



AND

INVITATION TO BID
B072-22

The Brownsville Public Utilities Board (BPUB) will accept sealed bids for Annual Supply of Submersible Pumps, **until 5:00 PM, September 21, 2022**, in the BPUB Purchasing Office, 1155 FM 511, Olmito, Texas. **Bids received after this time will not be considered.**

Bids will be publicly opened and read aloud on September 22, 2022 at 11:00 AM. Bidders can request a copy of the bid tabulation by emailing riflores@brownsville-pub.com. Interested bidders can call (956) 214-6020 on September 22, 2022 at 11:00 AM to listen to the bid opening.

Detailed specifications may be obtained at the following website: https://www.brownsville-pub.com/rfp_status/open/

The bid document shall be enclosed in a sealed envelope and **shall be plainly marked on the outside of the envelope and on any carrier's envelope**: "SEALED BID FOR ANNUAL SUPPLY OF SUBMERSIBLE PUMPS (B072-22), SEPTEMBER 21, 2022, 5:00 PM", and send to the attention of Diane Solitaire, Purchasing Department, 1155 FM 511 Olmito, Texas 78575.

BPUB 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 BPUB, Purchasing Office by the given deadline above. **No bids will be accepted via facsimile or electronic transmission.**

BPUB 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 BPUB.

BY: **Diane Solitaire**
Purchasing
Brownsville Public Utilities Board
(956) 983-6366 - Phone

Please submit this page upon receipt.

Acknowledgment Form
B072-22
Annual Supply of Submersible Pumps

For any clarifications, please contact Rick Flores at BPUB, Purchasing Department at (956) 983-6368 or e-mail: riflores@brownsville-pub.com.

Please e-mail this page upon receipt of the bid package or 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.

Check one:

☐ **Yes, I will be able to send a bid; obtained bid package from website.**

☐ **Yes, I will be able to send a bid; please email the bid package.**

Email: _____

☐ **Yes, I will be able to send a bid; please mail the bid package using the carrier & account number listed below:**

Carrier: ____ Account: _____

☐ **No, I will not be able to send a bid for the following reason:**

If you are unable to send your bid, kindly indicate your reason for "No bid" above and return this form **via email to:** riflores@brownsville-pub.com. This will ensure you remain active on our vendor list.

Date _____

Company: _____

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____

Fax: _____

Email: _____

Special Instructions

Contract Information

Interpretation

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

Rick Flores, Buyer
(956) 983-6368

or

Diane Solitaire, Materials/Warehouse Manager
(956) 983-6366

- **Tentative Time Line**

1. September 5 through September 21, 2022 - Vendors work on bid.
2. September 21, 2022 at 5:00 PM - Vendor must submit **two sets** of bid documents sealed
in an envelope to: (please mark one “original” and the other “copy”)

Diane Solitaire, Purchasing
1155 FM 511
Olmito, TX 78575

Bid #072-22 – ANNUAL SUPPLY OF SUBMERSIBLE PUMPS
Due: September 21, 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.

3. September 22, 2022 - Open bids at 11:00 AM
4. September 22, 2022 thru September 30, 2022 - Evaluate bids
5. October 7, 2022 - Provide Final Recommendations
6. November 13, 2022 - Send to Utilities Board for approval

- **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. **Price shall remain firm for 12 months from date of purchase order.**

All fields (UNIT PRICE, TOTAL PRICE, & EST DELIVERY IN DAY) in the specification pages must be filled. 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.

- **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 of the bidder
5. Time and conditions of delivery
6. 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, a W9 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 manually 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, color, national origin, age, religion, gender, marital or veteran status, or physically challenging condition.

- **Living Wage Statement**

On April 16, 2007, the BPUB Board of Directors approved a local “living wage” policy that requires all Contractors and Subcontractors performing 100% Non-Federally funded Work for the BPUB to pay a minimum wage rate of \$8.00/hour. The BPUB requires that all Contractors and Subcontractors comply with this policy.

- **Delivered FOB and Contract**

The submersible pumps shall be delivered FOB Brownsville Public Utilities Board, 1155 FM 511, Olmito, Texas 78575. A contract for the annual supply of submersible pumps 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 BPUB Board of Directors.

- **As Needed Basis**

Annual supply quantities are estimated and are based on prior year's usage. Material will be ordered "as needed" and be billed as such over a period of one (1) year. The Brownsville PUB has the right to increase or decrease quantities as deemed necessary.

- **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 60 days from submission date without action, and to waive all formalities in bid.
4. The right to extend the total bid beyond the original 60-day period prior to an award if agreed upon in writing by both parties and if bid holds 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 nonperformance by the vendor/contractor; or if it is deemed in the best interest of the BPUB for BPUB's convenience.
6. In bid, stipulate whether an increase or decrease in quantities will affect bid price.

- **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 e-mailed to all who have returned the Acknowledgement 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 all addenda, execute them, and return addenda with the response to the invitation to bid. Addenda may be posted on BPUB's webpage.

SPECIFICATIONS FOR ANNUAL SUPPLY OF SUBMERSIBLE PUMPS

1.1 PUMPS

1.1.1 General. Pump shall comply with the criteria established in Attachments A and B of this Section. Each pump shall be capable of connection to 230/480 volt, 3 phase, 60 hertz, and 4/3 wire electrical power. Pump motor shall not overload at any point through the operation range of the pump.

1.1.2. Pump Design. The pumps shall be designed for handling raw, unscreened waste-water and all openings shall be large enough to permit the passage of solids 3 inches in diameter. Design should also be such that the pumping unit will be automatically and firmly connected to the discharge piping when lowered into place on a mating discharge connection, permanently installed in the wet-well. Connection shall be the result of a simple linear downward motion of the pumping unit guided by no less than two guide bars. No other motion in the pump, such as tilting or rotating shall be required. The connection shall be compatible to a Flygt or shall be dimensionally interchangeable with a Flygt connection. All pumps supplied shall fit a Flygt discharge connection. Pumps with Flygt adapters will be accepted. Sealing of the discharge interface by means of a diaphragm or similar method of sealing shall not be considered acceptable or equal to the metal to metal contact of the pump discharge flange and mating discharge connection specified herein.

1.1.3. The impeller shall be of a non-clog design, capable of passing solids, fibrous materials, heavy sludge and other materials commonly found in wastewater. It shall be constructed with a long throughlet without acute turns. It shall be slip fit to the shaft and key driven. All mating surfaces of the pump and motor housing shall be machined and fitted with nitrile o-rings where watertight sealing is required. Machining and fittings shall be such that sealing is accomplished by automatic compression in two planes and o-ring contact made of four surfaces, without the requirements of specific torque limits to affect this. Rectangular cross-sectional gasket requiring specific torque limits to achieve compression shall not be considered adequate or equal. Tolerances of all parts shall be such that would allow replacement of any part without additional machining required to insure sealing as described above. No secondary sealing compounds, greases or other devices shall be used.

Each pump shall be provided with a tandem double mechanical seal running in an oil reservoir having separate constantly hydro-dynamically lubricated seal faces. Each sealing unit shall consist of one stationary and one positively driven rotating tungsten carbide or silicon carbide ring with each pair held in contact by a separate spring. The lower compression spring shall be protected against contact with or exposure to the pumped media. The seals shall require neither maintenance nor adjustment and shall be easily replaceable. Shaft seals without positively driven rotating members or conventional double mechanical seals with a common single or double spring action between the upper and lower units, requiring a pressure differential to offset external pressure and effect sealing shall not be considered acceptable nor equal to the dual independent seal system specified herein.

The pump shall be capable of operating out of a liquid environment with no damage to the seals. The seal system shall not rely on the pump media for lubrication.

All motors shall be housed in an air-filled watertight casing and shall have moisture resistant Class H 180 *deg C* insulation. The motor shall be NEMA Design B capable of continuous operation in a totally, partially or non-submerged condition. The cable entry seal design shall be such that specific torque requirements to insure a watertight and submersible seal are precluded. Motor stator leads and power cable connections to the motor shall be the lug type connected to a terminal board in a junction chamber sealed and separated by a sealing gland to isolate the motor interior from foreign particles gaining access during field change of power cable or stator leads. Wire nut connections of power cable to power cable shall not be considered equal to lug and terminal type connections. Pump motor cable installed shall be suitable for submersible pump applications and this shall be indicated by a code or legend permanently embossed on the cable. Cable sizing shall conform to NEC specifications for pump motors and shall be of adequate size to allow motor voltage conversion without replacing cables. A sliding guide bracket shall be an integral part of the pump unit. The volute casing shall have a machined discharge flange to automatically and firmly connect with the cast iron discharge connection, which when bolted to the floor of the wet pit and discharge line, will receive the pump discharge connecting flange without the need of adjustments, fasteners, clamps or similar devices. The discharge connection shall be by Flygt or shall be dimensionally interchangeable with a Flygt discharge connection. All pumps supplied shall have sliding brackets to fit a Flygt discharge connection. Pumps with Flygt adapters will be acceptable. The guide bracket shall be coated grey iron and all bolts shall be 316 stainless steel.

1.1.4. Pump Guarantee. The pump manufacturer shall furnish the owner with a two (2) year written guarantee to warrant the pumps and all components against failure due to defective materials and workmanship. Warranty coverage shall begin on the date the pump is delivered and shall not be pump run time dependent.

1.1.5. Pump Protection Relay. One set of over temperature and seal failure relay shall be provided for each supplied pump, unit price of pump to include this item.

1.1.6. Pump Repair Kit. One repair kit set shall be provided for each supplied pump. Unit price of pump shall include this item.

TECHNICAL SPECIFICATIONS ATTACHMENT A

- Pump manufacturer shall have a minimum 10,000 heavy-duty submersible wastewater pumps installed and operating for no less than 5 years in the United States.
- Pump manufacturer shall be ISO 9001 Certified (Quality).
- Pump manufacturer shall be ISO 14001 Certified (Environmental).
- Closest Authorized Service Repair Facility shall be within 200 driving miles from Brownsville, Texas.
- Pump shall have a minimum Warranty on all parts and labor as specified in Section 1.1.4. of these specifications.
- Pump shall be Non-Clog Submersible.
- Pump shall be heavy duty, electric submersible, centrifugal non-clog designed for handling raw, unscreened sewage and wastewater.
- All openings in pump impeller and volute pass a 3" sphere.
- Maximum pump/motor operating ambient temperature shall be up to 104 Deg. F
- Impeller shall be Semi-open-multi-vane, 1-vane open, or 2-vane open (vortex or enclosed vane impellers will NOT be accepted).
- Impeller material shall be Hard Iron/Gray Cast-Iron ASTM A-48, Class 30, 35B OR 40.
- Pump case/volute material shall be ASTM A-48 Class 30 or Class 35B, OR ASTM 48 Class 40.
- Exposed bolts material shall be stainless steel 304 or 316.
- Coating on metal surfaces in contact with pumpage, other than stainless steel and brass shall be equal to one of the following: (1) Acrylic dispersion zinc phosphate primer with polyester resin paint finish on exterior of pump or (2) Cast iron castings treated with phosphate and chromate rinse and finished with Sherwin Williams Chem-Aqua 400 waterborne enamel finish or (3) Epoxy Tnemec Series 46-465 applied on three coats.
- Submersible Cable (SUBCAB) sized according to NEC and meet P-MSHA Approval.
- Cable Length shall be 50-ft single cable.
- Non-oil cooling system. Pump motor shall be non-jacketed and sufficiently cooled by the surrounding environment or pumped media and suitable for continuous operation at full nameplate load while the motor is not totally non-submerged cooled by the pumped media; or pump motors shall have a cooling jacket that encircles the stator where a closed loop (non-oil) cooling liquid passes around the stator housing creating a turbulent flow providing for superior heat transfer. The cooling system shall provide for continuous pump operation in liquid or ambient temperatures of up to 104°F (40°C) while the motor is not totally non-submerged pump cooled by the pumped media.
- Equipment shall be Explosion Proof. Pump, Motor, and Cable approved for use in areas classified as hazardous in accordance with NEC Class I, Div. 1, Group C and D.
- Pump motor shall be NEMA B design.
- Stator windings insulation shall be moisture resistant Class H rated for 180°C (356°F).
- Bearings shall be sealed and permanently grease lubricated with high temperature grease.
- Minimum bearing life (L10) shall be at least 50,000 hours.

- Pump shall have independent springs for both mechanical seals.
- Upper mechanical seal material shall be Tungsten-Carbide or Silicon-Carbide.
- Lower mechanical seal material shall be Tungsten-Carbide or Silicon-Carbide.
- Pump and motor shaft shall be a single piece unit.
- Shaft Material shall be Stainless Steel 420 or 431.
- Pump temperature protection shall consist of the following: (1) Three thermal switches (one per phase winding) connected in series or (2) Thermal switches for each phase connected to the control panel.
- Pump leakage protection shall consist of the following: (1) A float switch or (2) A double electrode mounted in the seal chamber or (3) A seal minder relay installed to detect moisture or water or (4) A leakage sensor.
- Guaranteed maximum delivery time for pumps ranging from 5 hp to 30 hp from issuance of purchase order shall be eight (8) weeks (excluding holidays).
- Pump shall include a Flygt adaptor bracket for non-Flygt pumps included in the bid item cost for each pump supplied.
- Pump shall include Temperature and Seal Failure Alarm Relays for non-Flygt pumps included in the bid item cost for each pump supplied.
- Pump shall be able to convert voltage without needing to access winding housing (i.e. through pump terminal board only).

BID SCHEDULE
ATTACHMENT B

ITEM No.	QTY	DESCRIPTION	UNIT PRICE	TOTAL
1	20 EA	<p>BPUB #S0201-00</p> <p>Submersible Pump</p> <p>Acceptable Rated Motor HP: 4.00 HP - 6.00 HP</p> <p>4" discharge</p> <p>Overall (Pump x Motor) BEP \geq 54.0%</p> <p>460 GPM @ 23 TDH</p> <p>230 volt/3 phase</p> <p>50' pump cable</p> <p>Temperature and leak protection</p> <p>Temperature and leak sensor relays</p> <p>Flygt adapter brackets for non-Flygt pumps</p> <p>Pump protection relay (see Section 1.1.5)</p> <p>Delivery time _____ weeks</p>		
2	5 EA	<p>BPUB #S0201-01</p> <p>Submersible Pump</p> <p>Acceptable Rated Motor HP: 5.00 HP</p> <p>4" discharge</p> <p>Overall (Pump x Motor) BEP \geq 54.0%</p> <p>460 GPM @ 23 TDH</p> <p>480 volt/3 phase</p> <p>50' pump cable</p> <p>Temperature and leak protection</p> <p>Temperature and leak sensor relays</p> <p>Flygt adapter brackets for non-Flygt pumps</p> <p>Pump protection relay (see Section 1.1.5)</p> <p>Delivery time _____ weeks</p>		

ITEM No.	QTY	DESCRIPTION	UNIT PRICE	TOTAL
3	5 EA	<p>BPUB #S0201-02</p> <p>Submersible Pump</p> <p>Acceptable Rated Motor HP: 5.00 HP</p> <p>6" discharge</p> <p>Overall (Pump x Motor) BEP \geq 54.0%</p> <p>460 GPM @ 23 TDH</p> <p>480 volt/3 phase</p> <p>50' pump cable</p> <p>Temperature and leak protection</p> <p>Temperature and leak sensor relays</p> <p>Flygt adapter brackets for non-Flygt pumps</p> <p>Pump protection relay (see Section 1.1.5)</p> <p>Delivery time _____ weeks</p>		
4	8 EA	<p>BPUB #S0203-00</p> <p>Submersible Pump</p> <p>Acceptable Rated Motor HP: 7.00 HP – 13.00 HP</p> <p>4" discharge</p> <p>Overall (Pump x Motor) BEP \geq 57.0%</p> <p>720 GPM @ 35 TDH</p> <p>230 volt/3 phase</p> <p>50' pump cable</p> <p>Temperature and leak protection</p> <p>Temperature and leak sensor relays</p> <p>Flygt adapter brackets for non-Flygt pumps</p> <p>Pump protection relay (see Section 1.1.5)</p> <p>Delivery time _____ weeks</p>		

ITEM No.	QTY	DESCRIPTION	UNIT PRICE	TOTAL
5	8 EA	BPUB #S0203-01 Submersible Pump Acceptable Rated Motor HP: 7.00 HP – 13.00 HP 6” discharge Overall (Pump x Motor) BEP \geq 62.0% 720 GPM @ 35 TDH 230 volt /3 phase 50’ pump cable Temperature and leak protection Temperature and leak sensor relays Flygt adapter brackets for non-Flygt pumps Pump protection relay (see Section 1.1.5) Delivery time _____ weeks		
6	6 EA	BPUB #S0204-00 Submersible Pump Acceptable Rated Motor HP: 12.00 HP – 18.00 HP 4” discharge Overall (Pump x Motor) BEP \geq 55.0% 550 GPM @ 54.0 TDH 480 volt /3 phase 50’ pump cable Temperature and leak protection Temperature and leak sensor relays Flygt adapter brackets for non-Flygt pumps Pump protection relay (see Section 1.1.5) Delivery time _____ weeks		

ITEM No.	QTY	DESCRIPTION	UNIT PRICE	TOTAL
7	6 EA	BPUB #S204-01 Submersible Pump Acceptable Rated Motor HP: 12.00 HP – 18.00 HP 6” discharge Overall (Pump x Motor) BEP \geq 57.0% 1000 GPM @ 28 TDH 480 volt /3 phase 50’ pump cable Temperature and leak protection Temperature and leak sensor relays Flygt adapter brackets for non-Flygt pumps Pump protection relay (see Section 1.1.5) Delivery time _____ weeks		
8	3 EA	BPUB #S0204-02 Submersible Pump Acceptable Rated Motor HP: 12.00 HP – 18.00 HP 4” discharge Overall (Pump x Motor) BEP \geq 55.0% 550 GPM @ 54.0 TDH 230 volt /3 phase 50’ pump cable Temperature and leak protection Temperature and leak sensor relays Flygt adapter brackets for non-Flygt pumps Pump protection relay (see Section 1.1.5) Delivery time _____ weeks		

ITEM No.	QTY	DESCRIPTION	UNIT PRICE	TOTAL
9	4 EA	BPUB #S0204-03 Submersible Pump Acceptable Rated Motor HP: 12.00 HP – 18.00 HP 6” discharge Overall (Pump x Motor) BEP \geq 57.0% 1000 GPM @ 28 TDH 230 volt /3 phase 50’ pump cable Temperature and leak protection Temperature and leak sensor relays Flygt adapter brackets for non-Flygt pumps Pump protection relay (see Section 1.1.5) Delivery time _____ weeks		
10	7 EA	BPUB #S0205-00 Submersible Pump Acceptable Rated Motor HP: 17.00 HP – 23.00 HP 4” discharge Overall (Pump x Motor) BEP \geq 57.0% 620 GPM @ 66 TDH 480 volt /3 phase 50’ pump cable Temperature and leak protection Temperature and leak sensor relays Flygt adapter brackets for non-Flygt pumps Pump protection relay (see Section 1.1.5) Delivery time _____ weeks		

ITEM No.	QTY	DESCRIPTION	UNIT PRICE	TOTAL
11	6 EA	BPUB #S0205-01 Submersible Pump Acceptable Rated Motor HP: 17.00 HP – 23.00 HP 6” discharge Overall (Pump x Motor) BEP \geq 63.0% 1000 GPM @ 46 TDH 480 volt /3 phase 50’ pump cable Temperature and leak protection Temperature and leak sensor relays Flygt adapter brackets for non-Flygt pumps Pump protection relay (see Section 1.1.5) Delivery time _____ weeks		
12	3 EA	BPUB #S0206-00 Submersible Pump Acceptable Rated Motor HP: 26.00 HP - 34.00 HP 6” discharge Overall (Pump x Motor) BEP \geq 65.0% 1100 GPM @ 72 TDH 480 volt /3 phase 50’ pump cable Temperature and leak protection Temperature and leak sensor relays Flygt adapter brackets for non-Flygt pumps Pump protection relay (see Section 1.1.5) Delivery time _____ weeks		

Special Instructions:

Please specify manufacturer and provide specifications. Reference your specifications to match BPUB commodity numbers.

NOTE: Successful vendor(s) must keep one release of items in stock for immediate shipment to BPUB. If at the end of contract period (1 year from date of Purchase Order), vendor has 1 release available in their stock, BPUB will purchase only that one (1) release at bid price. 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 quantities as deemed necessary.

Stipulate below whether the increase or decrease will affect bid price.

(_____) Yes, Increase or Decrease will affect bid price.

(_____) No, Increase or Decrease will not affect bid price.

Price shall remain firm for 12 months after date of purchase order and this contract shall be for a period of one (1) year with the **option to renew for two (2) additional one-year periods**, if price and service is satisfactory and agreed upon in writing by both parties.

Company Name: _____

Authorized Company Representative: _____

Authorized Company Representative: _____

Signature – (Failure to sign Bid will disqualify it)

Company Address: _____

Telephone #: _____

Fax #: _____

E-mail: _____

FORMS CHECKLIST

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

NAME	FORM DESCRIPTION	SUBMITTED WITH BID	
		YES	NO
Required Forms (if applicable)	Acknowledgement Form	<input type="checkbox"/>	<input type="checkbox"/>
	Debarment Certificate	<input type="checkbox"/>	<input type="checkbox"/>
	Ethic Statement	<input type="checkbox"/>	<input type="checkbox"/>
	Conflict of Interest Questionnaire	<input type="checkbox"/>	<input type="checkbox"/>
	W9 or W8 Form	<input type="checkbox"/>	<input type="checkbox"/>
	Direct Deposit Form (Will be provided to awarded vendor)	<input type="checkbox"/>	<input type="checkbox"/>
	Residence Certification Form	<input type="checkbox"/>	<input type="checkbox"/>
	House Bill 89 Form	<input type="checkbox"/>	<input type="checkbox"/>
	Senate Bill 252 Form	<input type="checkbox"/>	<input type="checkbox"/>
	Byrd Anti-Lobbying Certification Form	<input type="checkbox"/>	<input type="checkbox"/>
Special Instructions (if applicable)	Bid Schedule/Cost sheet completed and signed	<input type="checkbox"/>	<input type="checkbox"/>
	Cashier Check or Bid Bond of 5% of Total Amount of Bid	<input type="checkbox"/>	<input type="checkbox"/>
	OSHA 300 Log	<input type="checkbox"/>	<input type="checkbox"/>
	Contractor Pre-Bid Disclosure completed, signed and notarized	<input type="checkbox"/>	<input type="checkbox"/>
	Sub-Contractor Pre-Bid Disclosure completed, signed, and notarized	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
References	Complete the Previous Customer Reference Worksheet for each reference provided	<input type="checkbox"/>	<input type="checkbox"/>
Addenda		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

ETHICS STATEMENT (Complete and return with bid)

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 VENDOR SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY OF BROWNSVILLE AND THE BROWNSVILLE PUBLIC UTILITIES BOARD, ALL OF THEIR 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: _____

AGENT SIGNATURE: _____

ADDRESS: _____

CITY: _____

STATE: _____ ZIP CODE: _____

TELEPHONE: _____ TELEFAX: _____

FEDERAL ID#: _____ AND/OR SOCIAL SECURITY #: _____

DEVIATIONS FROM SPECIFICATIONS IF ANY:

NOTE: QUESTIONS AND CONCERNS FROM PROSPECTIVE CONTRACTORS SHOULD BE RAISED WITH OWNER AND ITS CONSULTANT (IF APPLICABLE) AND RESOLVED IF POSSIBLE, PRIOR TO 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:_____

The prospective participant certifies to the best of their knowledge and belief that they and their 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 (b) of this certification; and
- d) Have not within a three year period preceding this bid had one or more public transactions (Federal, State, 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.

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

CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity		FORM CIQ
<p>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</p> <p>This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).</p> <p>By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.</p> <p>A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>	OFFICE USE ONLY <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	
<p>1 Name of vendor who has a business relationship with local governmental entity.</p>		
<p>2 <input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)</p>		
<p>3 Name of local government officer about whom the information is being disclosed.</p> <div style="text-align: center; margin-top: 20px;"> <hr style="width: 60%; margin: 0 auto;"/> <p>Name of Officer</p> </div>		
<p>4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.</p> <div style="margin-top: 40px;"> <p>A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?</p> <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <p>B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?</p> <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>		
<p>5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.</p>		
<p>6 <input type="checkbox"/> Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).</p>		
<p>7</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <hr style="width: 100%; margin: 0;"/> <p>Signature of vendor doing business with the governmental entity</p> </div> <div style="width: 35%;"> <hr style="width: 100%; margin: 0;"/> <p>Date</p> </div> </div>		

Form provided by Texas Ethics Commission

www.ethics.state.tx.us

Revised 11/30/2015

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.

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 **nonresident bidder** as defined in Art. 601g. and our principal place of business is:

(City and State)

Signature: _____

Print Name: _____

**Request for Taxpayer
Identification Number and Certification**

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

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

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ► _____	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
	5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

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

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

Social security number										
				-						
or										
Employer identification number										
				-						

Part II Certification

Under penalties of perjury, I certify that:

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

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

Sign Here	Signature of U.S. person ►	Date ►

General Instructions

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

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

Purpose of Form

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

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 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.

Form **W-8BEN-E**

(Rev. July 2017)

Department of the Treasury
Internal Revenue Service**Certificate of Status of Beneficial Owner for
United States Tax Withholding and Reporting (Entities)**

► For use by entities. Individuals must use Form W-8BEN. ► Section references are to the Internal Revenue Code.
► Go to www.irs.gov/FormW8BENE for instructions and the latest information.
► Give this form to the withholding agent or payer. Do not send to the IRS.

OMB No. 1545-1621

Do NOT use this form for:

- U.S. entity or U.S. citizen or resident W-9
- A foreign individual W-8BEN (Individual) or Form 8233
- A foreign individual or entity claiming that income is effectively connected with the conduct of trade or business within the U.S. (unless claiming treaty benefits) W-8ECI
- A foreign partnership, a foreign simple trust, or a foreign grantor trust (unless claiming treaty benefits) (see instructions for exceptions) . . . W-8IMY
- A foreign government, international organization, foreign central bank of issue, foreign tax-exempt organization, foreign private foundation, or government of a U.S. possession claiming that income is effectively connected U.S. income or that is claiming the applicability of section(s) 115(2), 501(c), 892, 895, or 1443(b) (unless claiming treaty benefits) (see instructions for other exceptions) W-8ECI or W-8EXP
- Any person acting as an intermediary (including a qualified intermediary acting as a qualified derivatives dealer) W-8IMY

Instead use Form:**Part I Identification of Beneficial Owner**

1 Name of organization that is the beneficial owner	2 Country of incorporation or organization															
3 Name of disregarded entity receiving the payment (if applicable, see instructions)																
4 Chapter 3 Status (entity type) (Must check one box only): <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Simple trust</td> <td><input type="checkbox"/> Grantor trust</td> <td><input type="checkbox"/> Corporation</td> <td><input type="checkbox"/> Disregarded entity</td> <td><input type="checkbox"/> Partnership</td> </tr> <tr> <td><input type="checkbox"/> Central Bank of Issue</td> <td><input type="checkbox"/> Tax-exempt organization</td> <td><input type="checkbox"/> Complex trust</td> <td><input type="checkbox"/> Estate</td> <td><input type="checkbox"/> Government</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Private foundation</td> <td colspan="3"><input type="checkbox"/> International organization</td> </tr> </table> <p>If you entered disregarded entity, partnership, simple trust, or grantor trust above, is the entity a hybrid making a treaty claim? If "Yes" complete Part III. <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		<input type="checkbox"/> Simple trust	<input type="checkbox"/> Grantor trust	<input type="checkbox"/> Corporation	<input type="checkbox"/> Disregarded entity	<input type="checkbox"/> Partnership	<input type="checkbox"/> Central Bank of Issue	<input type="checkbox"/> Tax-exempt organization	<input type="checkbox"/> Complex trust	<input type="checkbox"/> Estate	<input type="checkbox"/> Government	<input type="checkbox"/> Private foundation		<input type="checkbox"/> International organization		
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5 Chapter 4 Status (FATCA status) (See instructions for details and complete the certification below for the entity's applicable status.) <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Nonparticipating FFI (including an FFI related to a Reporting IGA FFI other than a deemed-compliant FFI, participating FFI, or exempt beneficial owner). <input type="checkbox"/> Participating FFI. <input type="checkbox"/> Reporting Model 1 FFI. <input type="checkbox"/> Reporting Model 2 FFI. <input type="checkbox"/> Registered deemed-compliant FFI (other than a reporting Model 1 FFI, sponsored FFI, or nonreporting IGA FFI covered in Part XII). See instructions. <input type="checkbox"/> Sponsored FFI. Complete Part IV. <input type="checkbox"/> Certified deemed-compliant nonregistering local bank. Complete Part V. <input type="checkbox"/> Certified deemed-compliant FFI with only low-value accounts. 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6 Permanent residence address (street, apt. or suite no., or rural route). Do not use a P.O. box or in-care-of address (other than a registered address). <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">City or town, state or province. Include postal code where appropriate.</td> <td style="width: 40%;">Country</td> </tr> </table>		City or town, state or province. Include postal code where appropriate.	Country													
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10 Reference number(s) (see instructions)																

Note: Please complete remainder of the form including signing the form in Part XXX.**For Paperwork Reduction Act Notice, see separate instructions.**

Cat. No. 59689N

Form **W-8BEN-E** (Rev. 7-2017)