

### **LEGAL NOTICE**

### **AND**

### INVITATION TO BID B #068-22

The Brownsville Public Utilities Board will accept sealed bids for the Supply of Electrical Inventory Material, **until 5:00 PM, September 14, 2022,** in the Brownsville PUB Purchasing Office, 1155 FM 511, Olmito, Texas 78575. **Bids received after this time will not be considered.** 

Bids will be publicly opened and read aloud on September 15, 2022 at 10:00 AM. Bidders can request a copy of the bid tabulation by emailing <a href="mailto:hlopez@brownsville-pub.com">hlopez@brownsville-pub.com</a> or <a href="mailto:srownsville-pub.com">srodriguez@brownsville-pub.com</a>. Vendors can call in at 10:00 AM, September 15, 2022 to (956) 214-6020 to listen to the bid opening.

Detailed specifications may be obtained at Brownsville Public Utilities Board website at https://www.brownsville-pub.com/rfp\_status/open/.

Please mark on the <u>outside of the envelope and on any carrier's envelopes</u>: "SEALED BID FOR <u>SUPPLY OF ELECTRICAL INVENTORY MATERIAL</u> (B068-22), <u>SEPTEMBER 14, 2022 5:00 PM"</u>, and send to the attention of Diane Solitaire, Purchasing Department, 1155 FM 511, Olmito, TX 78575.

The Brownsville Public Utilities Board will not be responsible in the event that the U.S. Postal Service or any other courier system fails to deliver the sealed bids to the Brownsville Public Utilities Board, Purchasing Office by the given deadline above. **No bid will be accepted via electronic transmission or facsimile.** 

The Brownsville PUB reserves the right to reject any or all bids and to waive irregularities contained therein and to accept any bid deemed most advantageous to the Brownsville PUB.

BY:

Diane Solitaire

Purchasing Brownsville Public Utilities Board (956) 983-6366 - Phone

## Please submit this page upon receipt. ACKNOWLEDGEMENT FORM

B#068-22 Supply of Electrical Inventory Material

For any clarifications, please contact Hugo E. Lopez at the Brownsville Public Utilities Board, Purchasing Department at (956) 983-6364 or (956) 983-6375 e-mail: <a href="mailto:hlopez@brownsville-pub.com">hlopez@brownsville-pub.com</a>

Please e-mail this page upon receipt of legal notice. If you only received the legal notice and you want the bid package mailed, please provide a method of shipment with account number in the space designated below.

( ) Yes, I wil	ll be able to send a bid; o	btained bid package from website.	
( ) Yes, I wil Email:	· =	lease email the bid package.	
( ) Yes, I wil number listed Carrier: Accoun	below:		nt
( ) No, I will	not be able to send a bid	for the following reason:	
form via e-mai	•	indicate your reason for "No bid" above and return this <a href="mailto:ub.com">ub.com</a> or to	

IF SPECIFICATIONS ARE DOWNLOADED FROM WEBSITE PLEASE EMAIL THIS PAGE TO EMAIL LISTED ABOVE

Check one:

### **Special Instructions**

### **Contract Information**

### Interpretation

Questions concerning terms, conditions, and technical specifications should be directed to:

Hugo E. Lopez, or Diane Solitaire, Materials/Warehouse Purchasing Administrator (956) 983-6375 Manager (956) 983-6366

### • Tentative Time Line

- 1. August 29, 2022 to September 14, 2022 Vendors work on bid.
- 2. September 14, 2022 at 5:00 PM CST Vendor must submit one (1) set of bid documents sealed in an envelope to:

Diane Solitaire, Purchasing 1155 FM511, Olmito, TX 78575

Bid #068-22 – Supply of Electrical Inventory Material

Due: September 14, 2022 at 5:00 PM

The above noted information must be included on bid envelope and on any carrier's envelope/package. The Brownsville Public Utilities Board will not be held responsible for missing, lost or late mail. Brownsville Public Utilities Board will not accept facsimile or electronic transmission of sealed bids.

- 1. September 9, 2022- Last day to submit question
- 2. September 15, 2022 Open bids at 10:00 AM
- 3. September 16, 2022 September 23, 2022 Evaluate bids
- 4. September 26, 2022 Provide Final Recommendations
- 5. October 10, 2022 Send to Utilities Board for approval
- 6. Term of contract will commence October 2022

### Or Equal

Brand name or manufacturer's reference used in this request is descriptive – not restrictive – it is intended to indicate type and quality desired. Brands of like nature and quality will be considered. If bidding on other than referenced specifications please provide complete descriptive information of said article.

### • Pricing

Bid unit price on quantity specified, extend and show total. In case of errors in extension, unit prices shall govern. Items price shall remain firm, except escalation/de-escalation, until an award is made and for a period of one year after original date of Purchase Order, unless otherwise stipulated.

All fields (UNIT PRICE, DELIVERY AND MANUFACTURER) in the Cost Sheets must be completed. The data must be complete to identify the bidding brand.

Failure to submit any of the above information with the sealed bid will disqualify bid.

### Escalation/De-escalation: CABLE ONLY

Bid prices shall remain firm for a period of six (6) weeks from the due date. At the end of the six (6) weeks or award date, bid prices shall be adjusted up or down accordingly to documented changes in the price of core steel, copper, aluminum, mild steel, stainless steel, oil, and labor. It is the responsibility of the awarded bidder(s) to fully document the changes and satisfy Brownsville PUB as to the amount of the change. Price shall remain firm after price adjustment, if applicable.

### • Vendor Representative

The successful vendor agrees to send a personal representative with binding authority for the company to the Brownsville Public Utilities Board upon request to make adjustments and/or assist with coordination of all transactions as needed.

### • Quality of Products

All items must be new, in first class condition, including containers suitable for shipment and storage. No substitutions in standard grades or lesser quality will be accepted.

### • Determining Factors for Award

- 1. Bidders net price on bid items
- 2. Stock availability
- 3. Reputation of brand names offered
- 4. Reputation and location of the bidder
- 5. Time and conditions of delivery
- 6. BPUB financial and legal responsibility evaluations of any identified teaming arrangements involving significant joint ventures, subcontractors and suppliers
- 7. Safety record will be considered when determining the responsibility of the bidder

### Contract with Vendor/Entity Indebted to BPUB

It is a policy of the BPUB to refuse to enter into a contract or other transaction with an individual, sole proprietorship, joint venture, Limited Liability Company or other entity indebted to BPUB.

### • Vendor ACH (Direct Deposit) Services

The BPUB has implemented a payment service for vendors by depositing the payment directly to the vendor's bank account. Successful vendor(s) will be required to receive payments directly through Automated Clearing House (ACH) in lieu of a paper check. The awarded vendor must agree to receive payments via ACH (Direct Deposit).

### • Tax Identification Number (TIN)

In accordance with IRS Publication 1220, aW9 form, or a W8 form in cases of a foreign vendor, will be required of all vendors doing business with the Brownsville PUB. If a W9 or W8 form is not made available to Brownsville PUB, the first payment will be subject to income tax withholding at a rate of 28% or 30% depending on the U.S. status and the source of income as per IRS Publication 1220. **The W9 or W8 form must be included with bid response.** Attached are sample forms.

### Taxes

The Brownsville Public Utilities Board is exempt from Federal Excise Tax, State Tax and local Taxes. Do not include tax in the bid. If it is determined that tax was included in the bid it will not be included in the tabulation or any awards. Tax exemption certificates will be furnished upon request.

### • Signing of Bid

**Failure to sign bid will disqualify it.** Person signing bid should show title or authority to bind their firm to a contract.

### • EEOC Guidelines

During the performance of this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of race, national origin, age, religion, gender, marital or veteran status, or physically challenging condition.

### As Needed Basis

Quantities are estimated for an annual supply and are **to be released on an "as needed" basis** and be billed as such. However, successful vendor must have stock readily available for immediate shipment to the BPUB. Brownsville PUB will not accept the full quantity at one time as specified on Cost Sheet.

#### Contract and Purchase Order

The electrical inventory material will be delivered FOB Brownsville Public Utilities Board, 1155 FM511, Olmito,, TX 78575. The material will be received in releases upon request and be billed

as such over a period of one (1) year. A contract for the electrical inventory material will be placed into effect by means of a purchase order issued by the Brownsville Public Utilities Board after tabulation and final approval by the Brownsville PUB Board.

#### Terms

One (1) year from the date of award not to exceed the one (1) year or the awarded amount whichever comes first, with the option to renew for an additional one (1) one year period if agreed upon in writing by both parties.

### • Brownsville Public Utilities Board Rights

- 1. If only one or no bid is received by "submission date", the BPUB has the right to reject, re-bid, accept and/or extend the bid by up to an additional two (2) weeks from original submission date.
- 2. The right to reject any/or all bids and to make award as they may appear to be advantageous to the Brownsville Public Utilities Board.
- 3. The right to hold bid for 90 days from submission date without action, and to waive all formalities in bid.
- 4. The right to extend the total bid beyond the original 90-day period prior to an award, if agreed upon in writing by all parties (BPUB and vendor/contractor) and if bidder/vendor holds original bid prices firm.
- 5. The right to terminate for cause or convenience all or any part of the unfinished portion of the Project resulting from this solicitation within Thirty (30) calendar days written notice; for cause: upon default by the vendor/contractor, for delay or non-performance by the vendor/contractor; or if it is deemed in the best interest of the BPUB for BPUB's convenience.
- 6. The right to increase or decrease quantities. In bid, stipulate whether an increase or decrease in quantities will affect bid price
- 7. The Brownsville PUB has the right to refuse to enter into a contract or other transaction with any individual or entity indebted to the municipality as per Local Government Code 252.0436.

#### Corrections

Any interpretation, correction, or change to the invitation to bid will be made by ADDENDUM. Changes or corrections will be issued by the Brownsville PUB Purchasing Department. Addenda will be emailed to all who have returned the Bid Acknowledgment form. Addenda will be issued as expeditiously as possible. It is the responsibility of the vendors to determine whether all addenda have been received. It will be the responsibility of all respondents to contact the Brownsville PUB prior to submitting a response to the invitation to bid to ascertain if any addenda have been issued, and to obtain any all addenda, execute them, and return addenda with the response to the invitation to bid. Addenda may be posted on the Brownsville PUB's website.

**Special Instructions:** Successful vendor must provide the beginning and ending footage for each reel with shipment.

- Manufacturer and Part Number Column must be completed.
- All Cable **must have Footage markers** from the beginning to the end
- BPUB WILL NOT ACCEPT ONE FULL SHIPMENT, unless otherwise requested.
- **Rigid and PCV Pipes, and Cable** shall be delivered FOB Brownsville Public Utilities Board, 1155 FM 511, Olmito, Texas 78575 via open flat-bed trailer. Material shipped in an enclosed trailer will be rejected upon delivery.

**NOTE:** Please make pricing on specification sheet legible.

Brand name or manufacturer's reference used in this request is descriptive – not restrictive – it is intended to indicate type and quality desired. Brands of like nature and quality will be considered. If bidding on other than referenced specifications please provide complete descriptive information of said article. Mark "cut sheets/data sheets" with BPUB Commodity Number ("E") for reference. Items without a "cut/data sheet" may not be considered.

- Brownsville Public Utilities Board Approved Manufacturer's List
  - Cooper Lighting
  - Maclean
  - GE Lighting Solutions
  - NSI Lighting Products
  - Joslyn
  - Burndy
  - Kearney
  - Hubell
  - Slo-Fast
  - Sun-Tech
  - Tyco Electronics (excludes photocells)
  - DTI Dark to Light
  - ELA Lighting
  - Chance
  - Aluma-Form
  - Brooks
  - Maysteel

### Brownsville Public Utilities Board Approved Manufacturer's List for **Electrical Cable**

**ACA** 

American Wire Group

Anixter

Champion Wire Cable

CCI

Cerro Wire

**CME** 

**Encore Wire** 

General Cable

**ICC** 

**Nehring** 

Omni Cable

Okonite Company (Okoguard)

Pirelli Power Cables

Priority Wire Cable

Prysmian

Republic Wire

Service Wire Co.

SIM Technology

Southwire

Synergy Cable

Tipper Tie

\*\*\*Brownsville PUB reserves the right to accept only the brand names listed, which are in full compliance with the specifications & deemed most advantageous to its interests. Failure to comply with any of the requirements is sufficient cause for rejection of proposed materials\*\*\*

COMMODITY NO.	QTY.	DESCRIPTION	UNIT PRICE	DELIVERY IN DAYS (ARO)	SPECIFY MFG/PART NO.	SPECIFY IF STD PKG APPLIES
E0146-00	1,000 EA	BOLT, 1/2-13 X 2-1/2" HEX BRASS, ALL THREAD				
E0160-00	120 FT	PIPE 1" X 10' FT RIGID GALVANIZED				
E0161-00	200 FT	PIPE, 2-1/2" X 10 FT. GALVANIZED RIGID				
E0162-00	1,000 FT	PIPE 2" X 10' FT PVC SCH. 40 ELECTRIC GRAY COLOR, CANTEX #A52CA12				
E0163-00	600 FT	PIPE 2-1/2" PVC SCH 40, 10' SECTION ELECTRIC GRAY COLOR				
E0164-00	1,000 FT	PIPE 4" X 10' FT PVC SCH 40 ELECTRIC GRAY COLOR, CANTEX #A52EA12				
E0165-00	200 FT	PIPE 4" X 10' RIGID, GALVANIZED				
E0172-01	300 EA	COUPLING, 2 1/2" PVC SCH 40 GRAY PART# PVC FIT 212P CP; CANTEX #6141629				
E0330-00	100 EA	TERMINAL #2/0-4/0 STR CU 1-BARREL #HHL21-2N, #2/0 - 4/0 STR. CU. TERMINAL 1- BARREL 2-HOLE PAD, DOSSERT #HHL-21-2N; BURNDY QQA282N				
E0382-00	75 EA	DEADEND #6 SOL CU S/T RELIABLE #61LD				

COMMODITY NO.	QTY.	DESCRIPTION	UNIT PRICE	DELIVERY IN DAYS (ARO)	SPECIFY MFG/PART NO.	SPECIFY IF STD PKG APPLIES
	1	T	1			
E0385-00	75 EA	DEADEND #4 SOL CU S/T RELIABLE #41LD				
E0648-00	20 EA	CRIMPIT 4/0 STR - #6, 4 STR UNIV #YPC28U4				
		PIN TRANSFORMER ADAPTER #C4258P				
E1018-00	20 EA	MACLEAN PART# J2840Z				
	-	CLAMP, 4/0 STR. HOT LINE, BLACKBURN				
		#HLC3974, MISC. ITEM SUSPENSION CLAMP				
E1045-00	20 EA	ANDERSON, HUBBELL #S1530CC				
		SWITCH HOOK 600AMP DISCONNECT,				
E1087-00	10 EA	CHANCE#M3D64B; ROYAL SWITCHGEAR PART# LTT65PAA				
E1087-00	10 EA	PART# LTT03PAA				
E1092-00	10 EA	DI ATE DOLE ADADTED #11501, #0501 #50E 2D				
E1092-00	10 EA	PLATE POLE ADAPTER #J1501; #0501, #SGF-2P				
		ARM 14' STREET LIGHT; #J762014				
E1205-00	10 EA	SALCO #WPDG-125-14-A (ALUMINUM)				
F1206.00	20 EA	BRACKET DOUBLE FLOODLIGHT MOUNTING				
E1206-00	20 EA	CAT. #DA-32.5				

**Note:** Rigid and PVC Pipes, Arms and Brackets shall be delivered FOB Brownsville Public Utilities Board, 1155 FM 511, Olmito, Texas 78575 via open flat-bed trailer. Material shipped in an enclosed trailer will be rejected upon delivery.

COMMODITY NO.	QTY.	DESCRIPTION	UNIT PRICE	DELIVERY IN DAYS (ARO)	SPECIFY MFG/PART NO.	SPECIFY IF STD PKG APPLIES
E0204-00	1,000 FT	CABLE, AL 1/0 STR 3/C XLP SERVICE DROP, 1/0 (19) 2/C AAC; 1/C - 1/0 NEUTRAL (7) AAC, INSULATED WITH A PHASE ID,  MUST COME WITH FOOTAGE MARKERS, AND 1,000 FT PER REELS  Please submit Specifications Manufacturer #  Lead Time (ARO):  CABLE, AL #4/0 STR 4/C HDP/XLP INSULATED SERVICE DROP, CABLE, 600V, QUADRUPLEX, 3/C - 4/0 AWG 19W COMPRESSED STRANDED ALUMINUM PHASE, CONDUCTORS INSULATED WITH 60 MILS BLACK HDPE/XLP (SURFACE PRINTED NUMBERS FOR PHASE ID), 1/C - 1/0 AWG 19W COMPRESSED STRANDED ALUM NUM NEUTRAL CONDUCTOR INSULATED W/60 MILS, BLACK HDPE/XLP RIDGE ID OR YELLOW STRIPE FOR IDENTIFICATION  MUST COME WITH FOOTAGE MARKERS AND 1,000 FT PER REELS  Please submit Specifications Manufacturer #				
E0207-00	FT	Lead Time (ARO):				

COMMODITY NO.	QTY.	DESCRIPTION	UNIT PRICE	DELIVERY IN DAYS (ARO)	SPECIFY MFG/PART NO.	SPECIFY IF STD PKG APPLIES
E0222-00	1,500 FT	CABLE, CU #4/0 STR THW INSU 600 V, BLACK, CABLE, COPPER #4/0 STR THW INSULATION 600 VOLTS  MUST COME WITH FOOTAGE MARKERS AND 500 FT PER REELS  Please submit Specifications Manufacturer #  Lead Time (ARO):				
E0232-00	100 LB	CABLE, #4 SOL BARE CU SOFT/DRAWN (S/D), 25# SPOOL SERVICE WIRE MFG. P/N BSOS4 P/N F4SOLSDBC-BK (25 LB/SPOOL)  Please submit Specifications Manufacturer #  Lead Time (ARO):				
E0246-00	1,500 FT	CABLE, #4 STR 1-CONDUCTOR THHN INSULATED COPPER (CU)  MUST COME WITH FOOTAGE MARKERS AND 500 FT PER REELS  Please submit Specifications Manufacturer #  Lead Time (ARO):				

COMMODITY NO.	QTY.	DESCRIPTION	UNIT PRICE	DELIVERY IN DAYS (ARO)	SPECIFY MFG/PART NO.	SPECIFY IF STD PKG APPLIES
		CABLE, #2 STR. COPPER THHN INSULATION				
		MUST COME WITH FOOTAGE MARKERS AND 500 FT PER REELS				
		Please submit Specifications Manufacturer #				
E0247-00	1,000 FT	Lead Time (ARO):				
		CABLE, #10 AWG 2/CONDUCTOR THHN INSU. CU 600V, 2C10 (7)/P ULTREX-VN E2,				
		MUST COME WITH FOOTAGE MARKERS 1,000 FT PER REELS				
		Please submit Specifications Manufacturer #				
E0260-00	10,000 FT	Lead Time (ARO):				
		CABLE URD , 2/0 STR 3/C AL XLP CODE NAME "CONVERSE"				
		MUST COME WITH FOOTAGE MARKERS AND 1,000 FT PER REELS				
		Please submit Specifications Manufacturer #				
E0910-00	30,000 FT	Lead Time (ARO):				

COMMODITY NO.	QTY.	DESCRIPTION	UNIT PRICE	DELIVERY IN DAYS (ARO)	SPECIFY MFG/PART NO.	SPECIFY IF STD PKG APPLIES
E0912-00	10,000 FT	CABLE URD , 350 MCM 3/C AL XLP CODE NAME "WESLEYAN" 4/0 NEUTRAL WIRE  MUST COME WITH FOOTAGE MARKINGS AND 1,000 FT. PER REELS  Please submit Specifications Manufacturer #  Lead Time (ARO):				

• **Note:** All Cable shall be delivered FOB Brownsville Public Utilities Board, 1155 FM 511, Olmito, Texas 78575 via open flat-bed trailer. Material shipped in an enclosed trailer will be rejected upon delivery, except 25 lb. cable spools.

### **Special Instructions:**

- ➢ IF YOU ARE NOT BIDDING THE SPECIFIED BRAND NAME, THE BPUB MAY REQUEST A "CUT SHEET" FROM THE PRODUCT YOU ARE BIDDING ON.
- VENDOR IS REQUIRED TO SUBMIT "CUT SHEET" WITHIN TWO (2) BUSINESS DAYS FROM NOTIFICATION IN ORDER FOR VENDOR'S ITEM TO BE CONSIDERED.
- > VENDOR SHALL NOT WITHDRAW THEIR BID WITHIN 90 DAYS FROM THE OPENING DATE. DILIGENCE IS HIGHLY RECOMMENDED.

Material is to be released as requested and be billed as such. The noted quantities are based on a yearly usage, the Purchase Order quantities are subject to BPUB's right to increase or decrease as deemed necessary. Stipulate below, if an increase or decrease in quantity affects bid price:

Yes, an increase or decrease in quantity affects bid price.  No, an increase or decrease in quantity will not affect bid price.
rice shall remain firm for 12 months after date of purchase order
Company Name:
authorized Company Representative:
uthorized Company Representative:
Signature *Failure to sign bid will disqualify it*
ompany Address:
elephone #:
elephone #
ax #:
mail:

## REQUIRED FORMS FORM CHECKLIST

The following forms are be submitted as a part of the Bid/RFP/RFQ document

NAME	FORM DESC	CRIPTION	SUBMITTE	D WITH BID
			YES	NO
	Acknowledgement Fo	orm		
	Debarment Certificati	ion		
Legal Notice	Ethics Statement			
	Conflict of Interest Q	uestionnaire		
	W9 or W8 Form			
	Direct Deposit Form ( to the awarded vendor	` -		
	Residence Certification	on Form		
	Bid Schedule/Cost she and signed	eet completed		
Special Instructions	Cashier Check or Bid Total Amount of Bid			
	OSHA 300 Log (if ap			
	Contractor Pre-Bid D completed, signed and applicable)			
	Sub-Contractor Pre-B completed, signed, an applicable)			
References	Complete the Previous Customer Reference Worksheet for each reference provided			
Addenda				

# ETHICS STATEMENT (THIS FORM MUST BE COMPLETED IN ITS ENTIRETY AND SUBMITTED WITH BID RESPONSE)

The undersigned bidder, by signing and executing this bid, certifies and represents to the Brownsville Public Utilities Board that bidder has not offered, conferred or agreed to confer any pecuniary benefit, as defined by (1.07 (a) (6) of the Texas Penal Code, or any other thing of value as consideration for the receipt of information or any special treatment of advantage relating to this bid; the bidder also certifies and represents that the bidder has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this bid, the bidder certifies and represents that bidder has neither coerced nor attempted to influence the exercise of discretion by any officer, trustee, agent or employee of the Brownsville Public Utilities Board concerning this bid on the basis of any consideration not authorized by law; the bidder also certifies and represents that bidder has not received any information not available to other bidders so as to give the undersigned a preferential advantage with respect to this bid; the bidder further certifies and represents that bidder has not violated any state, federal, or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that bidder will not in the future offer, confer, or agree to confer any pecuniary benefit or other thing of value of any officer, trustee, agent or employee of the Brownsville Public Utilities Board in return for the person having exercised their person's official discretion, power or duty with respect to this bid; the bidder certifies and represents that it has not now and will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent, or employee of the Brownsville Public Utilities Board in connection with information regarding this bid, the submission of this bid, the award of this bid or the performance, delivery or sale pursuant to this bid.

THE BIDDER SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE BROWNSVILLE PUBLIC UTILITIES BOARD, ALL OF ITS OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ALL CLAIMS, ACTIONS, SUITS, DEMANDS, PROCEEDING, COSTS, DAMAGES, AND LIABILITIES, ARISING OUT OF, CONNECTED WITH, OR RESULTING FROM ANY ACTS OR OMISSIONS OF CONTRACTOR OR ANY AGENT, EMPLOYEE, SUBCONTRACTOR, OR SUPPLIER OF CONTRACTOR IN THE EXECUTION OR PERFORMANCE OF THIS BID.

I have read all of the specifications and general bid requirements and do hereby certify that all items submitted meet specifications.

COMPANY:		
AGENT NAME:		
STATE:		
	TELEFAX:	
		Y #:
DI	EVIATIONS FROM SPECIFICATIO	NS IF ANY:

NOTE: QUESTIONS AND CONCERNS FROM PROSPECTIVE CONTRACTORS SHOULD BE RAISED WITH OWNER AND ITS CONSULTANT (IF APPLICABLE) AND RESOLVED IF POSSIBLE, <u>PRIOR TO</u> THE BID SUBMITTAL DATE. ANY LISTED DEVIATIONS IN A FINALLY SUBMITTED BID MAY ALLOW THE OWNER TO REJECT A BID AS NON-RESPONSIVE.

# CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (THIS FORM MUST BE COMPLETED IN ITS ENTIRETY AND SUBMITTED WITH BID RESPONSE)

Name	of Entity:
_	rospective participant certifies to the best of their knowledge and belief that they eir principals:
a)	Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency:
b)	Have not within a three year period preceding this bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
c)	Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, Local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
d)	Have not within a three year period preceding this application/bid had one or more public transactions (Federal, State, or Local) terminated for cause or default.
	I understand that a false statement on this certification may be grounds for rejection of this bid or termination of the award. In addition, under 18 USC Section 1001, a false statement may result in a fine up to a \$10,000.00 or imprisonment for up to five (5) years, or both.
	Name and Title of Authorized Representative (Typed)
	Signature of Authorized Representative Date

□ I am unable to certify to the above statements. My explanation is attached

CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity	FORM CIQ					
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 recompleted questionnaire with the appropriate filing authority not later than the 7th busines you became aware that the originally filed questionnaire was incomplete or inaccurate.)	ss day after the date on which					
Name of local government officer about whom the information is being disclosed.						
Name of Officer						
officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with Complete subparts A and B for each employment or business relationship described. Attack CIQ as necessary.  A. Is the local government officer or a family member of the officer receiving or lother than investment income, from the vendor?  Yes No  B. Is the vendor receiving or likely to receive taxable income, other than investment	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?					
of the local government officer or a family member of the officer AND the taxable local governmental entity?  Yes No	income is not received from the					
165						
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 as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.						
7						
Signature of vendor doing business with the governmental entity	Date					
Form provided by Texas Ethics Commission www.ethics.state.tx.us	Revised 11/30/2015					

B068-22 Supply of Electrical Inventory Material

### 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.

<u>Local Government Code § 176.001(1-a):</u> "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):

- $(a) \ \ \textbf{A local government of ficer shall file a conflicts disclosure statement with respect to a vendor if:}$ 
  - (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;
      - (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.

Form provided by Texas Ethics Commission

www.ethics.state.tx.us

Revised 11/30/2015

## BROWNSVILLE PUBLIC UTILITIES BOARD RESIDENCE CERTIFICATION

In accordance with Art. 601g, as passed by the 1985 Texas Legislature, the following will apply. The pertinent portion of the Act has been extracted and is as follows:

### Section 1. (a)

- (1) "Nonresident bidder" means a bidder whose principal place of business is not in this state, but excludes a contractor whose ultimate parent company or majority owner has its principal place of business in this state.
- (2) "Texas resident bidder " means a bidder whose principal place of business is in this state, and includes a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

### Section 1. (b)

The state or governmental agency of the state may not award a contract for general construction, improvements, services, or public works projects or purchases of supplies, materials or equipment to a nonresident bidder unless the nonresident's bid is lower than the lowest bid submitted by a responsible Texas resident bidder by the same amount that a Texas resident bidder would be required to underbid a nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

I certify that
(Company Name) is a resident Texas bidder as defined in Art. 601g.
Signature:
Print Name:
I certify that
(Company Name) is a <b>nonresident bidder</b> as defined in Art. 601g. and our principal place of
business is:(City and State)
(City and State)
Signature:
Print Name:



Material submitted on this form is intended to verify the product suitability for use as part of the service area throughout the city of Brownsville. BPUB Electrical Engineering Department will evaluate the product to determine if product meets BPUB's requirements, needs, and quality. Request shall include, but shall not be limited to a list of all standards (TCLP, ANSI, ICEA, ASTM, ACSR), and any certification (UL, ASSE, etc.) of the material.

The proposed material shall include the specification sheet with product detail and manufacturer information.

Request for Material Approval

	rtoquostro	71 1/14/01/41 11	pprovar	
Requestor Name:			Dat	e:
Company Name :				
Street Address:				
City/ State/ Zip code:				
Phone #:				
Fax #:				
	Material an	d Manufacturer I	Product	
Description	Part Number	History in Market Utilities Related	Reference Information	Approved by:

# Form W-9 (Rev. October 2018) Department of the Treasury Internal Revenue Service

### Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

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

50	1 Name (as shown on your income tax return). Name is required on this line;	do not leave this line blank.						
59	2 Business name/disregarded entity name, if different from above							
on page 3.	Check appropriate box for federal tax classification of the person whose refollowing seven boxes.      Individual/sole proprietor or C C Corporation S Corporation		only <b>one</b> of the	4 Exemp certain er instruction	ntities,	not inc	dividu	
ons.	single-member LLC			Exempt p	ayee c	ode (if	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 classificat LLC 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	tion of the single-member owner from the owner unless the own purposes. Otherwise, a single-	er. Do not check ner of the LLC is	Exemption code (if a	uny)	OCCUPATION NO.		
bec	Other (see instructions)   5 Address (number, street, and apt. or suite no.) See instructions.	D	equester's name a	(Applies to a			d outside	e the U.S.)
See S	3 Address (number, street, and apt. or suite no.) See instructions.	l.D.	equester's name a	and addres	s (opu	Orian		
ď.	6 City, state, and ZIP code							
e	7 List account number(s) here (optional)							
Par	Taxpayer Identification Number (TIN)							
Enter	your TIN in the appropriate box. The TIN provided must match the na			urity num	ber			
	p withholding. For individuals, this is generally your social security nont alien, sole proprietor, or disregarded entity, see the instructions fo		a					
entitie	s, it is your employer identification number (EIN). If you do not have a			l L	Ш	L		
TIN, Ia		d Al	or j Employer	idontifica	tion n	umbar		
	If the account is in more than one name, see the instructions for line er To Give the Requester for guidelines on whose number to enter.	1. Also see what Name and	Linployer	Identifica	T	umber	_	
	18 II destinantial destination de la company		3	-				
Part	II Certification							-
Under	penalties of perjury, I certify that:							
2. I an Ser	number shown on this form is my correct taxpayer identification nur not subject to backup withholding because: (a) I am exempt from b vice (IRS) that I am subject to backup withholding as a result of a fail onger subject to backup withholding; and	ackup withholding, or (b) I I	nave not been n	otified by	the Ir	nterna		
3. I an	a U.S. citizen or other U.S. person (defined below); and							
	FATCA code(s) entered on this form (if any) indicating that I am exer							
you ha	cation instructions. You must cross out item 2 above if you have been ve failed to report all interest and dividends on your tax return. For real e ition or abandonment of secured property, cancellation of debt, contribu han interest and dividends, you are not required to sign the certification,	estate transactions, item 2 doutions to an individual retirem	es not apply. For	r mortgag t (IRA), an	ge inte d gen	erest pa erally,	aid, paym	nents
Sign Here	Signature of U.S. person ►	Dat	e ►					
Gei	neral Instructions	<ul> <li>Form 1099-DIV (divided funds)</li> </ul>	ends, including	those fro	m sto	ocks o	r mut	ual
noted.		<ul> <li>Form 1099-MISC (val proceeds)</li> </ul>	rious types of in	come, pr	izes, a	award	s, or	gross
related	a developments. For the latest information about developments of the Form W-9 and its instructions, such as legislation enacted hey were published, go to www.irs.gov/FormW9.	<ul> <li>Form 1099-B (stock of transactions by broker)</li> </ul>	3)				ər	
Dur	pose of Form	• Form 1099-S (procee						
	ividual or entity (Form W-9 requester) who is required to file an	<ul> <li>Form 1099-K (merch:</li> <li>Form 1098 (home me</li> </ul>						
inform	indual of affiling (FORM 97 a Pequester) who is required to line an atton return with the IRS must obtain your correct taxpayer cication number (TIN) which may be your social security number	1098-T (tuition) • Form 1099-C (cancel		, 1000 E	otaa	3111 100		01030,
	individual taxpayer identification number (ITIN), adoption ver identification number (ATIN), or employer identification number	Form 1099-A (acquisi	PER	ment of s	ecure	d prop	oerty)	
(EIN), amour	to report on an information return the amount paid to you, or other nt reportable on an information return. Examples of information	Use Form W-9 only i alien), to provide your		person (i	nclud	ing a i	reside	ent
	s include, but are not limited to, the following. n 1099-INT (interest earned or paid)	If you do not retum F be subject to backup v later.						

### Form W-8BEN-E

# Certificate of Status of Beneficial Owner for United States Tax Withholding and Reporting (Entities) For use by entities, individuals must use Form W-8BEN. For section references are to the Internal Revenue Code. Go to www.lrs.gov/FormW8BENE for instructions and the latest information.

(Rev. October 2021)

OMB No. 1545-1621

temai	Revenue Service	► Give this form to the withholding age		ot send to the IRS.			
o NO	T use this form for:				Instead use Form		
U.S.	entity or U.S. citizen or	resident			W-		
	eign individual				N (Individual) or Form 823		
A for	eign individual or entity	claiming that income is effectively connected w	ith the conduct of				
	ss claiming treaty benef				W-8E0		
A for	eign partnership, a forei	gn simple trust, or a foreign grantor trust (unles	s claiming treaty	benefits) (see instructions for a	exceptions) W-8IM		
		ational organization, foreign central bank of issu					
		ssion claiming that income is effectively connec					
501(0	c), 892, 895, or 1443(b) (	unless claiming treaty benefits) (see instruction	s for other excep	itions)	W-8ECI or W-8EX		
Any p	person acting as an inte	rmediary (including a qualified intermediary acti	ng as a qualified	derivatives dealer)	W-8IM		
Par	Identificati	on of Beneficial Owner		7794. C. 17 - A. C			
1	Name of organization	that is the beneficial owner		2 Country of incorporation	or organization		
3	Name of disregarded e	entity receiving the payment (if applicable, see in	nstructions)	11.			
4	Chapter 3 Status (entit	ty type) (Must check one box only):	rporation	Partnership			
	☐ Simple trust	200 B [18] [18] [18] [18] [18] [18] [18] [18]	mplex trust		mment - Controlled Entity		
	Central Bank of Is		tate		mment - Integral Part		
	Grantor trust		emational organi		minent - maegrat rait		
		entity, partnership, simple trust, or grantor trust above, is t			a Part III  Ves  No		
5		CA status) (See instructions for details and com					
		FI (including an FFI related to a Reporting IGA		rting IGA FFI. Complete Part XI			
		eemed-compliant FFI, participating FFI, or		government, government of a U			
	exempt beneficial			ank of issue. Complete Part XII			
	☐ Participating FFI. ☐ Internation			onal organization. Complete Pa	rt XIV.		
	Reporting Model 1	FFI.	Exempt r	t retirement plans, Complete Part XV.			
	Reporting Model 2 FFI.			olly owned by exempt beneficial	owners. Complete Part XV		
	Registered deeme	d-compliant FFI (other than a reporting Model	☐ Territory financial institution, Complete Part XVII.				
FFI, sponsored FFI, or nonreporting IGA FFI covered in Part XII).		☐ Excepted	<ul> <li>Excepted nonfinancial group entity. Complete Part XVIII.</li> </ul>				
See instructions.			Excepted nonfinancial start-up company. Complete Part XIX.				
	Sponsored FFI. Complete Part IV.  Certified deemed-compliant nonregistering local bank. Complete  Excepted nonfinancial entity in liquidation Complete Part XX.				on or bankruptcy.		
	Part V.		ganization. Complete Part XXI.	e Part XXI.			
			t organization. Complete Part X	OCIL:			
				☐ Publicly traded NFFE or NFFE affiliate of a publicly traded			
	vehicle. Complete	compliant sponsored, closely held investment		corporation. Complete Part XXIII.  Excepted territory NFFE. Complete Part XXIV.			
	Complete Part VIII.	compliant limited life debt investment entity.		FFE. Complete Part XXV.			
		aj Paragrapa de Lordo destro de Lordo de		NFFE. Complete Part XXVI.	000000		
		entities that do not maintain financial accounts.		inter-affiliate FFI. Complete P	art XXVII.		
	Complete Part IX.			porting NFFE.			
		ed FFI. Complete Part X.		ed direct reporting NFFE. Com	plete Part XXVIII.		
		tor. Complete Part XI.		that is not a financial account.			
6	Permanent residence as	dress (street, apt. or suite no., or rural route). Do i	not use a P.O. bo	x or in-care-of address (other !	han a registered address).		
1	City or town, state or p	province. Include postal code where appropriate	э.	Country			
7	Mailing address (if diffe	erent from above)					
7	City or town, state or p	province. Include postal code where appropriate	9.	Country			