

# Request for Proposal for Tutoring Services

(Targeted Intervention During and After School for the Genesis Campus 3-5 and the Quest Campus 3-8)

### **Purpose of Request**

The A.W. Brown Leadership Academy is seeking a Contractor to provide Tutoring Services for students targeted for intervention during and after school for the Genesis Campus 3-5 and the Quest Campus 3-8.

Date	Event	
1/13/2020	Advertise / Issue Date	
1/24/2020	Due Date for Proposal	
1/28/2020	Committee Evaluation	

### Instructions

Vendors are required to submit written proposals that present the vendor's qualifications and understanding of the work to be performed. The vendor's proposal should be prepared simply and economically and should provide all the information it considers pertinent to its qualifications for the Specification listed herein. Emphasis should be placed on completeness of services offered and clarity of content.

- Questions must be submitted via e-mail to the contact person listed below.
   In the e-mail subject line, type: Questions, RFP Tutoring Service
- Proposershall submit, in a sealed envelope or carton, plainly marked with the RFP Number and Title:
  - 1. One (1) clearly identified hard copy ORIGINAL of the Proposal response.
  - 2. Two (2) clearly identified PAPER COPIES of the proposal.
- Proposals must be plainly marked with your firm's name and RFP Title.
- FAX and or e-mail proposals will NOT be accepted.

### **Deliver Sealed Proposals to:**

A.W. Brown Leadership Academy
Attn: Request for Proposal Tutoring Services
3810 W. Red Bird Lane
Dailas, TX 75237

### Contact:

Wanda Peer (972) 708-0074 wpeer@awbrown.org

### I. INTRODUCTION

The A.W. Brown Leadership herein after referred to as "AWBLA" or the "District") is seeking proposals from organizations qualified and experienced in providing tutoring services by degreed professional teachers to accomplish the following: Tutoring Services for students targeted for intervention during and after school for the Genesis Campus 3-5 and the Quest Campus 3-8.

A.W. Brown Leadership Academy educates approximately 1,700 scholars. In partnership with parents and our community, AWBLA's mission is to produce smart, effective, efficient, disciplined students by creating an environment in which teachers feel safe and free to teach and students feel safe and motivated to learn.

We partner with other learning institutions, innovative businesses, nonprofit organizations and engaged community leaders to prepare our students for high school, college, career and life.

This competitive solicitation is a *Request for Proposals* (RFP) advertised under Texas Education Code 44.031 on the AWBLAweb site (<u>www.awbrown.org</u>) and BuyBoard Purchasing Cooperative (www.buyboard.com).

Submit inquiries via email to the contact person listed on the cover page by the deadline specified in the schedule below. In the subject line of the email, type "Questions" and the solicitation number:

### **Questions, RFP for Tutoring Services**

Questions received by this deadline and corresponding answers will be included in an Addendum and posted to our website at www.awbrown.org.

### II. TERM OF AGREEMENT

The agreement(s) resulting from this solicitation will be in effect for an initial term of one (1) year from the date of award by the Board of Directors, or such date established by the agreement. The parties by mutual consent may renew the agreement for up to one (1) additional one (1) year period. In addition, the District reserves the right to extend the contract for an additional sixty (60) days beyond the final expiration date if necessary, to ensure no lapse in service.

### III. SCOPE OF SERVICE AND PERFORMANCE REQUIREMENTS

AWBLA is seeking to establish an acceptable provider of tutoring, on-site educational evaluations and tutoring program management services for the District.

The District and selected provider(s) will enter into a master Service Agreement outlining the services offered, pending approval by the AWBLA Board of Directors.

The following describes the service and performance requirements that the selected vendors will be required to meet. Failure to address or to fully describe capabilities to accomplish all elements of this section will result in a loss of evaluation points.

### A. Scholar tutoring services required are as follows:

- 1. All tutors are professionals with a college degree and a criminal history background check.
- 2. Grades 3 8.
- 3. Genesis and Quest Campuses
- 4. Aligned to core curriculum in all subject areas.
- 5. Format on campuses:
  - a. 1 to 1 tutoring
  - b. Up to 10:1 student/tutor ratio
  - c. Small group tutoring
  - d. Preparation for STAAR
  - e. Scholar access to online tutoring
  - f. "Push-In" intervention (tutor comes into the classroom to work with scholars)
- 6. Tutoring sessions will occur Monday through Fridays and occasional Saturdays.
- 7. Up to 40 hours per week during school day.
- 8. Academic year January through July.

### B. Tutoring program management services required as follows:

- A Program Manager with college degree and experience in a professional education support role related to education and tutoring and a criminal history background check.
- 2. The Program Manager will coordinate delivery of tutoring services with the designated District and/or campus staff.

### C. Tutoring Service Provider Responsibilities are as follows:

- 1. The service provider will ensure that instruction and content used are consistent with those of the school, District standards, Core Values and Goals and are aligned to Texas Essential Knowledge and Skills (TEKS).
- 2. Demonstrated record of effectiveness in increasing student academic achievement.
- 3. Services are high quality, research-based, and specifically designed to increase academic achievement.
- 4. Tutoring services are secular, neutral and non-ideological.
- 5. The Service Provider will provide the experience and qualifications of tutoring staff delivering tutoring services.
- 6. All individuals employed by or otherwise associated with the applicant who will have

direct contact with students will, at the contractors expenses, comply with the provisions of Texas Education Code (TEC) §22.0834 and §22.081 by obtaining the national criminal history record information (fingerprint-based criminal history for each employee before they have contact with students.

- The service provider will provide a method for how student's progress will be measured.
- 8. The service provider will provide a method to communicate student progress to parents and school administration.
- 9. The service provider will provide a Scope of Services Agreement and Proposal with the following details:
  - The duration of services initiation date, frequency, and duration of services to be provided.
  - b. The number of students and tutors.
  - c. The campus location where services will be provided.
  - d. Detailed description of the tutoring program services to be provided.
  - e. Itemized cost.

### IV. PROPOSAL RESPONSE FORMAT

- Proposer shall submit, in a sealed envelope, plainly marked with RFP Number and Title:
  - 1. One (1) clearly identified hard copy ORIGINAL of the Proposal response.
  - 2. Two (2) clearly identified PAPER COPIES of the proposal.
- FAX or e-mail proposals will NOT be accepted.
- The vendor's proposal itself shall be organized in the following order, with each section clearly indexed:

### A. Section I – Preface

The Proposer shall provide an Executive Summary of two (2) pages or less, which gives in brief, concise terms, a summation of the proposal. Please include business name, address, point of contact and contact information.

### B. Section II - Summary of Experience

This section shall contain the full name and address of the Vendor submitting the proposal and a brief summary of the Vendor's corporate experience and individual experience for personnel who will provide this product or service.

C. Section III – Proposal Response to Scope of Service and Performance Requiremen

The Proposer shall provide a description of services and capabilities as outlined in
the Scope of Service and Performance Requirements section of this RFP by
submitting the following Proposal Offer Forms included within this document:

## D. ATTACHMENT A - VENDOR RESPONSE FORM - GENERAL INFORMATION ATTACHMENT B - VENDOR RESPONSE FORM - SCOPE OF SERVICES

A Microsoft Word format will be posted for your convenience. Clearly state any exceptions taken to the specifications of this RFP, or any conditions of the proposal. The answers shall be clear and concise, and not lengthy. If the Proposer does not have a response, the Proposer shall state 'not applicable' or 'unable to perform'.

### E. Section IV- Cost Summary

The Proposer shall provide information on any costs that AWBLA may incur. The Proposer must specify all costs (i.e. administrative fees, processing fees, etc.) associated with providing the services required herein. Proposer will provide a complete fee and cost detail supporting all elements of its Proposal. The cost detail must include a narrative for each fee or cost element. If the Proposer does not expect for AWBLA to incur any costs, the Proposer shall state 'No costs to AWBLA.

### F. Section V - References

The Proposer shall submit a minimum of four (4) verifiable references. It is desired that if the Proposer has performed this type of service previously, those references be listed. It is recommended that the Proposer provide references that are similar or as closely related to this unique agreement, if possible.

Each reference provided shall include:

- Reference's Name
- Contact Person
- Address, City, State, and Zip
- Contact Person Phone Number
- Contact Person EmailAddress
- Brief Project Scope
- Time Frame

### G. Section VI - Required Forms (Certifications and Representations)

Vendor shall execute the following required forms (located at the end of this solicitation) and return the **signed original** with the proposal:

- · Notification of Criminal History of Vendor
- Debarment, Suspension and Ineligibility Certification
- W-9

### H. Section VII - Additional Documentation

Additional pages may be included within the Proposal response, but must be included within the bound copy of the Proposal response, and cross-referenced as necessary. Unnecessarily lengthy documents are discouraged.

The District reserves the right to tender its own contract which shall incorporate the requirements of this RFP and the successful Proposer's response. A sample agreement for reference purposes is enclosed. It is suggested that if Proposer has an established contract agreement for the product offered, this should be included within this section and clearly identified. Proposer must list any special provisions or clauses that it would like to have considered in the resulting contract and an explanation of the intent of such special provision or clause.

### V. COMPETITIVE SELECTION, EVALUATION, NEGOTIATIONS AND AWARD

AWBLA will evaluate each Vendor's proposal in accordance to the Texas Education Purchasing Code 44.031.

- A. The committee evaluating the proposals submitted in response to this RFP may require any or all vendors to clarify or elaborate on their proposal as well as to provide a presentation. Upon completion of oral presentations or discussions, vendors may be requested to revise any or all portions of their proposals.
- B. AWBLA reserves the right to add, remove, modify or establish additional evaluation points for each criterion. If the District determines that additional evaluation steps are required to determine the best value, the District reserves the right to consider any or all of the following additional criteria; Proposer's experience, references and record for responsibility, or any other relevant factors that the District deems necessary to determine best value.
- C. AWBLA reserves the right to make an award without discussion with any Proposer, after proposal responses are received. Proposer responses should therefore be submitted on the most favorable terms. The District may also request the Proposers to submit a Best and Final Offer for consideration.
- D. In making that determination which proposal responses are deemed acceptable and may be reviewed further, the District shall consider the following criteria during the evaluation process:

Maximum Points	Proposal Scoring C	Criteria
35	Proposed Plan	The adequacy and completeness of the plan offered addressing the Scope of Services (Attachment A and B – Vendor Response Forms)
30	Vendor Capabilities and Organizational Capacity	The demonstrated ability of the vendor to provide the services, including references.  (Attachment B – Vendor Response Form)
35	Financial Proposal	The cost is reasonable and appropriate given the scope of proposed plan.

# VENDOR RESPONSE FORM ATTACHMENT A – GENERAL INFORMATION

Indicate Areas of Service	Below:		
Academic content areas:	0	Reading	
	0	English Language Arts	
	0	Math:	
	İ	○ Primary	
		○ Algebra	
		○ Geometry	
		0	
		○ Science:	
	, O	O Primary	
		OBiology	
		0	
		0	
		O Social Studies	
		Government	
	0	Economics	
	0	STAAR Preparation	
	0	Other (please list):	
	00000		
Grades served:	03	3	
	0 4		
	0.5	5	
	06	3	
	07	7	
	07	3	
	0 /	All	_

# VENDOR RESPONSE FORM ATTACHMENT A – GENERAL INFORMATION

Student populations served:	<ul> <li>Low-income students</li> <li>Title 1 students</li> <li>"At-risk" students</li> <li>Migrant students</li> <li>Minority students</li> <li>Special education students</li> <li>Students with disabilities</li> <li>English Language Learners</li> <li>Indicate languages:</li> <li>Other (please list):</li> </ul>
Maximum group size for tutoring:	
Educational level of tutors: (Most programs at AWBLA will require tutors with college degrees. Certified teachers are preferred, but not required).	<ul> <li>○ High School/GED diploma</li> <li>○ Some college work</li> <li>○ College Graduate</li> <li>○ Certified teacher</li> <li>○ Other (please list)</li> </ul>
Times served:	<ul> <li>During School</li> <li>After School</li> <li>Summer School</li> <li>Weekends</li> </ul>
Parent and School communications:	<ul> <li>Written reports</li> <li>Email</li> <li>Personal conferences</li> <li>Telephone conferences</li> <li>Other (please list):</li> </ul>
Frequency of academic progress reports to parents and schools: (Need and frequency of progress will be negotiated on a case by case basis, if applicable)	<ul> <li>Weekly</li> <li>Monthly</li> <li>Following tutoring sessions</li> <li>At end of program</li> <li>Other (please list)</li> </ul>

# ATTACHMENT B-VENDOR RESPONSE FORM SCOPE OF SERVICES

Proposed Plan	Detailed Response	
Question 1: What is the instructional content, methodology, and format? (5 points)		
Question 2:  How will you ensure that the instruction and content is consistent with what is used by the District and state and is aligned with State Texas  Essential Knowledge and Skills (TEKS)? (Spoints)		
Essential Knowledge and Skills (TEKS)? (5points)		
Question 3:  How will student academic progress/increasing achievement be measured? How will the schools, teachers, and parents be notified of student progress, to the extent practicable, in their native language or othermode of communication? (Yourmay attach a sample progress report or communication report to the back of the application.) (5 points)		
Question 4:		
How will student attendance and deliverance of services be recorded and reported to the school? (5 points)		

# ATTACHMENT B - VENDOR RESPONSE FORM SCOPE OF SERVICES

# ATTACHMENT B - VENDOR RESPONSE FORM SCOPE OF SERVICES

Question 2  A description of the organization's history of providing similar supplemental educational services, including the number of previous contracts, the diversity of clients, the number of students served, etc. (5 points)	Question 1 A description of the organization, including information such as length of time in operation, number of existing locations, number of staff, an organization chart, etc. (You may attach an organizational chart or other needed charts or graphs.) (5 points)	Organizational Capacity D	Question 4: If available, present evidence of parent satisfaction with services/programs. (5 points)	Question 3:  Describe the academic improvement of students receiving service. (You may attach a charts, graphs, or reports to the back of the application.) (5 points)	Question 2: What is the methodology used to collect this evidence (measures and analysis used, comparison groups etc.)? (5 points)
		Detailed Response			

### **Required Forms**

Bidders shall execute the following forms and return the signed original with their proposal.

### **Notification of Criminal History of Contractor**

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

### Debarment, Suspension and Ineligibility Certification

Contractors receiving individual awards of \$25,000 or more and all sub-recipients must certify that their organization and its principals are not suspended or debarred by a federal agency.

### W-9

Form W-9 is the IRS form used by AWBLA to request your taxpayer identification number. You may get a blank Form W-9 to fill out if you or your business is hired to provide goods or services. Filling out a W-9 is straightforward. Just provide your name and Social Security Number, or the name and Employer Identification Number of your business. By submitting a W-9, you are certifying that the tax id number you are providing is correct and accurate.

### **Conflict of Interest Questionnaire**

Under State Local Government Code, Chapter 176, vendors are required to file Form CIQ when a relevant conflict exists.

### NOTIFICATION OF CRIMINAL HISTORY OF CONTRACTOR

Statutory citation is found in the Texas Education Code §44.034.

Subsection (a): 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): 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.

Subsection (c): This section does not apply to a publicly held corporation.

I, the undersigned officer or agent for the contractor named below, certify that the information concerning notification of criminal history of contractor has been reviewed by me and the following information furnished is true and correct to the best of my knowledge.

My firm IS NOT owned nor operated by anyone who has been convicted of a felony.		AUTHORIZED COMPANY OFFICIAL'S NAME:
My firm IS NOT owned nor operated by anyone who has been convicted of a felony.  My firm IS owned or operated by the following individual(s) who has/have been convicted felony.  Name of Felon(s):  (attach additional sheet if necessary)		Check only one of the following:
My firm IS owned or operated by the following individual(s) who has/have been convicted felony.  Name of Felon(s):  (attach additional sheet if necessary)	)	My firm is a publicly-held corporation; therefore, this reporting requirement is not applicable.
Name of Felon(s):  (attach additional sheet if necessary)	)	My firm IS NOT owned nor operated by anyone who has been convicted of a felony.
(attach additional sheet if necessary)	)	My firm IS owned or operated by the following individual(s) who has/have been convicted of a felony.
		Name of Felon(s):
Details of Conviction(s):		(attach additional sheet if necessary)
		Details of Conviction(s):
(attach additional sheet if necessary)		(attach additional sheet if necessary)

### DEBARMENT, SUSPENSION AND INELIGIBILITY CERTIFICATION

Statutory citation is found in the U.S. Office of Management and Budget Circular A-102, 2 CFR 11 Part 215, and Federal Acquisition Regulation Subpart 9.4

Federal agencies, state agencies, and local governments, including the A.W. Brown Leadership Academy, shall solicit offers from, award contracts to, and consent to subcontracts with responsible contractors only. OMB Circular A-102, *Grants and Cooperative Agreements with State and Local Governments*, Section 1 (d), requires that AWBLA shall not award a contract to a contractor, or consent to a subcontract with a contractor, that is debarred, suspended, proposed for debarment, or otherwise declared ineligible.

"Contractor" means any individual or other legal entity that – (1) Directly or indirectly submits offers for or is awarded a Federal Government or AWBLA contract or a subcontract under a Federal Government or AWBLA contract; or (2) Conducts business, or reasonably may be expected to conduct business, with the Federal Government or AWBLA.

A contract award with an amount expected to equal or exceed \$25,000 and certain other contract awards shall not be made to contractors that are listed on the Federal Government Excluded Parties List. Ref: 2 CFR 11 Part 215

Contractors submitting a bid or proposal in an amount expected to equal or exceed \$25,000 shall certify that neither their organization nor principal officers and agents nor subcontractors are debarred, suspended, proposed for debarment, or otherwise declared ineligible by a Federal agency.

I, the undersigned officer or agent for the contractor named below, certify that neither this organization nor principal officers and agents nor subcontractors are debarred, suspended, proposed for debarment, or otherwise declared ineligible by a Federal agency.

VENDOR'S NAME:	
Authorized Officer or Agent:	
Printed name of company official signing above:	
Date Signed:	

Department of the Treasury

### **Request for Taxpayer Identification Number and Certification**

Give Form to the requester. Do not send to the IRS.

II I LEA I 160	1 Name (as shown on your income tax return). Name is required on this line					
	2 Business name/disregarded entity name, if different from above					
on page 3.	Check appropriate box for federal tax classification of the person whose following seven boxes.  Individual/sole proprietor or C Corporation S Corpora	_	eck only one of the	certain en		apply only to dividuals; see 3):
9 2	single-member LLC	•		Exempt pa	yee code (#	any)
Print or type. Specific Instructions on page	Limited liability company. Enter the tax classification (C=C corporation Note: Check the appropriate box in the line above for the tax classification if the LLC is classified as a single-member LLC that is disregarded another LLC that is not disregarded from the owner for U.S. federal tax is disregarded from the owner should check the appropriate box for the company of the compa	ation of the single-member ov d from the owner unless the c ax purposes. Otherwise, a sing	wner. Do not check owner of the LLC is gle-member LLC th	and Mar		A reporting
8	Other (see instructions) ▶	,		1		d outside the U.S.)
জ	5 Address (number, street, and apt. or suite no.) See instructions.		Requester's name	and address	(optional)	
See	6 City, state, and ZiP code					
	7 List account number(s) here (optional)					
Par	Taxpayer Identification Number (TIN)					
	our TIN in the appropriate box. The TIN provided must match the			ecurity numb	er	
reside	withholding. For individuals, this is generally your social security in talien, sole proprietor, or disregarded entity, see the instructions for it is your employer identification number (EIN). If you do not have	for Part I, later. For other				
TIN, la			or			
	the account is in more than one name, see the instructions for lin		and Employ	r identificati	on number	
Numb	r To Give the Requester for guidelines on whose number to enter.			-		
Part	I Certification					
Under	penalties of perjury, I certify that:					
2. I am Serv no le	number shown on this form is my correct taxpayer identification no not subject to backup withholding because: (a) I am exempt from ice (IRS) that I am subject to backup withholding as a result of a fa nger subject to backup withholding; and	backup withholding, or (b)	I have not been	notified by	the Interna	l Revenue me that I an
	a U.S. citizen or other U.S. person (defined below); and				1	
	FATCA code(s) entered on this form (if any) indicating that I am exe	*	•			
you ha acquisi other ti	ation instructions. You must cross out item 2 above if you have been e failed to report all interest and dividends on your tax return. For real ion or abandonment of secured property, cancellation of debt, contributed an interest and dividends, you are not required to sign the certification	l estate transactions, item 2 butions to an individual retire	does not apply. I ement arrangeme	or mortgage nt (IRA), and	interest page	aid, payments
Sign Here	Signature of U.S. person ▶	c	Date ►			
Ger	eral Instructions	Form 1099-DIV (div funds)	vidends, includin	g those from	n stocks o	r mutual
Section noted.	references are to the Internal Revenue Code unless otherwise	Form 1099-MISC (viproceeds)	various types of	ncome, priz	es, award	s, or gross
related	developments. For the latest information about developments to Form W-9 and its instructions, such as legislation enacted by were published, go to www.irs.gov/FormW9.	Form 1099-B (stock transactions by broken	ers)			ər
	ose of Form	• Form 1099-S (proc				
ruil	VOG VI FUIII	<ul> <li>Form 1099-K (mercent)</li> </ul>	cnant card and th	iird narty ne	rwork fran	sactions)

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-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-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.

By signing the filled-out form, you:

- 1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
  - 2. Certify that you are not subject to backup withholding, or
- 3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- 4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See What is FATCA reporting, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- · An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- . An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

- The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
  - 2. The treaty article addressing the income.
- The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
- 4. The type and amount of income that qualifies for the exemption from tax.
- $\,$  5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

### **Backup Withholding**

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

### Payments you receive will be subject to backup withholding if:

- 1. You do not furnish your TIN to the requester,
- You do not certify your TIN when required (see the instructions for Part II for details),
  - 3. The IRS tells the requester that you furnished an incorrect TIN,
- 4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
- 5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See Exempt payee code, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see Special rules for partnerships, earlier.

### What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See Exemption from FATCA reporting code, later, and the Instructions for the Requester of Form W-9 for more information.

### **Updating Your Information**

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

### **Penalties**

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

### **Specific Instructions**

### Line '

You must enter one of the following on this line; do not leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. Individual. Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

- b. Sole proprietor or single-member LLC. Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.
- c. Partnership, LLC that is not a single-member LLC, C corporation, or S corporation. Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.
- d. Other entities. Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.
- e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

### Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

### Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n)	THEN check the box for
Corporation	Corporation
<ul> <li>Individual</li> <li>Sole proprietorship, or</li> <li>Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.</li> </ul>	Individual/sole proprietor or single- member LLC
<ul> <li>LLC treated as a partnership for U.S. federal tax purposes,</li> <li>LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or</li> <li>LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.</li> </ul>	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
Partnership	Partnership
Trust/estate	Trust/estate

### Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

### Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2-The United States or any of its agencies or instrumentalities
- 3-A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4-A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5-A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8-A real estate investment trust
- $9\!-\!\text{An}$  entity registered at all times during the tax year under the Investment Company Act of 1940
- 10-A common trust fund operated by a bank under section 584(a)
- 11-A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for	THEN the payment is exempt for
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,0001	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

<sup>&</sup>lt;sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

- A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)
  - B-The United States or any of its agencies or instrumentalities
- C-A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)
- E-A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)
- F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state
  - G-A real estate investment trust
- H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
  - I-A common trust fund as defined in section 584(a)
  - J-A bank as defined in section 581
  - K-A broker
- L-A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

### Line:

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

### Line 6

Enter your city, state, and ZIP code.

### Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See What Name and Number To Give the Requester, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note:** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

### Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see Exempt payee code, earlier.

**Signature requirements.** Complete the certification as indicated in items 1 through 5 below.

<sup>&</sup>lt;sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

- 1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the cartification.
- 2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.
- 3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.
- 4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).
- 5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

### What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account 1
Two or more U.S. persons     (joint account maintained by an FFI)	Each holder of the account
Custodial account of a minor     (Uniform Gift to Minors Act)	The minor <sup>2</sup>
<ol><li>a. The usual revocable savings trust (grantor is also trustee)</li></ol>	The grantor-trustee1
<ul> <li>b. So-called trust account that is not a legal or valid trust under state law</li> </ul>	The actual owner <sup>1</sup>
<ol><li>Sole proprietorship or disregarded entity owned by an individual</li></ol>	The owner <sup>3</sup>
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i) (A))	The grantor*
For this type of account:	Give name and EIN of:
Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
Association, club, religious, charitable, educational, or other tax- exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee
•	, ,

For this type of account:	Give name and EIN of
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2\\a)(B))	The trust

- <sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.
- <sup>2</sup> Circle the minor's name and furnish the minor's SSN.
- <sup>3</sup> You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.
- <sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.
- \*Note: The grantor also must provide a Form W-9 to trustee of trust.

  Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

### Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN.
- · Ensure your employer is protecting your SSN, and
- · Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to *phishing@irs.gov*. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.ldentityTheft.gov and Pub. 5027.

Visit www.irs.gov/ldentityTheft to learn more about identity theft and how to reduce your risk.

### **Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent

# CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental antity

FORM CIQ

For vendor doing business with local governmental entity			
This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.	OFFICE USE ONLY		
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).	Date Received		
By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.			
A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.			
Name of vendor who has a business relationship with local governmental entity.			
Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)			
Name of local government officer about whom the information is being disclosed.			
Name of Officer			
Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.  A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?  Yes No  B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?  Yes No  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.			
Check this box if the vendor has given the local government officer or a family member of as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a)(a)(b) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c	of the officer one or more gifts 03(a-1).		
7			
Signature of vendor doing business with the governmental entity	ate		

# CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity

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

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

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

### Local Government Code § 176.003(a)(2)(A) and (B):

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

### Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:
  - (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
  - (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
  - (3) has a family relationship with a local government officer of that local governmental entity.
- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:
  - (1) the date that the vendor:
    - (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
    - (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or
  - (2) the date the vendor becomes aware:
    - (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
    - (B) that the vendor has given one or more gifts described by Subsection (a); or
    - (C) of a family relationship with a local government officer.

CONFLICT OF INTEREST QUESTIONNAIRE For vendor or other person doing business with local governmental entity  FORM CIQ			
This questionneire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Sec	Non. OFFICEUSE ONLY		
This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).  By law this questionnaire must be filed with the records administrator of the local governmental			
entity not later than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the date the person becomes aware of father than the 7th business day after the father than the 7th business day after			
A person commits an offense if the person knowingly violates Section 176.006, Lo Government Code. An offense under this section is a Class C misdemeanor.			
Name of person who has a business relationship with local governmental entity.			
Check this box if you are filing an update to a previously filed questionnaire.	Superintendent or Board member with whom you		
(The law requires that you file an updated completed questionnaire with the later than the 7th business day after the date the originally filed questionname.)	have a personal or business relationship		
Name of local government officer with whom filer has employment or business relationship.			
	Will the named person		
Name of Officer	receive taxable income		
This section (item 3 including subparts A, B, C & D) must be completed for each from your company?  employment or other business relationship as defined by Section 170,001(1-a), local Government Code. Attach additional pages to this Form CIQ as necessary.			
A. Is the local government officer named in this section receiving or likely to receive ta income, from the filer of the questionnaire?	receive taxable income		
Yes No	from the named person (not the MSD)		
B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government infloer named in this section AND the taxable inc			
governmental entity?	Does the named person serve as an officer or		
Yes No	director of your company?		
	Do they own 10% or more		
C. Is the filer of this questionnaire employed by a corporation or other business en government officer serves as an officer or director, or holds an ownership of 10 percent	of your company?		
Yes No	What is your relationship		
D. Describe each employment or business relationship with the local government office	The second of th		
an account and animalities of account to account the same and and the same account to	Describe each.		
	No. 10 mg		
4	Your signature and date		
Signature of person doing business with the governmental entity	Date		

Adopted 06/29/2007