

LEGAL NOTICE

AND

INVITATION TO BID B #037-24

The Brownsville Public Utilities Board will accept sealed bids for the Supply of Wood Poles Class 1, 2, & H1, **until 5:00 PM, April 17, 2024,** in the Brownsville PUB 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 April 18, 2024 at 10:30 AM. Bidders can request a copy of the bid tabulation by emailing <u>hlopez@brownsville-pub.com</u>. Vendors can call in at 10:30 AM, April 18, 2024 to (956) 214-6020 to listen to the bid opening.

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

Please mark on the <u>outside of the envelope and on any carrier's envelope/package:</u> "SEALED BID FOR SUPPLY OF WOOD POLES CLASS 1, 2, & H1 (B037-24), APRIL 17, 2024, 5:00 PM", and send to the attention of Diane Solitaire, Purchasing Department, 1155 FM 511, Olmito, Texas 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 bids will be accepted via facsimile or electronic transmission.

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.

Acknowledgment Form B#037-24 Supply of Wood Poles Class 1, 2, & H1

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

Please e-mail this page upon receipt of the bid 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: _____

() 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:** <u>hlopez@brownsville-pub.com</u> or <u>dsoliatire@brownsville-pub.com</u>. This will ensure you remain active on our vendor list.

		_
State:	Zip Code:	
Fax	:	_
	State:	State:Zip Code:

Special Instructions

Contract Information

• Interpretation

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

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

• Tentative Time Line

- 1. April 2, 2024 through April 17, 2024 Vendors work on bid.
- 2. April 17, 2024 at 5:00 PM CST Vendor must submit 1 set of bid documents sealed in an envelope to:

Diane Solitaire, Purchasing 1155 FM 511 Olmito, TX 78575

Bid 037-24, Supply of Wood Poles Class 1, 2 and H1 Due on April 17, 2024 at 5:00 PM CST

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. April 12, 2024 Last day to submit questions
- 4. April 18, 2024 Open bids at 10:30 AM
- 5. April 19 April 26, 2024 Evaluate bids
- 6. April 29, 2024 Provide Final Recommendations
- 7. May 13, 2024 Send to Utilities Board for approval
- 8. Term of contract will commence May 2024

• 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 a 12 month period after receipt of order.** All fields (UNIT PRICE, TOTAL PRICE, & EST DELIVERY IN DAY) in the Cost Sheet 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 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, 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 City of Brownsville and Brownsville Public Utilities Board are 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 (NOT APPLICABLE)

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 keep in stock one (1) truckload of each pole awarded 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 wood poles shall be delivered FOB Destination to Brownsville PUB, 1495 Robinhood Drive Brownsville, Texas 78521 or 1155 FM 511, Olmito, Texas 78575, **with a self-unloading truck**, between 9:00 AM - 4:00 PM, Monday through Friday. A contract for the wood poles 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 of Directors.

• Term of Agreement (NOT APPLICABLE)

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 price and services are satisfactory and agreed upon in writing by both parties.

• Delivery

Delivery of the material will only be accepted during normal working hours, Monday thru Friday, 9 AM to 4 PM. A delivery ticket must be furnished with each delivery by the carrier. The delivery ticket must show the BPUB's Purchase Order, number of crates, packages, etc. being delivered to BPUB. **Call 48 hours prior to delivery**.

• 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 awards as they may appear to be advantageous to the Brownsville Public Utilities Board. The bidder must indicate "all or none" in the bid if the above-stated condition is not acceptable.
- 3. The right to hold bid for 90 days from submission date without action, and to waive all formalities in bidding.
- 4. The right to extend the total bid quote beyond the original 90-day period prior to an award if agreed upon in writing by both parties and if low 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; <u>for cause</u>: 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 <u>for BPUB's convenience</u>.
- 6. The right to increase or decrease quantities. In bid, stipulate whether an increase or decrease in quantities will affect bid price.

• Corrections

Any interpretation, correction, or change of 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 Bid 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 any all addenda, execute them, and return addenda with the response to the invitation to bid. Addenda may also be posted on BPUB's web page. Special Instructions:

Purchase Order quantities are subject to BPUB's right to increase or decrease quantities 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.

Price shall remain firm for 12 months after date of purchase order and this contract shall be for a period of one (1) year.

Company Name:		
Authorized Compar	ny Representative:	
Authorized Compar	ny Representative:_	Signature – Failure to sign Bid will disqualify it
Company Address:		
-		
Telephone #:		
Fax #:		
E-mail:		

COST SHEET

Item	Quantity	Description	Unit Cost	Total	Deliver in days after PO & Mfg. Warranty
1	15 Each	45 FT. Class 2 Wood Poles SOUTHERN YELLOW PINE, CREOSOTE, ONLY			
2	15 Each	50 FT. Class 2 Wood Poles SOUTHERN YELLOW PINE, CREOSOTE, ONLY			
3	15 Each	55 FT. Class 2 Wood Poles SOUTHERN YELLOW PINE, CREOSOTE, ONLY			
4	20 Each	50 FT. Class 1 Wood Poles SOUTHERN YELLOW PINE, CREOSOTE, ONLY			
5	20 Each	55 FT. Class 1 Wood Poles SOUTHERN YELLOW PINE, CREOSOTE, ONLY			
6	15 Each	50 FT. Class H1 Wood Poles SOUTHERN YELLOW PINE, CREOSOTE, ONLY			
7	15 Each	55 FT. Class H1 Wood Poles SOUTHERN YELLOW PINE, CREOSOTE, ONLY			

SPECIAL INSTRUCTIONS:

POLES WILL BE RELEASED AND DELIVERED IN TRUCKLOAD QUANTITIES AS NEEDED AND BE BILLED AS SUCH OVER A PERIOD OF ONE (1) YEAR.

VENDOR MUST PROVIDE THE EQUIPMENT TO OFFLOAD POLES – KNUCKLE BOOM OR SEPARATE UNLOADING EQUIPMENT. POLES CANNOT BE DUMPED OR SLID OFF THE TRUCK.

STANDARD SPECIFICATIONS COVERING SOUTHERN YELLOW PINE POLES AND TREATMENT

1. <u>SCOPE</u>

These specifications cover the size and quality of wood poles and the treating process for full length pressure treatment.

2. GENERAL

Purchase orders will specify the species, quality, length, class, and type of preservation and drawing number. Vendor must provide the equipment to offload poles, i.e., knuckle boom.

Bidders are asked to hold price firm for 90 days from submission date as per BPUB's Rights on Page 6. All prices shall remain firm for 12 months after date of Purchase Order and must be FOB Brownsville PUB Warehouse, 1495 Robinhood, Brownsville, TX 78521 or to 1155 FM511, Olmito, TX 78575.

Notification of Delivery: The Purchasing Administrator shall be notified at (956) 983-6375 of the intended delivery forty-eight (48) hours prior to the actual delivery to the designated location, so that the Owner's personnel may be available to accept delivery. The Purchasing & Materials Manager may be contacted Monday thru Friday between 8:00 A.M. and 4:00 P.M. at (956) 983-6366 or Warehouse Administrator (956) 983-6181.

3. <u>MATERIAL REOUIREMENTS</u>

All material supplied under these specifications shall conform to the American National Standards Institute Specifications and Dimensions for Wood Poles, ANSI 05.1, latest revision, except as herein modified.

3.1 <u>Shape</u> - Any localized deviation from the straightness in a five foot section or less shall be considered for Short Crook, and the deviation from straightness shall not exceed two (2) inches.

A pole may have sweep subject to the following limitation: A straight line connecting the center of the top with the center of the butt shall not at any intermediate point pass through the external surface of the pole.

- 3.2 <u>Scars</u> Scars are permitted as defined in ANSI provided that the depth of the trimmed scar is not more than one inch if the diameter of the pole is ten (10) inches or less, or One-tenth (1/10) the diameter, if more than ten (10) inches.
- 3.3 <u>Splits and Checks</u> Splits or through checks on the tops of poles are prohibited.
- 3.4 <u>Knots</u> Knots for all poles Class 1 and smaller shall be limited by ANSI 05.1, latest revision.

Knots for all Class H1 and larger shall not be limited by ANSI 05.1, latest revision, but by the following:

- A. The diameter of any one knot shall not exceed 1/8 of the circumference of the pole at the location of the knot. In addition, no knot in excess of 5" will be allowed.
- B. The sum of the diameters of all Knots in any one foot section shall not exceed 1/3 of the circumference of the pole measured at the mid point of the one foot section, up to a maximum of 14 inches for any one foot section.
- 3.5 <u>Spiral Grain</u> Poles 40' and shorter shall not have more than one complete twist. Poles 45' and longer shall not have more than one complete twist in any 40' section.

3.6 SOUNDNESS -

- A. Whenever there is any sign of decay in untreated timber, and in all cases where the condition of the timber is doubtful, a section one (1) inch thick or more shall be cut from the top and butt of any doubtful pole. Roofing is adequate for top if done just prior to inspection.
- B. Air-seasoned stock-at least ten (10) percent of the tops and butts of the most susceptible poles in each lot shall be clipped so that the inspector can examine the condition of the material.

C. Additional clipping shall be contingent upon the history and condition of the stock and this shall be done at the discretion of the inspector.

4. MANUFACTURING REQUIREMENTS -

- 4.1 <u>Trimming</u> Poles shall be smoothly trimmed by shaving machine.
- 4.2 <u>Marking</u> All poles shall have a round 2" aluminum tag countersunk ¹/₄" and nailed to the pole and marked with Length and Class, Owner's Initials (BPUB), suppliers code or trademark, plant location, year of treatment, species, and preservative code.

Class and length shall be stenciled on both tip and butt of poles. A non ferrous metal tag showing the month, year of treatment, the class and length shall be securely fastened on the butt of the poles. Tag must be similar to the one in the drawing; if it differs a sample of the tag is to be presented to the Brownsville Public Utilities Board, Electrical Engineering Department, for approval. The Electrical Engineering department is located at 1425 Robinhood Drive, Brownsville, TX 78521.

4.3 <u>Reserve Stock</u> - If a supplier desires he may frame, brand and treat distribution size poles for reserve stock. This is stock which will be treated prior to receipt of orders.

5. <u>CONDITIONING AND TREATING</u> –

- 5.1 <u>Conditioning</u> All poles shall be conditioned prior to treatment in accordance with AWPA Standard Ml. Steam conditioning shall be in accordance with AWPA C1 or C4. Kiln drying will not be permitted with creosote treatment.
- 5.2 <u>Loading For Treatment</u> When necessary to preclude warping and misshaping during the processing of steam-conditioned charges, the poles shall be loaded on cushioned trams. Poles fifty (50) feet and longer to be steam conditioned shall be loaded on three (3) or more trams, equally spaced.
- 5.3 <u>Treatment</u> All poles shall be pressure treated in accordance with applicable AWPA Standards and the specific requirements of this specification.
- 5.4 <u>Pretreated Stock</u> Pretreated poles prepared as in 5.4.1 below are acceptable provided the manner of handling and the history of the stock is approved by the purchaser.

5.4.1 **Creosote** - Bidders shall provide price schedules for creosote poles provided that the poles offered are pre-treated and the retention by assay meets the requirements specified in Paragraph 6 of this specification. Product label, Safety Data Sheet (SDS), and preservative registration according to EPA regulations shall be provided.

5.5 <u>Storage</u> - When necessary, poles shall be stored as in ANSI 8.1, with the exception that the ground shall be free of all vegetation.

6. <u>PRESERVATIVE AND RETENTION</u>

The preservative used shall be Creosote, as specified on the purchase order.

(1) Creosote - In accordance with AWPA Standard P1 or latest revision.

The retention shall be as shown below:

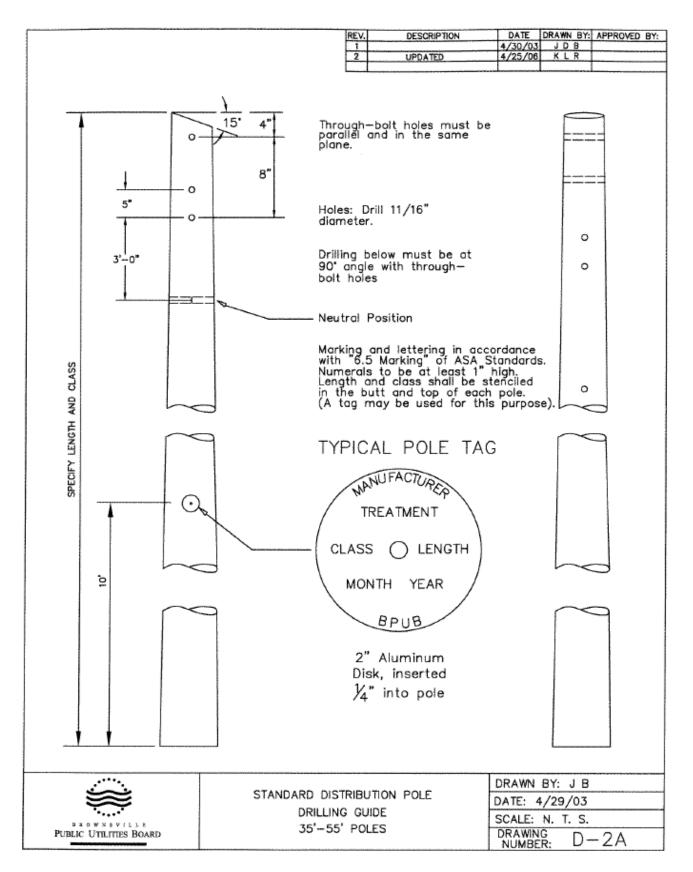
MINIMUM RETENTION PCF BY ASSAY

Creosote Treatment

SOUTHERN YELLOW PINE (50 ft. or .less) SOUTHERN YELLOW PINE (55 ft and longer)

9

9



Douglas Fir Specifications (Not Applicable at this Time)

Poles shall be Douglas Fir ANSI pressure treated with creosote to a net retention of 12# per cubic foot in the ¹/₄ to 1" zone as per CWPA C4 specifications. They shall be deep incised at 2' above and 4' below ground line in 3" by 6" diamond pattern.

Length and Class shall be tagged at the top and bottom of each pole. Poles shall be drilled in accordance with BPUB specifications.

REQUIRED FORMS CHECKLIST

NAME	FORM DESCRIPTION		SUBMITTE	D WITH BID
			YES	NO
	Acknowledgement Form	n		
Legal Notice	Debarment Certification	1		
	Ethics Statement			
	Ethics Statement			
	Conflict of Interest Que	stionnaire		
	Certification of Intereste	ed Party Form 1295		
	Residence Certification			
	State Law Verification			
	House bill 89 Verification	on		
	W9 or W8 Form			
	Direct Deposit Form (w	ill be provided to		
	the awarded vendor)			
	Bid Schedule/Cost sheet signed	t completed and		
Special Instructions	Cashier Check or Bid B Amount of Bid (if appli			
	OSHA 300 Log (if appli			
	Contractor Pre-Bid Disc signed and notarized (if	1		
	Sub-Contractor Pre-Bid			
	completed, signed, and			
	applicable)			
References	Complete the Previous (Customer Reference		
	Worksheet for each refe			
Addenda				

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

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:		
STATE:	ZIP CODE:	
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, <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: _____

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 (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

(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
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 w has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and t vendor meets requirements under Section 176.006(a).	
By law this questionnaire must be filed with the records administrator of the local governmental entity not la than the 7th business day after the date the vendor becomes aware of facts that require the statement to 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. offense under this section is a misdemeanor.	An
1 Name of vendor who has a business relationship with local governmental entity.	
2 Check this box if you are filing an update to a previously filed questionnaire. (The la completed questionnaire with the appropriate filing authority not later than the 7th bus you became aware that the originally filed questionnaire was incomplete or inaccurate the original or inaccurate the orinted or inaccurate	ness day after the date on which
³ Name of local government officer about whom the information is being disclosed.	
Name of Officer	
A. Is the local government officer or a family member of the officer receiving other than investment income, from the vendor?	or likely to receive taxable income,
Yes No	
B. Is the vendor receiving or likely to receive taxable income, other than investr of the local government officer or a family member of the officer AND the taxa local governmental entity?	
Yes No	
5 Describe each employment or business relationship that the vendor named in Section other business entity with respect to which the local government officer serves as a ownership interest of one percent or more.	
6 Check this box if the vendor has given the local government officer or a family mem as described in Section 176.003(a)(2)(B), excluding gifts described in Section 1	
7	
Signature of vendor doing business with the governmental entity	Date
Form provided by Texas Ethics Commission www.ethics.state.tx.us	Revised 1/1/2021

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

 (\bar{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.

Form provided by Texas Ethics Commission

Revised 1/1/2021

CERTIFICATE OF INTERESTED PARTIES-FORM 1295

Special message: Please read the Special Notification regarding HB 1295 effective January 1, 2016, implemented by the Texas Ethics Commission, which requires business entities to provide a completed Form 1295 to Brownsville PUB with signed contracts in order to execute them.

In 2015, the Texas Legislature adopted House Bill 1295. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

To implement the law, the Texas Ethics Commission (TEC) adopted new rules necessary to prescribe the disclosure of interested parties form, and post a copy of the form on the commission's website. The commission adopted the Certificate of Interested Parties form, Form 1295, on October 5, 2015. The commission also adopted new rules as part of Chapter 46 of the Texas Administrative Code on November 30, 2015.

On January 1, 2016, TEC made a new filing application available on their website for business entities to use to both create and file Form 1295. Business entities will enter the required information on Form 1295 within the application and print a copy of the completed form, which will include a certification of filing with a unique certification number. An authorized agent of the business entity will need to sign the printed copy of the form and have the form notarized. The completed Form 1295 with the certification of filing must be included with the signed contract to the governmental body or state agency in order for the governmental body to execute the contract.

Brownsville PUB will then notify the commission, using TEC's filing application, of the receipt of the filed Form 1295 with the certification of filing not later than the 30th day after the date the contract binds all parties to the contract.

TEC will then post the business entity's completed Form 1295 to its website within seven (7) business days after receiving notice from Brownsville PUB acknowledging that it was received.

To obtain additional information on HB 1295, to learn more about TEC's process to create a new account or to complete an electronic version of Form 1295 for submission with a signed contract, please go to the following link: https://ethics.state.tx.us/whatsnew/elf_info_form1295.htm

NOTE: IF AWARDED THIS CONTRACT, FORM 1295 WILL BE SUBMITTED AT THETIME THE SIGNED CONTRACT IS SUBMITTED TO BPUB. __YES___NO

CERTIFICATE OF INTE	RESTED	PARTIES			-orm 1295
Complete Nos. 1 - 4 and 6 if there are interested parties. OFFICE USE ONLY Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.				E USE ONLY	
Name of business entity filing form, a entity's place of business.	and the city, st	ate and country of the busi	ness		
2 Name of governmental entity or s which the form is being filed.	tate agency tl	hat is a party to the contrac	t for		
3 Provide the identification number us and provide a description of the goo					tify the contract,
4		y, State, Country	Natu	ire of Interest	(check applicable)
Name of Interested Party	(pla	ace of business)	Co	ontrolling	Intermediary
			-		
			_		
			_		
5 Check only if there is NO Interested F	Party.]	1		
⁶ UNSWORN DECLARATION					
My name is		, and my date of bi	rth is		·
My address is(street)		(city)(state) (;	/		
	- fiii		ip code)	(cour	itry)
I declare under penalty of perjury that th					20
Executed inCounty	, state of	, on thed	(month)	, (year)	20
		Signature of authorized (Declarar	-	ontracting busin	ess entity
ADE		NAL PAGES AS NECE	SSAR	ſ	
Form provided by Texas Ethics (B037-24 Supply of Wood Poles	Commission	www.ethics.state.tx.us		Revised 12	2/22/2017

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.
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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:

Organization Name State Law Verifications

I,	(Person's name), the undersigned representative
of (Company or Business name)	

"Company") being an adult over the age of eighteen (18) years of age, after being duly sworn by the undersigned notary, do hereby depose and verify under oath as follows:

- **IRAN, SUDAN AND FOREIGN TERRORIST ORGANIZATIONS**: By submission of a response to City of Brownsville Public Utilities Board ("BPUB") Request for Qualifications Q018-23 (the "RFQ"), the responding Company represents that, to the extent this proposal submission or any contracts executed in response to this proposal constitutes a governmental contract within the meaning of Section 2252.151 of the Texas Government Code, as amended, solely for purposes of compliance with Section 2252.152 of the Texas Government Code, and except to the extent otherwise required by applicable federal law, neither the responding Company, nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the Company is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code.
- ANTI-BOYCOTT ISRAEL VERIFICATION: By submission of a response to the BPUB RFQ, the responding Company represents that, to the extent this proposal submission, or any contracts executed in response to this proposal, constitutes a contract for goods or services within the meaning of Section 2271.002 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2271 of the Texas Government Code, and subject to applicable federal law, including without limitation, 50 U.S.C. Section 4607, the responding Company, as well as any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the Company, (1) does <u>not</u> boycott Israel and (2) will <u>not</u> boycott Israel through the term of any such contract. The term "boycott Israel" as used in this paragraph has the meaning assigned to such term in Section 808.001 of the Texas Government Code, as amended.
- VERIFICATION REGARDING NO DISCRIMINATION AGAINST FIREARMS: By submission of a response to the BPUB RFQ, the responding Company represents that, to the extent this proposal submission, or any contracts executed in response to this proposal, constitutes a contract for goods or services for which a written verification is required under Section 2274.002, Texas Government Code (as added by Senate Bill 19, 87th Texas Legislature, Regular Session), as amended, the responding Company hereby verifies that it, as well as any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the Firm, (1) does <u>not</u> have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) will <u>not</u> discriminate during the term of any such contract against a firearm entity or firearm trade association. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code (as added by Senate Bill 19, 87th Texas Legislature, Regular Session), as amended, to the extent such section does not contravene applicable Texas or

federal law. As used in the foregoing verification, "discriminate against a firearm entity or firearm trade association" shall have the meaning assigned to such term in Section 2274.001, Texas Government Code (as added by Senate Bill 19, 87th Texas Legislature, Regular Session).

• VERIFICATION REGARDING NO ENERGY COMPANY BOYCOTTS: By submission of a response to the BPUB RFQ, the responding Company represents that, to the extent this proposal submission, or any contracts executed in response to this proposal, constitutes a contract for goods or services for which a written verification is required under Section 2274.002, Texas Government Code (as added by Senate Bill 13, 87th Texas Legislature, Regular Session), as amended, the responding Company hereby verifies that the responding Company, as well as any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the Firm, (1) does <u>not</u> boycott energy companies and (2) will <u>not</u> boycott energy companies during the term of any such contract. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code (as added by Senate Bill 13, 87th Texas Legislature, Regular Session), as amended, to the extent such section does not contravene applicable Texas or federal law. As used in the foregoing verification, "boycott energy companies" shall have the meaning assigned to such term in Section 809.001(1), Texas Government Code.

DATE	SIGNATURE OF COMPANY REPRESENTATIVE		
On this the day of	, 20, personally appeared		
duly sworn, did swear and cont	, the above-named person, who after by me being firm that the above is true and correct.		

NOTARY SEAL_____

NOTARY SIGNATURE_____

Date

Organization Name House Bill 89 Verification

I, _____(Person name), the undersigned representative of (Company or Business name)

(hereafter referred to as company) being an adult over the age of eighteen (18) years of age, after being duly sworn by the undersigned notary, do hereby depose and verify under oath that the company named- above, under

the provisions of Subtitle F, Title 10, Government Code Chapter 2270:

1. Does not boycott Israel currently; and

2. Will not boycott Israel during the term of the contract providing that:

- (1) "company" does not include a sole proprietorship; and
- (2) the law applies only to a contract that:

(a) is between a governmental entity and a company with 10 or more full-time employees; and

(b) has a value of \$100,000 or more that is to be paid wholly or partly from public funds or the governmental entity

Pursuant to Section 2270.001, Texas Government Code:

1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and

2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.

DATE	SIGNATURE OF COMPANY REPRESENTATIVE
On this the day of	, 20, personally appeared
	, the above-named person, who after by me
being duly sworn, did swear and co	onfirm that the above is true and correct.
NOTARY SEAL	
NOTARY SIGNATURE	
	Date



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

Requestor Name:			Da	ate:
Company Name :				
Street Address:				
City/ State/ Zip code:				
Phone #:				
Fax #:				
	Material and	Manufacturer Pr	oduct	
		History in Market		
Description	Part Number	Utilities Related	Reference Information	Approved by:

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I	Reques	t for T	axpa	ayer
Identifica	tion Nu	mber	and	Certification

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

W/FormW0 for instructions and the late

Internal	Revenue Service	8	0010 44	W.a.a.gov	n on min.	a for mate	aoar	and unite	uno naco	at hiron	mario				100000	1201200	and the second
Befor	e you begin. F	For guidance re	lated to the p	urpose of	Form W	-9, see Pu	Inpos	e of Fon	n, below	t.							
		tity/individual. A ne on line 2.)	n entry is require	ed. (For a s	ole proprie	etor or disre	egarde	ed entity,	enter the	owner's	name o	on line	1, and	enter th	e busin	ess/dis	regarded
3	2 Business name/disregarded entity name, if different from above.																
Print or type. Specific Instructions on page 3.	3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. Individual/sole proprietor C corporation S corporation Partnership Trust/estate LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. Other (see instructions)									iate	Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) (Applies to accounts maintained)						
Spec	and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions										outside the United States.)						
See	5 Address (number, street, and apt. or suite no.). See instructions. Requester's name								name a	and add	dress (op	ptional)	į.				
	6 City, state, and ZIP code																
1	7 List account	it number(s) here	(optional)														
Par	Тахр	ayer Identi	fication Nu	umber (TIN)												5
1000		appropriate b		1000		h the new	ne aiu	en on lie	ne 1 to a	woid	Soc	ial sec	urity r	umber	5		
		For individuals											7			T	TT
		roprietor, or di											-		-		
		ployer identific	ation number	(EIN). If y	ou do no	ot have a n	numb	er, see A	low to g	let a	or		- C		-10 B		
TIN, la	uer,										Em	ployer	identit	fication	numbe	er	1
		is in more than					. See	also Wh	at Name	e and					TT		
Numb	er To Give the	Requester for	guidelines on	whose nu	imber to	enter.							· .				
Part	Certi	ification											_				
Under	penalties of p	erjury, I certify	that:														
1. The	number show	n on this form	is my correct	taxpayer	identifica	ation numb	ber (o	r I am w	aiting fo	r a numi	ber to	be iss	ued to	o me); a	and		
Ser	vice (IRS) that	o backup with I am subject to to backup with	backup with	holding as													
3. I am	n a U.S. citizen	or other U.S.	person (define	ed below);	and												
	FATCA		ale dames fit and	A local and	an these I			FATO									

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	Signature of
Here	U.S. person

Cia

Form W-9

(Rev. March 2024) Department of the Treasury

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.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

Cat. No. 10231X

Date

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

Form W-9 (Rev. 3-2024)

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	ment of the Treasury Revenue Service	► For use t	ventities. Individuals must use Form ► Go to www.irs.gov/FormW81 ► Give this form to the withh	hholdin W-8BEN. ► BENE for ins olding ager	g and Rep	Owner for orting (Entities) se are to the Internal Revenue Code le latest information. ot send to the IRS.	OMB No. 1545-1621		
)o NO	OT use this form for	r:					Instead use Form		
	entity or U.S. citizer		ıt				W-9		
A for			g that income is effectively cor				EN (Individual) or Form 8233 United States		
A for gove 501(c	reign government, in mment of a U.S. po c), 892, 895, or 1443	ternational ssession c 8(b) (unless	ple trust, or a foreign grantor tr organization, foreign central b aiming that income is effective claiming treaty benefits) (see ir rv (including a qualified interme	ank of issu ly connect nstructions	e, foreign tax-e ed U.S. income for other excep	xempt organization, foreign pr or that is claiming the applica otions)	ivate foundation, or bility of section(s) 115(2),		
Par			Beneficial Owner	ould y doth	g us a quainee				
Par 1			he beneficial owner			2 Country of incorporatio	n or organization		
	Name of organizati	ion that is					n or organization		
3	Name of disregard	led entity re	eceiving the payment (if applica	able, see in	structions)				
4	Chapter 3 Status (entity type	(Must check one box only):	Cor	poration	Partnership			
	Simple trust		Tax-exempt organization	Cor	nplex trust	Foreign Gov	ernment - Controlled Entity		
	Central Bank of Central Bank of Central Bank	of Issue	Private foundation	Esta	ate	Foreign Gov	ernment - Integral Part		
	Grantor trust		Disregarded entity	🗌 Inte	rnational organ	ization			
	If you entered disregar	ded entity, pa	artnership, simple trust, or grantor trus	t above, is th	entity a hybrid m	aking a treaty claim? If "Yes," comple	ete Part III. 🗌 Yes 🗌 No		
5	Nonparticipati FFI other than exempt benefi	ng FFI (inc a deemed icial owner)	tus) (See instructions for detail: uding an FFI related to a Repo -compliant FFI, participating FF	rting IGA	 Nonrepo Foreign g central b 	rting IGA FFI. Complete Part > government, government of a ank of issue. Complete Part X	(II. U.S. possession, or foreign III.		
	Participating F					onal organization. Complete P			
	Reporting Mod					retirement plans. Complete Pa			
	Reporting Mod		pliant FFI (other than a reportin	a Madal 1		olly owned by exempt beneficia			
		d FFI, or no	nreporting IGA FFI covered in		Excepted	financial institution. Complete d nonfinancial group entity. Co d nonfinancial start-up compa	omplete Part XVIII.		
	Sponsored FF	I. Complet	e Part IV.			d nonfinancial entity in liquidat	· · · ·		
			ant nonregistering local bank.	Complete	Complet	e Part XX. ganization. Complete Part XX			
	Certified deem	ned-compli	ant FFI with only low-value acc	counts		t organization. Complete Part			
	Complete Part	t VI.	,		Publicly traded NFFE or NFFE affiliate of a publicly traded corporation. Complete Part XXIII.				
	Certified deem vehicle. Comp		ant sponsored, closely held inv II.	/estment		ion. Complete Part XXIII. d territory NFFE. Complete Pa			
	Certified deemed-compliant limited life debt investment entity.				Active N				
	Complete Part			itity.	Passive	NFFE. Complete Part XXVI.			
	Certain investm Complete Part		that do not maintain financial a	ccounts.		d inter-affiliate FFI. Complete I porting NFFE.	Part XXVII.		
	Owner-docum		•			ed direct reporting NFFE. Con	•		
	Restricted dist					that is not a financial account			
6	Permanent residenc	ce address	street, apt. or suite no., or rural r	oute). Do n	ot use a P.O. bo	ox or in-care-of address (other	than a registered address).		
	City or town, state	or provinc	e. Include postal code where a	ppropriate		Country			
7	Mailing address (if	different fr	om above)						
	City or town, state	or provinc	e. Include postal code where a	ppropriate		Country			