td>
</tr>
<tr>
<td>Request for Proposal due</td>
<td>June 25, 2020</td>
</tr>
<tr>
<td>Recommendation of Award</td>
<td>July 22, 2020</td>
</tr>
</tbody>
</table>

*This is a proposed schedule and is subject to revision or change by the School District.*

3. PROCEDURES FOR SUBMITTING REQUEST FOR PROPOSAL.

All Request for Proposals shall be submitted with one original and two copies of original by mail or hand delivery addressed to and labeled as:

EEISD Business Office  
Attn: Sylvia Garza  
PO Box 127, Edcouch, TX 78538

a. **Deadline for Submission.** Request for Proposals must be received no later than **2:00 pm, Thursday, June 25, 2020.** Request for Proposals received after that date and time will not be considered. The Request for Proposals must bear the following notation:

RFP#2020-005 Third-Party Medicaid Billing Provider

4. PROPOSAL SUBMISSION CONTENT

In order to be considered compliant, VENDOR must submit one (1) original, and two (2) copies of their proposal. Original is to be clearly marked. Proposal must be assembled in the order as specified below, with pages marked by title, as appropriate. All items **MUST** be responded to, with no exceptions.

a. Cover letter  
b. RFP Acknowledgement Form  
c. Proposal & Response to Specifications  
d. Copies of latest awards summary and referencing any current purchasing cooperatives that vendor has been awarded.
e. References - Vendor shall provide three (3) Independent School Districts references identifying a successful review by HHSC during the last two (2) years. The school district name, a contact person, telephone number and a brief description of all services provided are required for each reference.

5. TERMS AND CONDITIONS

a. No Lobbying. No firm submitting a Statement of Qualifications shall lobby, contact or solicit School District staff members or members of the Board of Trustees during the selection process. Any questions or concerns about the RFP or requests for clarification shall be directed to the School District contact persons listed in the RFP.

b. Criminal History/Felony Conviction Notice. The School District reserves the right to require any of the firm’s representative or employees who will be performing services at the School District, to be subject to a criminal history check and shall not have a criminal history which is objectionable to the School District. The firm selected shall submit appropriate information to the School District in compliance with Section 22.081 et.seq., Texas Education Code. Note: If this is a publicly-held company, you may select No, does not apply.

c. Debarment and Suspension. Edcouch-Elsa ISD cannot enter into a contract with any company that has been debarred or suspended under the terms of Executive Order 12549. “Debarment and Suspension.” As describe in the Federal Register Rules and Regulations, when using Federal Funds. This applies to all subcontractors as well. Should the Organization become suspended or debarred during the term of the agreement, immediate notification is required.

d. Conflict of Interest. Conflict of Interest Questionnaire (Form CIQ) is required to be submitted by vendor or other person doing business with local government entity in accordance with Chapter 176, Local Government Code. Please acknowledge that there are no known conflicts of interest with the local government officer.

e. Federal Conflict of Interest Requirements. In accordance with federal requirements, 2 CFR, section 318(c)(1), no employee, officer or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of EEISD may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
f. **Contracts Involving Federal Funds.** EEISD may be unable to determine the source of funds to be used for particular contracts at the time of procurement, EEISD intends to competitively procure contracts as required by Section 44.031 of the Texas Education Code and intends to comply with the federal uniform guidance, 2 CFR Part 200, for every procurement action for which federal funds may be used. If it is anticipated that EEISD will use federal funds exceeding the federal simplified acquisition threshold, EEISD will perform an estimate of the value of goods or services in the current market before receiving bids or proposals. EEISD will also conduct a price or cost analysis and document its findings after the receipt of bids and proposals and before awarding a contract.

g. **Background Checks/Criminal History.** Edcouch-Elsa ISD reserves the right to require additional background checks of identified personnel performing work in any projects or services where direct contact with staff and students may occur. The cost of required background checks will be the responsibility of the successful vendor. Edcouch-Elsa ISD reserves the right to conduct the background checks at its expense by the third party or other solution in order to assure itself of a thorough background check and Criminal background check. Awarded vendor shall submit appropriate information to Edcouch-Elsa ISD in compliance with Section 22.081 et.seq. Texas Education code regarding criminal history of its employees who will have contact with students.

h. **Non-Collusion Statement.** Affirming that you are duly authorized to execute this contract, that this company, corporation or firm has not prepared this bid in collusion with any other bidder, and that the contents of this bid as to prices, terms or conditions of said bid have not been communicated by the undersigned nor by the employee or agent to any other person engaged in this type of business prior to the official opening of this bid.

i. **Non-Appropriations Clause.** The award of this contract is dependent on the availability and/or appropriation of funding by the Edcouch-Elsa ISD Board of Trustees. In the event that funds do not become available or are not appropriated, the contract may be terminated or the scope amended. A thirty (30) day notice will be given to the Vendor, and there shall be no penalty or removal charges incurred by the District.

j. **Open Records Policy.** EEISD is a governmental body subject to the Texas Public Information Act. Proposals submitted as a result of this request for proposal may be subject to release as public information after contracts are executed or the procurement is terminated.

k. **Right to Reject.** The School District reserves the right to reject any and all Request for Proposals, to negotiate portions thereof, and to waive any informality or mistake in Request for Proposal.
1. **Negotiations/Interviews.** The School District reserves the right to enter into negotiations with any of the firms submitting Request for Proposals and to schedule interviews with administrative staff and/or Board of Trustees as the School District deems appropriate.

m. **Waiver of Formalities and Other Matters.** The School District reserves the right to waive any formalities, technicalities or deadlines, and to reject any or all proposals. The School District also reserves the right to verify the accuracy and completeness of all response by utilizing any information available to the School District without regard to whether such information appears in the proposal. By submitting a proposal, each vendor agrees to waive any claim it has or may have against the School District, its trustees, agents, and employees, and any persons or entities contacted as references, arising out of or in connection with the review, evaluation or recommendation of any Request for Proposal, the acceptance or rejection of any proposal, the waiver of any requirements in the proposal, and any complaints or concerns regarding the award of contract.
A. RESPONSE TO SPECIFICATIONS

Proposer will provide ongoing education and training to approximately 103 school employees concerning the Medicaid & Student and Health Related Services program in order to help maximize efforts and funds available to the District:

<table>
<thead>
<tr>
<th>No.</th>
<th>Requirement</th>
<th>Comply?</th>
<th>Detailed Explanation / Answer</th>
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<tbody>
<tr>
<td>1.</td>
<td>Please describe the scope, process and limitations of training that your company would provide to EEISD staff as part of coordinating this service.</td>
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<td>2.</td>
<td>Proposer will provide a detailed list of the services fees and charges that are included in your companies pricing structure.</td>
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<td>3.</td>
<td>Currently, EEISD is using the electronic format but uses paper for Transportation. Please provide which format is available for your company.</td>
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<td>4.</td>
<td>If the format is electronic, is billing compatible with Esped, the ARD automation program the District is currently using, and TXEIS, the Student Information System the District is currently using?</td>
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<td>5.</td>
<td>Would EEISD be allowed to review billing documentation before it is sent for billing purposes?</td>
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<td>6.</td>
<td>Describe the hours of customer service in the event we have questions/concerns.</td>
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<td>No.</td>
<td>Requirement</td>
<td>Comply?</td>
<td>Detailed Explanation / Answer No.</td>
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| 7.  | Are you able to provide the reports listed below? Monthly eligibility reports by campus and alpha order  
Consent reports  
Transportation  
Reports for the Cost Report Preparation  
Claims Filed  
Claims Denied  
TMHP Remittance and Status Reports  
Claims Paid by Service |        |                                   |
<p>| 8.  | EEISD is requesting a billing agent to be available for education and training of school employees. Do you comply?                                                                                       |        |                                   |
| 9.  | Will you prepare and submit the SHARS Cost Report on behalf of the District?                                                                                                                               |        |                                   |
| 10. | How often do you confirm with Medicaid eligibility? Can you provide this data electronically so that we can update our student information system with the data from TMHP? |        |                                   |
| 11. | Describe the capabilities of your software. Does your system allow for customization if requested by EEISD? If yes, would there be an additional fee for this?                                                       |        |                                   |
| 12. | Please describe what support you provide for the Random Moment Time Study?                                                                                                                                  |        |                                   |</p>
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<th>No.</th>
<th>Requirement</th>
<th>Comply?</th>
<th>Detailed Explanation / Answer No.</th>
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<tr>
<td>13.</td>
<td>Do you track consent information, along with eligibility, within your system to prevent ineligible claim filings? How often?</td>
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<td>14.</td>
<td>Do you validate providers against the participant list prior to submitting claims to TMHP?</td>
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<td>15.</td>
<td>Do you handle the entire claim filing process with TMHP and respond to any inquiries and/or denials with TMHP on behalf of EEISD?</td>
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<td>16.</td>
<td>Do you research and re-file denied claims?</td>
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<td>17.</td>
<td>Will you manually input claim filing information from transportation claim forms? How do you convert this to electronic transmission billing?</td>
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<td>18.</td>
<td>Will you provide auditing support to EEISD in the event of an onsite and/or desk audit?</td>
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<td>19.</td>
<td>Do you provide the ability for providers to input the claim information electronically?</td>
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<td>20.</td>
<td>Please provide a list of services that your company will provide EEISD? Please provide a list of responsibilities of the District.</td>
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<tr>
<td>No.</td>
<td>Requirement</td>
<td>Comply?</td>
<td>Detailed Explanation / Answer No.</td>
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<tr>
<td>21.</td>
<td>Please describe in detail the responsibility of the District in the billing process?</td>
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<td>22.</td>
<td>Will you monitor provider participation in the billing process? If so, explain how?</td>
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<tr>
<td>23.</td>
<td>Does your system integrate with Esped and TXEIS?</td>
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<td>24.</td>
<td>Does your system offer a mobile app?</td>
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<td>25.</td>
<td>What limits are there for support and training?</td>
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<td>26.</td>
<td>Describe in detail how your company will minimize the Districts administrative burden?</td>
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<td>27.</td>
<td>Does your electronic input system allow the monitoring of student goals and chart progress?</td>
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<td>28.</td>
<td>Please provide information on how your system will increase SHARS for the District.</td>
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<tr>
<td>29.</td>
<td>Please provide information on proposed electronic documentation which will increase the efficiency of service submissions to TMHP.</td>
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A. RESPONSE TO SPECIFICATIONS (Cont’d)

PERSONNEL TO BE ASSIGNED TO THIS PROJECT
Identify full-time and part-time staff, proposed consultants and subcontractors who may be assigned direct work on this project. Information is required that will show the composition of the task work group, its specific qualifications, and recent relevant experience. Special mention shall be made of direct technical supervisors and key technical personnel, and approximate percentage of the total time each will be available for this project. The technical areas, character and extent of participation by any subcontractor or consultant activity must be identified. Resumes of staff and proposed consultant and subcontractors are required and will indicate education, background, and recent relevant experience in conducting the services of this RFP for similar sized school districts. Current telephone numbers must be included.

a) Is your company prepared to assign a full-time employee to serve as Account Manager or primary contact to this contract?
   Yes _________ No _________
   If yes, attach a resume, proposed job description, and copy of licenses, if applicable.

b) Is your company prepared to assign one or more full-time supervisor(s) to this contract?
   Yes _________ No _________

c) If yes, attach resume(s), proposed job description, and copy of licenses, if applicable.
   Yes _________ No _________

ORGANIZATION AND STAFF EXPERIENCE
Vendor must describe their qualifications and experience to perform the work described in this Request for Proposal. Information about qualifications and experience should include direct experience related to MEDICAID & STUDENT HEALTH AND RELATED BILLING SERVICES and/or other relevant experience within the past 36 months, and the size of those school systems and/or public entities served.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

14
STAFFING PLAN
A staffing plan is required that describes the Vendor’s proposed staff distribution to accomplish this work. The staffing plan should indicate a chart that partitions the time commitment of each professional staff member across the proposed tasks and a timeline for the project. It is mandatory that this section identify the key personnel who are to work on the project, their relationship to be contracting organization and amount of time to be devoted to the project. This includes Consultants as well as regular employees of the Vendor, if relevant.

PROFESSIONAL LIABILITY INSURANCE
Describe limits per project. Describe limits aggregate. Describe deductible. Number of claims asserted against your firm in the last five (5) years. Provide details of each claim, if any. Attach additional pages if necessary.

A. RESPONSE TO SPECIFICATIONS (Cont’d)
SCHOOL DISTRICT EXPERIENCE AND GENERAL QUESTIONS

1. Total number of school district clients your firm has serviced: ________________

2. Has your firm provided MEDICAID & STUDENT HEALTH AND RELATED BILLING to K-12 public school district in the past? Yes _____ No _____

3. If yes to number 2, list up to five (5) school districts that your firm has provided services to include two (2) like size districts:
   ___________________________________
   ___________________________________
   ___________________________________
   ___________________________________
   ___________________________________

4. Has your firm provided other services for K-12 public school districts in the past? Yes __NO _____

5. If yes to number 4, list up to five (5) school districts that your firm has provided services for to include two (2) like size districts and describe the type(s) of services provided:
   a. ______________
   b. ______________
   c. ______________
   d. ______________
   e. ______________

6. Has your firm lost any contracts within the last year due to performance issues? Yes___ No __ If yes, please explain.
7. Describe your company’s service support philosophy, how it is carried out, and how the philosophy’s success is measured.

8. Describe your company's quality assurance program, what are your company's requirements, and how are they measured?

9. Provide a list of any services not specified in this RFP that your company will provide to the District.

10. Provide details regarding any special services, product characteristics, other benefits offered, or advantages in the District selecting your company.
Certificate of Residency

The State of Texas passed a law concerning non-resident contractors. This law can be found in Texas Government Code under Chapter 2252, Subchapter A, www.capitol.state.tx.us/statutes/gv.toc.htm. This law makes it necessary for the EEISD to determine the residency of its bidder (proposer). In part, this law reads as follows:

“Section: 2252.001
(3) ‘Non-resident’ bidder refers to a person who is not a resident.

(4) ‘Resident bidder’ refers to a person whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

Section: 2252.002

A governmental entity may not award a government contract to a nonresident bidder unless the nonresident underbids the lowest proposal submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident’s principal place of business is located.”

I certify that _______________ _______________ (Name of company bidding)

is, under Section: 2252.001 (3) and (4), a _______ Resident Bidder _______ Non-resident Bidder

If Non-resident Bidder is checked, does your “residence state” require bidders whose principal place of business is in Texas to under-bid vendors whose residence state is the same as yours by a prescribed amount or percentage to receive a comparable contract?

· Yes · No

If yes, what is the amount or percentage? ________________

My or Our principal place of business under Section: 2252.001 (3) and (4), is in the city of ____________________________ in the state of ____________________________.

__________________________________________ (Signature of authorized company representative)

__________________________________________ (Print name)

____________________________  ________________________ Title  Date

Note: This form must be executed and submitted with RFP Acknowledgment Form.
# Resident Proposer Form

If you or your company own real or personal property within Edcouch-Elsa I.S.D. boundaries, please provide the address(es) and CAD tax account number(s). If none, please indicated under item B.

<table>
<thead>
<tr>
<th>A.</th>
<th>Address</th>
<th>CAD Tax Account Number (13 digits)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Adam Street 123, Addison, Texas 75001</td>
<td>12345678901234</td>
</tr>
<tr>
<td>2.</td>
<td>Brown Avenue 456, Baytown, Texas 77520</td>
<td>2345678901234</td>
</tr>
<tr>
<td>3.</td>
<td>Cameron Drive 789, Beaumont, Texas 77701</td>
<td>345678901234</td>
</tr>
<tr>
<td>4.</td>
<td>Davis Street 1012, Deer Park, Texas 77536</td>
<td>45678901234</td>
</tr>
<tr>
<td>5.</td>
<td>Edward Avenue 1234, Orange, Texas 77613</td>
<td>5678901234</td>
</tr>
<tr>
<td>6.</td>
<td>Franklin Drive 7891, Port Arthur, Texas 77612</td>
<td>678901234</td>
</tr>
<tr>
<td>7.</td>
<td>George Street 10123, Houston, Texas 77001</td>
<td>78901234</td>
</tr>
<tr>
<td>8.</td>
<td>Henry Avenue 789012, Katy, Texas 77491</td>
<td>8901234</td>
</tr>
<tr>
<td>9.</td>
<td>Ivan Drive 101234, Galveston, Texas 77551</td>
<td>123456789012</td>
</tr>
<tr>
<td>10.</td>
<td>John Street 123456789012, Beaumont, Texas 77777</td>
<td>2345678901234</td>
</tr>
</tbody>
</table>

List additional account numbers on a separate page.

Additional accounts are listed  ·  Yes  ·  No

B. There is no real or personal property located in Edcouch-Elsa I.S.D. boundaries to report.

**Signature of Authorized Agent** ________________________________  **Date** __________

I, the undersigned for the firm named below, certify that the information concerning notification of real or personal property located within Edcouch-Elsa I.S.D. boundaries is true to the best of my knowledge and have completed either item A or B above.

**Vendor (Company) Name** ____________________________________________

**Signature of Authorized Agent** ________________________________

**Date** __________

**Note:** This form must be executed and submitted with RFP Acknowledgment Form.
Request for Taxpayer Identification Number and Certification

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2. Business name/disregarded entity name, if different from above.

3. Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.
   - Individual sole proprietor or single-member LLC
   - C Corporation
   - S Corporation
   - Partnership
   - Trust/estate

4. Exemptions (codes apply only to certain entities, not individually; see instructions on page 3):
   - Exempt payee code (if any) ______
   - Exemption from FATCA reporting code (if any) ______

5. Address (number, street, and apt. or suite no.) See instructions.

6. City, state, and ZIP code

7. List account number(s) here (optional)

Part I  Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see What Name and Number To Give the Requester for guidelines on whose number to enter.

Part II  Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here  Date

Signature of U.S. person  

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1088-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.
ADDENDUM B

Notification for Consultant with Employees

Introduction: Texas Education Code Chapter 22 requires an independent consultant who provides services to a school district to submit to a criminal history review if the independent consultant will have continuing duties related to the contracted services and direct student contact. Each independent consultant must certify with the District that the consultant has complied.

Definitions:

Covered employees: Employees of a consultant who have or will have continuing duties related to the service to be performed at the District and have or will have direct contact with students. The District will be the final arbiter of what constitutes direct contact with students.

Disqualifying criminal history: Any conviction or other criminal history information designated by the Center, or one of the following offenses, if at the time of the offense, the victim was under 18 or enrolled in a public school:

a) A felony offense under Title 5, Texas Penal Code;
b) An offense for which a defendant is required to register as a sex offender under Chapter 62, Texas Code of Criminal procedure; or
c) An equivalent offense under federal law or the laws of another state

On behalf of (“Consultant”), I certify that [check one]:

- None of the employees of Consultant are covered employees, as defined above. If this box is checked, I further certify that Consultant has taken precautions or imposed conditions to ensure that the employees of Consultant will not become covered employees. Consultant will maintain these precautions or conditions throughout the time the contracted services are provided.

OR

- Some or all of the employees of Consultant are covered employees. If this box is checked, I further certify that:
  1) Consultant has obtained all required criminal history record information regarding its covered employees. None of the covered employees has a disqualifying criminal history.
  2) If consultant received information that a covered employee subsequently has a reported criminal history, Consultant will immediately remove the covered employee from contract duties and notify the District in writing within three (3) business days.
  3) Upon request, Consultant will provide the District with the name and any other requested information of covered employees so that the District may obtain criminal history record information on the covered employees.
  4) If the District objects to the assignment of a covered employee on the basis of the covered employee’s criminal history record information, Consultant agrees to discontinue using that covered employee to provide services at the District.

Noncompliance or misrepresentations regarding this certification may be grounds for contract termination.

Print Name________________________________ Date of Birth__________________

Signature__________________________________ Date_________________________
Certification Regarding Terrorist Organizations and Boycott of Israel

Respondent shall provide an executed “Anti-Terrorism Certification” provided in this document certifying that pursuant to Texas Government Code 2252.151 et al. it is not a company identified on the Texas Comptroller’s list of companies known to have contracts with, or provide supplies or services to, a foreign terrorist organization. Respondent further certifies that it will not take any action that would cause it to be included on the Texas Comptroller’s list. The certification shall be executed by all Respondents.

Respondent shall execute the written verification provided in this document, in accordance with Texas Gov’t Code Section 2270.001 et al., verifying that Respondent or any affiliate, subsidiary, or parent company of Respondent, if any, does not boycott Israel and will not boycott Israel during the term of the Agreement. The term “boycott Israel” means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. The verification shall be executed by all Respondents.

Anti-Terrorism Certification

I, ___________________________, the undersigned representative of ____________________________________________ (the “Company”), my date of birth being ___________________________, pursuant to Texas Government Code Chapter 2252, certifies that the above-named Company is not identified on the list prepared and maintained under Texas Government Code Section 2270.0201 (formerly 806.051) as a scrutinized company, Section 807.051, or Section 2252.153. I further certify that should the above-named Company become listed in accordance with any of the foregoing Sections (or as the Sections may be amended or supplemented) or enter in to a contract with a company that is on said listings, I will immediately notify Edcouch-Elsa ISD Business Office.

I declare under penalty of perjury that the foregoing is true and correct.

__________________________________  ________________
Signature                                Date
TEX. GOV'T CODE 2270 VERIFICATION
STATE OF TEXAS }
COUNTY OF HIDALGO }

Date: ____________________
Name of Affiant: ____________________________________________________
Title of Affiant: _____________________________________________________
Business Name of Company (“Company”): _______________________________
County of Company: _______________________________

Affiant herby swears, verifies, and declares under penalty of perjury that the following statements are true in accordance with Texas Government Code 2270.001 et al (the “Code”):
1. Affiant is authorized by Company to make this affidavit.
2. Affiant is fully aware of the facts stated in this affidavit.
3. Affiant can read the English language and is over eighteen (18) years of age.
4. Company does not currently boycott Israel.
5. Company will not boycott Israel during the term of the Agreement with Edcouch-Elsa Independent School District in accordance with the Code.

Signature of Affiant: _________________________________________________
Address: ___________________________________________________________

SUBSCRIBED AND SWORN TO before me by on _________________ 20____.

Notary Public, State of _______________________
Typed or printed name of notary _______________________

Signature of Notary: _________________________________________________
My commission expires: _______________________
CERTIFICATION OF COMPLIANCE WITH TEXAS FAMILY CODE PROVISION
As per Section 14.52 of the Texas Family Code, added by S.B. 84, Acts, 73rd Legislature, R.S. (1993), all bidders
must complete and submit with the bid the following affidavit:

I, the undersigned vendor, do hereby acknowledge that NO sole proprietor, partner, majority shareholder of a
corporation, or an owner of 10% or more of another business entity is 30 days or more delinquent in paying child
support under a court order or a written repayment agreement. I understand that under this provision, a sole
proprietorship, partnership, corporation or other entity in which a sole proprietor, partner, majority shareholder
or a corporation, or an owner of 10% or more of another entity is 30 days or more delinquent in paying child
support under a court order or a written repayment agreement is NOT eligible to bid or receive a state contract.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

REQUIRED CONTRACT PROVISIONS FOR NON-FEDERAL ENTITY CONTRACTS
UNDER FEDERAL AWARDS – APPENDIX II TO 2 CFR PART 200

The following provisions are required and apply when federal funds are expended by Edcouch-Elsa ISD for any
contract resulting from this procurement process.

(A) Contracts for more than the simplified acquisition threshold currently set at $150,000, which is the
inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense
Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative,
contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide
for such sanctions and penalties as appropriate.

Pursuant to Federal Rule (A) above, when federal funds are expended by Edcouch-Elsa ISD, Edcouch-Elsa ISD
reserves all rights and privileges under the applicable laws and regulations with respect to this procurement in the
event of breach of contract by either party.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

(B) Termination for cause and for convenience by the grantee or sub-grantee including the manner by which
it will be effected and the basis for settlement. (All contracts in excess of $10,000)

Pursuant to Federal Rule (B) above, when federal funds are expended by Edcouch-Elsa ISD, Edcouch-Elsa ISD
reserves the right to immediately terminate any agreement in excess of $10,000 resulting from this procurement
process in the event of a breach or default of the agreement by Vendor, in the event vendor fails to: (1) meet
schedules, deadlines, and/or delivery dates within the time specified in the procurement solicitation, contract,
and/or a purchase order; (2) make any payments owed; or (3) otherwise perform in accordance with the contract
and/or the procurement solicitation. Edcouch-Elsa ISD also reserves the right to terminate the contract
immediately, with written notice to vendor, for convenience, if Edcouch-Elsa ISD believes, in its sole discretion
that it is in the best interest of Edcouch-Elsa ISD to do so. The vendor will be compensated for work performed
and accepted and goods accepted by Edcouch-Elsa ISD as of the termination date if the contract is terminated for
convenience of Edcouch-Elsa ISD. Any award under this procurement process is not exclusive and Edcouch-Elsa
ISD reserves the right to purchase goods and services from other vendors when it is in the best interest of Edcouch-Elsa ISD.

Does vendor agree to abide by the above? YES ________ Initials of Authorized Representative of vendor


Pursuant to Federal Rule (C) above, when federal funds are expended by Edcouch-Elsa ISD on any federally assisted construction contract, the equal opportunity clause is incorporated by reference herein.

Does vendor agree to abide by the above? YES ________ Initials of Authorized Representative of vendor

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or sub-recipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

Pursuant to Federal Rule (D) above, when federal funds are expended by Edcouch-Elsa ISD, during the term of an award for all contracts and sub-grants for construction or repair, the vendor will be in compliance with all applicable Davis-Bacon Act provisions.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in
excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

Pursuant to Federal Rule (E) above, when federal funds are expended by Edcouch-Elsa ISD, the vendor certifies that during the term of an award for all contracts by Edcouch-Elsa ISD resulting from this procurement process, the vendor will be in compliance with all applicable provisions of the Contract Work Hours and Safety Standards Act.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or sub-recipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or sub-recipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

Pursuant to Federal Rule (F) above, when federal funds are expended by Edcouch-Elsa ISD, the vendor certifies that during the term of an award for all contracts by Edcouch-Elsa ISD resulting from this procurement process, the vendor agrees to comply with all applicable requirements as referenced in Federal Rule (F) above.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

(G) Clean Air Act (42 U.S.C. 7401-7671q,) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and sub-grants of amounts in excess of $150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

Pursuant to Federal Rule (G) above, when federal funds are expended by Edcouch-Elsa ISD, the vendor certifies that during the term of an award for all contracts by Edcouch-Elsa ISD resulting from this procurement process, the vendor agrees to comply with all applicable requirements as referenced in Federal Rule (G) above.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
Pursuant to Federal Rule (H) above, when federal funds are expended by Edcouch-Elsa ISD, the vendor certifies that during the term of an award for all contracts by Edcouch-Elsa ISD resulting from this procurement process, the vendor certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor


Pursuant to Federal Rule (I) above, when federal funds are expended by Edcouch-Elsa ISD, the vendor certifies that during the term and after the awarded term of an award for all contracts by Edcouch-Elsa ISD resulting from this procurement process, the vendor certifies that it is in compliance with all applicable provisions of the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). The undersigned further certifies that:

(1) No Federal appropriated funds have been paid or will be paid for on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the awarding of a Federal contract, the making of a Federal grant, the making of a Federal loan, the entering into a cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying”, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all covered sub-awards exceeding $100,000 in Federal funds at all appropriate tiers and that all sub-recipients shall certify and disclose accordingly.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

RECORD RETENTION REQUIREMENTS FOR CONTRACTS PAID FOR WITH FEDERAL FUNDS – 2 CFR § 200.333

When federal funds are expended by Edcouch-Elsa ISD for any contract resulting from this procurement process, the vendor certifies that it will comply with the record retention requirements detailed in 2 CFR § 200.333. The vendor further certifies that vendor will retain all records as required by 2 CFR § 200.333 for a period of three
years after grantees or sub-grantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

CERTIFICATION OF COMPLIANCE WITH EPA REGULATIONS
APPLICABLE TO GRANTS, SUBGRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS
IN EXCESS OF $100,000 OF FEDERAL FUNDS

When federal funds are expended by Edcouch-Elsa ISD for any contract resulting from this procurement process in excess of $100,000, the vendor certifies that the vendor is in compliance with all applicable standards, orders, regulations, and/or requirements issued pursuant to the Clean Air Act of 1970, as amended (42 U.S.C. 1857(h)), Section 508 of the Clean Water Act, as amended (33 U.S.C. 1368), Executive Order 117389 and Environmental Protection Agency Regulation, 40 CFR Part 15.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

CERTIFICATION OF COMPLIANCE WITH THE ENERGY POLICY AND CONSERVATION ACT

When federal funds are expended by Edcouch-Elsa ISD for any contract resulting from this procurement process, the vendor certifies that the vendor will be in compliance with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871).

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

CERTIFICATION OF COMPLIANCE WITH BUY AMERICA PROVISIONS

Vendor certifies that vendor is in compliance with all applicable provisions of the Buy America Act. Purchases made in accordance with the Buy America Act must still follow the applicable procurement rules calling for free and open competition.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor

CERTIFICATION OF NON-COLLUSION STATEMENT

Vendor certifies under penalty of perjury that its response to this procurement solicitation is in all respects bona fide, fair, and made without collusion or fraud with any person, joint venture, partnership, corporation or other business or legal entity.

Does vendor agree? YES ________ Initials of Authorized Representative of vendor
Vendor Certification

Vendor agrees to comply with all federal, state, and local laws, rules, regulations and ordinances, as applicable. It is further acknowledged that vendor certifies compliance with all provisions, laws, acts, regulations, etc. as specifically noted above.

Vendor’s Name/Company Name:
_________________________________________________________

Address, City, State, and Zip Code:
_________________________________________________________________

Phone Number: __________________ Fax Number: ___________________

Printed Name and Title of Authorized Representative:
_________________________________________________________________

Signature of Authorized Representative:
___________________________________________________________

Date: __________________ Federal Tax ID #: _________________________

Email Address: _________________________________________________
Definitions and Instructions for Completing Form 1295

Edcouch-Elsa ISD is required to comply with House Bill 1295, which amended the Texas Government Code by adding Section 2252.908, Disclosure of Interested Parties. Section 2252.908 prohibits Edcouch-Elsa ISD, or its cooperative members, from entering into a contract resulting from this RFP with a business entity unless the business entity submits a Disclosure of Interested Parties – Form 1295 to Edcouch-Elsa ISD at the time the business entity submits the signed contract. The Texas Ethics Commission has adopted rules requiring the business entity to file Form 1295 electronically with the Texas Ethics Commission.

As a “business entity,” all vendors must electronically complete, print, sign, notarize and submit Form 1295 with their proposals or contracts even if no interested parties exist.

Proposers must file Certificate of Interested Parties – Form 1295 with the Texas Ethics Commission using the following online application: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

- Proposers must use the filing application on the Texas Ethics Commission’s website (see link above) to enter the required information on Form 1295.
- Proposers must print a copy of the completed form, which will include a certification of filing containing a unique certification number.
- The Form 1295 must be printed and then signed by an authorized agent of the business entity, and the form must be notarized.
- The completed Form 1295 with the certification of filing must be filed with Edcouch-Elsa ISD by including a copy of the completed/notarized form with the proposal response.
- Edcouch-Elsa ISD must 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 binds all parties to the contract.
- After Edcouch-Elsa ISD acknowledges the Form 1295, the Texas Ethics Commission will post the completed Form 1295 to its website within seven (7) business days after receiving notice from Edcouch-Elsa ISD.

Instructions to Vendors:

1. Read these instructions,
2. Go to the Ethics Commission Website https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm,
3. Register and complete Form 1295 online - include the proposal number and the contract/RFP name,
4. Print a copy of the submitted Form 1295 and have it notarized - it will have a certification # in the top right corner,
5. Include a copy of the completed, signed and notarized Form 1295 with the proposal response.

Definitions:

- Interested Party: a person who:
  1) has controlling interest in a business entity with whom Edcouch-Elsa ISD and/or its cooperative member’s contracts; or
  2) actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity.

- Controlling Interest means:
  1) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent;
2) 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
3) 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.

- **Intermediary**: a person who actively participates in the facilitation of the contract or negotiation the contract, including a broker, advisor, attorney, or representative of or agent for the business entity who:
  1) receives compensation from the business entity for the person’s participation;
  2) communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
  3) is not an employee of the business entity?

- **Business Entity**: includes an entity through which business is conducted with a governmental entity or state agency, regardless of whether the entity is a for-profit or nonprofit entity.

**Resources**:

**Form 1295 Frequently Asked Questions**:
- [https://www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html](https://www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html)

**Instructional Video – First Time Business User**:
- [https://www.ethics.state.tx.us/filinginfo/videos/Form1295/FirstLogin-Business/Form1295Login-Business.html](https://www.ethics.state.tx.us/filinginfo/videos/Form1295/FirstLogin-Business/Form1295Login-Business.html)

**Instructional Video – How to Create a Certificate**:
- [https://www.ethics.state.tx.us/filinginfo/videos/Form1295/CreateCertificate/CreateCertificate.html](https://www.ethics.state.tx.us/filinginfo/videos/Form1295/CreateCertificate/CreateCertificate.html)

Acknowledgement Signature ____________________________ Date ____________________________