



## LEGAL NOTICE

AND

### INVITATION TO BID B #085-25

The Brownsville Public Utilities Board will accept electronic and/or sealed bids for the Supply of 90 FT Spun Prestressed Concrete Poles, **until 5:00 PM, September 10, 2025** in the Brownsville PUB Purchasing Office, 1155 FM 511, Olmito, Texas.

Bids will be publicly opened and read aloud on September 11, 2025 at 10:00 AM. Bidders can request a copy of the bid tabulation by emailing [hlopez@brownsville-pub.com](mailto:hlopez@brownsville-pub.com). Vendors can call in at 10:00 AM, September 11, 2025 to (956) 214-6020 to listen to the bid opening.

Brownsville Public Utilities Board utilizes the Texas Purchasing Group to post Request for Proposal (RFP) and bid opportunities. Registration is available at [registering on Bidnet Direct's Texas Purchasing Group](#), if you haven't already registered.

Detailed specifications may be obtained at Brownsville Public Utilities Board website, too at [https://www.brownsville-pub.com/rfp\\_status/open/](https://www.brownsville-pub.com/rfp_status/open/).

Please mark on the outside of the envelope and on any carrier's envelopes: **"SEALED BIDS FOR SUPPLY OF 90 FT SPUN PRESTRESSED CONCRETE POLES (B085-25), September 10, 2025 5:00 PM"**, and send to the attention of Diane Solitaire, Purchasing Department, 1155 FM 511, Olmito, TX 78575.

The Brownsville Public Utilities Board will not be responsible in the event that the U.S. Postal Service or any other courier system fails to deliver the sealed bids to the Brownsville Public Utilities Board, Purchasing Office by the given deadline above. **Bid will be accepted via 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  
(956) 983-6366 - Phone

**Please submit this page upon receipt.**

**ACKNOWLEDGEMENT FORM**

B#085-25 Supply of 90 FT Spun Prestressed Concrete Poles

For any clarifications, please contact Nicholas Galindo at the Brownsville Public Utilities Board, Purchasing Department via e-mail: [npgalindo@brownsville-pub.com](mailto:npgalindo@brownsville-pub.com) or to Hugo E. López (956) 983-6375 or via e-mail [hlopez@brownsville-pub.com](mailto:hlopez@brownsville-pub.com)

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

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: \_\_\_\_\_

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

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If you are unable to send your bid, kindly indicate your reason for "No bid" above and return this form via e-mail to: [npgalindo@brownsville-pub.com](mailto:npgalindo@brownsville-pub.com) or [hlopez@brownsville-pub.com](mailto:hlopez@brownsville-pub.com). This will ensure you remain active on our vendor list.

Date \_\_\_\_\_

Company: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Email: \_\_\_\_\_

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

## **Special Instructions**

### ***Contract Information***

- Interpretation**

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

Nicholas Galindo,  
Buyer Apprentice  
(956) 983-6368

or

Hugo E. Lopez,  
Purchasing Administrator  
(956) 983-6375

- Tentative Time Line**

1. August 25, 2025 to September 10, 2025 - Vendors work on bid.
2. September 10, 2025 at 5:00 PM CST - Vendor must submit one set of the bid documents sealed in an envelope to:

Diane Solitaire, Purchasing  
1155 FM 511  
Olmito, Texas 78575

**Bid #085-25 – Supply of 90 FT Spun Prestressed Concrete Poles**  
**Due: September 10, 2025 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 accept electronic transmission of sealed bids.*

3. September 5, 2025 – Last Day to submit Questions
4. September 11, 2025 - Open bids at 10:00 AM
5. September 12, 2025 - September 26, 2025 - Evaluate bids
6. September 29, 2025 – Provide Final Recommendations
6. October 13, 2025 - Send to Utilities Board for approval
7. Term of contract will commence – October 2025

- 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 until an award is made and after original date of Purchase Order, unless otherwise stipulated.**

All fields (UNIT PRICE, TOTAL PRICE, & EST DELIVERY IN DAY) in the specifications 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.

- **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**

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

- **Tax Identification Number (TIN)**

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

per IRS Publication 1220. **The W9 or W8 form must be included with bid response.** Attached are sample forms.

- **Taxes**

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

- **Signing of Bid**

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

- **EEOC Guidelines**

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

- **As Needed Basis (Reserved)**

Quantities are to be released on an "as needed" basis and be billed as such. However, successful vendor must keep in stock one (1) release, if requested in bid, 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 poles shall be delivered FOB Water Port Electrical Substation, 3160 North Illinois Avenue, Brownsville, Texas 78521. A contract for the 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 Board.

- **Brownsville Public Utilities Board Rights**

1. If only one or no bid is received by "submission date", the BPUB has the right to reject, re-bid, accept and/or extend the bid by up to an additional two (2) weeks from original submission date.
2. The right to reject any/or all bids and to make award as they may appear to be advantageous to the Brownsville Public Utilities Board.
3. The right to hold bid for 90 days from submission date without action, and to waive all formalities in bid.
4. The right to extend the total bid beyond the original 90 days period prior to an award, if agreed upon in writing by all parties (BPUB and vendor/contractor) and if bidder/vendor holds original bid prices firm.

5. The right to terminate for cause or convenience all or any part of the unfinished portion of the Project resulting from this solicitation within Thirty (30) calendar days written notice; for cause: upon default by the vendor/contractor, for delay or non-performance by the vendor/contractor; or if it is deemed in the best interest of the BPUB for BPUB's convenience.
6. The right to increase or decrease quantities. In bid, stipulate whether an increase or decrease in quantities will affect bid price
7. The Brownsville PUB has the right to refuse to enter into a contract or other transaction with any individual or entity indebted to the municipality as per Local Government Code 252.0436.

- **Corrections**

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

#### **REFERENCE CHECKS**

The BPUB will contact prospective firm's references by email or telephone. **Complete the attached "Previous Customer Reference Worksheet" for each reference provided.**

**BID SCHEDULE  
B085-25**

The undersigned (hereinafter called the "Bidder") hereby proposes to furnish and deliver the 90 Foot Spun Prestressed Concrete Poles and Tangent Concrete Poles (hereinafter called the "Equipment") described in the Plans and Specifications attached hereto and made a part hereof for the following prices:

Quantity	Description	Unit Price	Total Price
10 EA	BPUB COMMODITY NO. E1180-00 90 FT 138 kV Transmission Line Tangent Horizontal Post, Concrete Structure	\$ _____ _____ Lead Time	\$ _____
10 EA	BPUB COMMODITY NO. E1181-00 90 FT Transmission Corner Guyed Dead-End Spun Cast Prestressed. Concrete Poles shall be Spun Pole Class C-06.2 or better	\$ _____ _____ Lead Time	\$ _____
Concrete Poles as per BPUB specifications (page 11-25) – Drawing dated 9/18/08 *Square tapered poles will be acceptable as long as it meets minimum required strength as per specifications **The loading requirement for the tangent pole must be comparable to H-2 wood poles. ***Concrete poles must be identified with a tag/plate to differentiate from each other			
<b><i>Special Instructions:</i></b> If deviating from BPUB specification, alternative concrete poles must obtain final approval from Electrical Engineering Department. Vendor <b>must provide the equipment to offload concrete poles</b> – Knuckle boom or separate unloading equipment. Concrete poles cannot be dumped or slid off the truck.			

\*If bidding on other than referenced specifications please provide complete descriptive information of said article.

**Special Instructions:**

1. The Owner is exempt from Texas sales tax on materials. The prices quoted shall exclude such sales and use tax.
  
2. The price of Poles set forth herein shall include the cost of delivery to Brownsville PUB-Water Port Electrical Substation, 3160 North Illinois Avenue, Brownsville, Texas 78521.

Such delivery shall be made within \_\_\_\_\_ days after the receipt of the written order of the Owner.

3. This Bid is made pursuant to the provisions of the Notice and Instructions to Bidders, and the Bidder agrees to the terms and conditions thereof.
4. The Bidder warrants the accuracy of all statements contained in the Bidder's Qualifications, if any shall be submitted, and agrees that the Owner shall rely upon such accuracy as a condition of the Contract in the event that this Bid is accepted.
5. The Bidder warrants that this Bid is made in good faith and without collusion or connection with any other person or persons bidding for the same work.
6. The Bidder agrees that, in the event this Bid is accepted, a contract will be executed in the form attached hereto.
7. The Bidder warrants that the Equipment will conform to the performance data and guarantees which are attached hereto and by this reference made a part hereof.
8. If, in submitting this Bid, the Bidder has made any change in the form of Bid or Contract furnished by the Owner, the Bidder understands that the Owner may evaluate the effect of such change as they see fit or they may exclude the Bid from consideration in determining the award of the Contract.
9. This bid is void unless contract, based on this bid, is entered into by the Owner and the Bidder within ninety (90) days after the date hereof.

Price shall remain firm until an award is made and after original date of Purchase Order.

Put a "V" checkmark here: (    ), if able to keep price firm for a 90 day period.

If not, indicate length of time: \_\_\_\_\_.

Brownsville PUB has the right to increase or decrease quantities. In space below, stipulate whether the increase or decrease will affect bid price.

(\_\_\_\_) Yes, an increase or decrease in quantity affects bid price.

(\_\_\_\_) No, an increase or decrease in quantity will not affect bid price.

**SPECIFY MANUFACTURER:** \_\_\_\_\_

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

Authorized Company Representative: \_\_\_\_\_

Authorized Company Representative:

**Signature – Failure to sign Bid will disqualify it**

Company Address:

Telephone #:

Fax #:

E-mail:

SPECIFICATIONS  
FOR THE  
90 FT SPUN PRESTRESSED CONCRETE POLES  
FOR THE  
BROWNSVILLE PUBLIC UTILITIES BOARD  
P.O. BOX 3270  
1425 Robinhood Drive  
Brownsville, Texas 78523-3270

Brownsville Public Utilities Board  
Specifications for Spun Cast Prestressed Concrete Poles

1. Scope:

1.1. The following specifications cover the design and manufacturer of 10-90' corner guyed dead-end spun cast prestressed concrete poles.

2. General Requirements

2.1. Manufacturer

The Manufacturer must be an established company which has produced poles of a similar type and height within the last five years, built similar structures of like quantity per project, has proven quality and delivery performance, or has been pre-qualified by the BPUB prior to bidding. All structural design calculations must be prepared by an Engineer experienced in prestressed concrete design, working under the direction of a Registered Professional Engineer.

2.2 Specifications

Any specification, code or document referred to in this specification is to be considered as part of this specification. In the event of conflict between this specification and referenced documents, the requirements of this specification shall take precedence. The latest revision of the following specifications, standards and codes apply:

2.2.1. Prestressed Concrete Institute "Guide Specification for Design of Prestressed Concrete Poles" (JR 257) and "Guide for Design of Prestressed Concrete Poles" (JR 275), latest editions.

2.2.2. Prestressed Concrete Institute "Manual for Quality Control for Plants and Production of Prestressed Concrete Products" (MNL-116).

2.2.3. American Society of Civil Engineers "Guide for the Design and Use of Concrete Poles".

2.2.4. National Electric Safety Code" (NESC), ANSI C-2, published by the Institute of Electrical and Electronics Engineers, Inc., latest edition.

2.2.5. American Society for Testing and Materials (ASTM) as pertaining to the steel, concrete and admixtures used in pole fabrication:

2.2.5.1 ASTM C150 Portland Cement

2.2.5.2 ASTM C33 Aggregate

2.2.5.3 ASTM C494 Admixtures

2.2.5.4 ASTM A421 Prestressing Wire

2.2.5.5 ASTM A416 Prestressing Strand

- 2.2.5.6 ASTM A615 Reinforcing Bars
- 2.2.5.7 ASTM A82 Spiral Wire Reinforcing
- 2.2.5.8 ASTM C618 Flyash

2.2.6 American Concrete Institute Standard "Building Code Requirements for Reinforced Concrete" (ACI 318 - Latest Edition) also applies where applicable (ie: ACI concrete cover required over steel reinforcement applies to static cast field placed concrete rather than spun cast concrete produced in controlled environments).

### 3. Physical Characteristics

#### 3.1. Shape and Size

All poles shall be circular in cross section, centrifugally spun, and shall have a uniform outside taper not greater than 0.216 inch per foot. Unless shown otherwise on the drawings or load tables, all structures shall have a minimum of a two and one half (2 1/2) inch wall thickness at the pole tip. Poles are assumed to be direct embedded to a depth of 10% of overall length plus two (2) feet, unless otherwise stated.

#### 3.2. Void and End Treatment

The pole shall contain a void designed to be consistent with the strength requirements and weight reduction. Both the top and bottom ends of the pole shall be plugged with an epoxy-grout or non-shrink dry-packed concrete mix. The plug shall be a minimum of twelve (12) inches thick except that the tip plug need not exceed the distance to the first through-hole or six (6) inches, whichever is the least distance. The prestressed steel strands at both ends of the pole shall be burned back at least 1 inch into the concrete, and the slag and carbon shall be cleaned off prior to the plugging of the resulting hole with an epoxy-grout mix. A metal pole cap, suitably fastened to prevent removal, may be used at the pole tip in lieu of plugging the void and burning the strand. If a pole tip cap is used, the strand shall be cut flush with the tip surface and the ends cleaned and coated with an epoxy. The bottom pole plug will have a two (2") inch diameter hole, through the entire thickness of the plug, to allow ground water to escape from the interior void of the pole.

#### 3.3. Finish

The pole shall have a smooth, uniform natural concrete finish with no cracks. Sharp edges shall be tooled to smooth. The outside surface along the length of the structure shall be troweled until all projections, depressions and irregularities have been removed and the entire surface has a smooth texture. All small cavities caused by air bubbles, honeycomb, or other small voids shall be cleaned, saturated with water and then carefully pointed with mortar. A small cavity is defined as one not larger than one-half inch (1/2") in diameter nor deeper than one-quarter inch (1/4"). Large cavities not exceeding two (2) inches long shall be repaired by opening the cavity sides on a 1 to 1 slope with a mechanical grinder, cleaning thoroughly, and patching with an epoxy-grout mix in accordance with the product manufacturer's specifications. Poles damaged with cavities larger than the foregoing shall be reviewed by the Manufacturer's engineer for

disposition, and if deemed repairable with no reduction in required strength or durability will notify the Purchaser for further instructions. The manufacturer shall take necessary measures to prevent mold seam leaks that may occur during the spinning process. If excessive seam leaks are detected, the pole will be further inspected to ascertain whether sufficient quantity of cement paste has escaped to cause honeycombing or other damage to the wall. Poles exhibiting excessive signs of honeycombing shall be rejected.

#### 3.4. Holes

The manufacturer shall drill or cast holes in the pole as specified on the drawings. All cast-in through holes shall contain a PVC sleeve extending through the full diameter of the pole. The diameter of all holes and the tolerances between holes shall be in accordance with the latest revision of the "Guide Specification for Design of Prestressed Concrete Poles".

#### 3.5. Grounding

The Manufacturer shall provide one-half inch (1/2") non-corrosive inserts cast into the pole, spaced at a distance of five feet (5'), beginning at the pole butt and continuing to the top of the pole. A brass insert (tank ground) shall be cast in at a point six inches (6") from the pole top and at a point near the ground line; and connected internally to the steel reinforcing by a #6 copper wire. Each insert shall be equipped with a one-half inch (1/2") bolt and galvanized wire clip, for the attachment of the Purchaser's groundwire.

#### 3.6. Marking

All poles shall have cast in, on one face, a brass identification plate containing the manufacturer's name, the name of the Purchaser, date of manufacture, pole length, actual scaled weight, a unique fabrication or serial number, and groundline moment for strength identification. The groundline moment for each pole will be based on its actual, ultimate groundline moment value, designed by the Manufacturer. The name plate should be approximately five (5') feet above the groundline.

#### 3.7. Concrete Cover

The vertical or prestressing steel shall have a cover of concrete to the outside face or to the inside void not smaller than one inch (1"). The minimum concrete cover on spirals shall not be less than three-quarters of an inch (3/4").

### 4. Strength Requirements

Poles design shall be prepared from the wire data and configuration drawings attached. Poles must be designed to withstand all the ultimate loads including the secondary moments applied to the structure and appurtenances (fixtures, wires, etc.) in a 100 mph wind pressure. All cables to be loaded to 50% of their ultimate strengths. The corner dead-end poles must be designed to be guyed in two directions. The bisector angled poles must be designed to be guyed in one direction. A three-dimensional stiffness analysis must be made in order to account for the combined effects of all the loads applied.

## 5. Materials

### 5.1 Concrete

5.1.1. The wet concrete mix used shall contain no more than 0.40 pounds per cubic yard (lbs/cy) of total chloride ions, and shall have a maximum water cement ratio of 0.40 by weight.

5.1.2. Concrete used shall have a static cylinder compressive strength at 28 days not less than 12,000 psi (known as  $f'_c$ ). The cement, water, aggregates and admixtures used shall conform to the applicable ASTM standards for those materials and be of such quality as to prevent pyrite staining or damage due to sulfates or adverse aggregate alkali reaction

5.1.3. All concrete material shall conform to ACI 318. The chemical properties of all concrete materials shall be such that neither pyrite staining nor efflorescence due to sulfates and/or chlorides will occur.

5.1.4. Portland Cement shall conform to ASTM C150.

5.1.5. Ready-mix concrete shall conform to ASTM C94.

5.1.6. Aggregates shall conform to ASTM C33 or C330. Course aggregate shall be crushed stone; clean, tough and well graded. The maximum size shall be three-fourth (3/4) inch or three-fourth (3/4) of the clear spacing between the reinforcing steel or of the clear spacing between the reinforcing steel and the surface of the pole. The resistance to abrasion shall not exceed a percentage of wear of 40% per ASTM C131. Fine aggregate shall be natural sand consisting of clean, strong, hard, durable, uncoated and well-graded particles.

5.1.7. Water used in mixing concrete shall be free of oils, acids, alkalis, salts, organic matter or other substances in amounts that may be harmful to concrete or steel. Chemical admixtures shall conform to ASTM C494. Air entraining agents, if any, shall conform to ASTM C260 and the fly ash or other pozzolanic admixtures shall conform to ASTM C618.

### 5.2. Presressing Steel Tendons

5.2.1. The prestressing steel tendons shall be stress relieved 7 wire strand conforming to ASTM A-416 (latest edition) specification for uncoated seven-wire stress relieved strand for prestressed concrete, for both normal and low relaxation strand.

5.2.2. Welding of the prestressed steel is not allowed.

### 5.3. Inserts

All inserts shall be manufactured of a non-corrosive material.

### 5.4. Spiral Wire

All poles shall contain spiral steel reinforcement throughout the entire pole length. The minimum diameter of the spiral wire shall be three-sixteenths inches (3/16") and conforming to ASTM A-82, latest revision. The spacing shall conform to the following:

5.4.1. For a distance of three feet from the tip and butt of the pole, spirals shall be spaced a maximum of 1 $\frac{3}{4}$  inches on center but no less than 1 $\frac{1}{4}$  inches.

5.4.2 If torsional loads are encountered, the spiral spacing shall be adjusted, if necessary, to provide sufficient reinforcing in accordance with Section 11.6 of ACI 318-95.

5.4.3. Closer spiral spacing may also be required in the region between three feet above groundline to the pole butt to adequately resist the increased shear encountered in developing the resisting soil pressure.

5.4.4. The maximum center to center spacing (pitch) throughout the remainder of the pole shall be such that the following condition is satisfied:

$Av*Fv/s \geq 0.48$ ; where "Av" is the area of one spiral leg in inches<sup>2</sup>, "Fv" is the design yield stress of the grade of steel used in ksi ( $\leq 60$  ksi) and "s" is the center to center spacing of the spirals in inches. In no case shall the spacing "s" exceed 4 inches.

## 6. Testing for Concrete Strength

The Manufacturer shall, at his expense, take at least eight representative cylinders of each day's pour and test as follows: one at release, two at seven days, two at 14 days, two at 28 days and one spare. A copy of the test reports shall be furnished to BPUB.

### 6.1. Strength Correlation Factor

The Manufacturer shall show a correlation factor obtained by documented test results between the value of the ultimate concrete strength ( $F'c$ ) used in the design of spun poles and the value of the static cast cylinders. If no correlation between static cast and spun concrete is furnished, then the maximum spun concrete design strength allowed shall not exceed the static cast cylinder test by more than 5%.

### 6.2. Minimum Shipping Strength

Poles may not be shipped until the static concrete strength test has achieved the 28-day value used in the design. An exception to this may be taken only with prior approval of the Purchaser, and only if the Manufacturer can produce statistical records showing that an earlier shipping date would still result in the design strength being achieved within the 28-day period.

## 7. Inspection & Quality Assurance

### 7.1 Inspection by BPUB

BPUB or its authorized representative shall have access to the work at all times for inspection wherever the poles are in preparation or progress. The Manufacturer shall provide proper facilities for such access and inspection without additional cost to the buyer. All materials will be subject to "Job Site Inspection". To avoid delays and complications, the Purchaser will make every effort to inspect the poles upon delivery and notify the Manufacturer of any problems immediately. Material may be rejected at the time of the first inspection or at any time defects are found during the progress of the erection or installation. Inspection by the purchaser or waiving of inspection shall not relieve the Manufacturer from the responsibility for furnishing products that conform to the requirements of this specification.

### 7.2 Manufacturer's Quality Assurance Program

The manufacturer shall have an active in-plant Quality Assurance Program and perform daily checks and tests on the products made. The program shall cover the entire production process including the delivery of the product. A written record of these tests and inspections shall be made at the Manufacturer's plant facility for Purchaser's review. Each pole manufactured shall have a unique identification number which correlates to a specific quality control inspection traveler/report.

## 8. Manufacturing tolerances

### 8.1 Product Tolerances

Product tolerances shall be limited to the following:

8.1.1 Overall length: +3 inches / -2 inches.

8.1.2 Pole diameter: + / -  $\frac{1}{4}$  (one-quarter) inch

8.1.3 Wall thickness: Allowable variation along the pole shall be not greater than +20%, with a maximum reduction of  $\frac{1}{4}$  (one-quarter) inch provided that coverage over steel is maintained. Each pole shall be inspected for uniformity of inside appearance and wall thickness variation. If irregularities are encountered, then actual thickness measurements shall be taken by drilling pilot holes through the wall at ten foot intervals on the longitudinal axis of the pole. These holes shall be alternated 90 degrees at each interval.

8.1.4 End squareness: + / -  $\frac{1}{2}$  (one-half) inch per foot of pole diameter.

8.1.5 Pole Sweep: Sweep is the deviation of a pole from straightness. Sweep will be allowed in one plane and one direction only. A straight line joining the edges of the structure at both the top and the butt shall not be distant from the pole surface at any point more than  $\frac{3}{8}$  inch for each 10 feet of length between these two points.

8.1.6 Weight: + / -10% of computed value.

8.1.7 Location of longitudinal reinforcement at stressing header: + / - $\frac{1}{4}$  (one-quarter) inch for individual strands, + / - $\frac{1}{8}$  (one-eighth) inch for the centroid of a group of strands.

8.1.8 Spiral reinforcement: + / - 25% spacing variance, with total quantity per foot maintained.

8.1.9 Location of a group of bolt holes from pole tip: + / - 2 inches.

8.1.10 Location of centerline between groups of bolt holes: + / - 1 inch.

8.1.11 Location of bolt holes within a group of bolts: + / -  $\frac{1}{8}$  (one-eighth) inches.

8.1.12 Bolt hole diameter: + $\frac{1}{8}$  (one-eighth) inch of specified hole diameter or + $\frac{1}{4}$  (one-quarter) inch greater than actual bolt diameter.

8.1.13 Bolt hole alignment within a group of bolts: within  $\frac{1}{2}$  (one-half) of the hole diameter from the bolt plane that is longitudinal to the pole's cross-sectional centerline in a group.

## 9. Pole Tests

### 9.1 Qualifying Tests

If the successful bidder to this specification has not previously supplied concrete poles of similar types, and is unable to submit sufficient strength data from previous structural tests, the bidder will be required to provide pole tests at his own expense. At least one test shall be performed. Samples shall be selected randomly by the buyer and be tested to failure.

### 9.2 Test Procedure

The test shall be performed in accordance with a method mutually approved by the BPUB or its representative and the manufacturer. The Manufacturer shall furnish a test report for each structure tested. The test report shall include the method of application of the loads, the positions of hairline and/or failure cracks, and the deflections under various loading conditions.

## 10. Handling

The pole design shall include allowances for loads due to handling, hauling, storage and erection without failure (including an appropriate impact factor) when handled according to the Manufacturer's recommendations and instructions and reasonably accepted construction practices. The following handling and erection loads are to be provided for:

- 10.1 The handling of poles in the horizontal position shall be accommodated by the provision of a two-point pickup, with the center of gravity and two lift points specified by the Manufacturer.
- 10.2 The necessary support criteria for hauling and horizontal storage of poles shall be specified by the Manufacturer.
- 10.3 Erection design shall provide for a single-point pickup located at a distance from the pole tip approximately one-third of the overall length, with the pole butt remaining on the ground.

## 11. Information Furnished by Manufacturer When Bidding

In addition to the price and delivery information, the manufacturer shall furnish the following:

- 11.1 General dimensions of the pole structures, including the over-all length, above ground height, tip and butt diameter, wall thickness, inside and outside taper, pole weight and groundline moment.
- 11.2 The 28-day concrete static compressive strength and correlation factor used for the basis of the pole designs (if not previously submitted and approved).
- 11.3 Any design exceptions taken in the preparation of the bid.
- 11.4 Manufacturer should be prepared to furnish unit prices (on a per five foot increment) in the event that a deeper embedment is required by the Purchaser.
- 11.5 Any other commercial terms, conditions or information the Manufacturer deems important to the Purchase's evaluation.

## 12. Information Furnished by Manufacturer upon Approval of Bid and Prior to Starting Production

### 12.1 Basic Approval Information

The Manufacturer shall furnish for approval by the Purchaser before manufacturing is begun, detailed fabrication drawings, which shall include:

12.1.1 Pole data showing length, tip and butt diameter, tip and butt thickness, design weight, center of gravity, taper, ultimate moment capacity, and embedment.

12.1.2 Concrete compressive strength (28-day) used for pole design.

12.1.3 Number and size of pretension tendons, as well as, prestress value.

12.1.4 Number, length and size of non-prestressed supplemental reinforcement.

12.1.5 Location, size and angular displacement of required mounting holes.

12.1.6 Contact points for handling, storage and installation.

12.2 The Manufacturer will also be required to provide the following information upon BPUB's request.

12.2.1 Groundline reactions, including required moment, shear and axial forces.

12.2.2 Deflection information for specific load cases.

12.2.3 Any unusual variances encountered during the design process (e.g., guy tensions exceeding the allowable for the sizes and quantity specified, etc.).

### 13. Shipping

13.1 Appurtenances are to be supplied by the Manufacturer of the concrete poles. Each shipment shall be accompanied by a list of all parts identifiable by structure type and number. Arms, bolts, and miscellaneous hardware shall be identified by the list for match up with the respective pole shaft. All parts required for any one structure shall be in one shipment, if possible.

13.2 The Manufacturer and BPUB (and/or the BPUB's representative) shall maintain communications in order to arrange and schedule delivery of materials and to obtain proper directions to the final destination. **BPUB Purchasing/Warehouse Department shall be notified** by the Manufacturer/Distributor **48 hours prior to shipment** that such shipment is to take place. BPUB Purchasing/Warehouse personnel to be contacted are Julio Perez at 956-983-6181 and Hugo E. Lopez at 956-983-6375. The notification of shipment shall give quantities, weights, name of carrier, and expected time of arrival.

13.3 Transportation and handling shall be performed with acceptable equipment and methods by qualified personnel. The Manufacturer shall exercise precaution to protect poles against damage in transit.

13.4 Handling instructions shall be included with the pole shipments.

### 14. Delivery

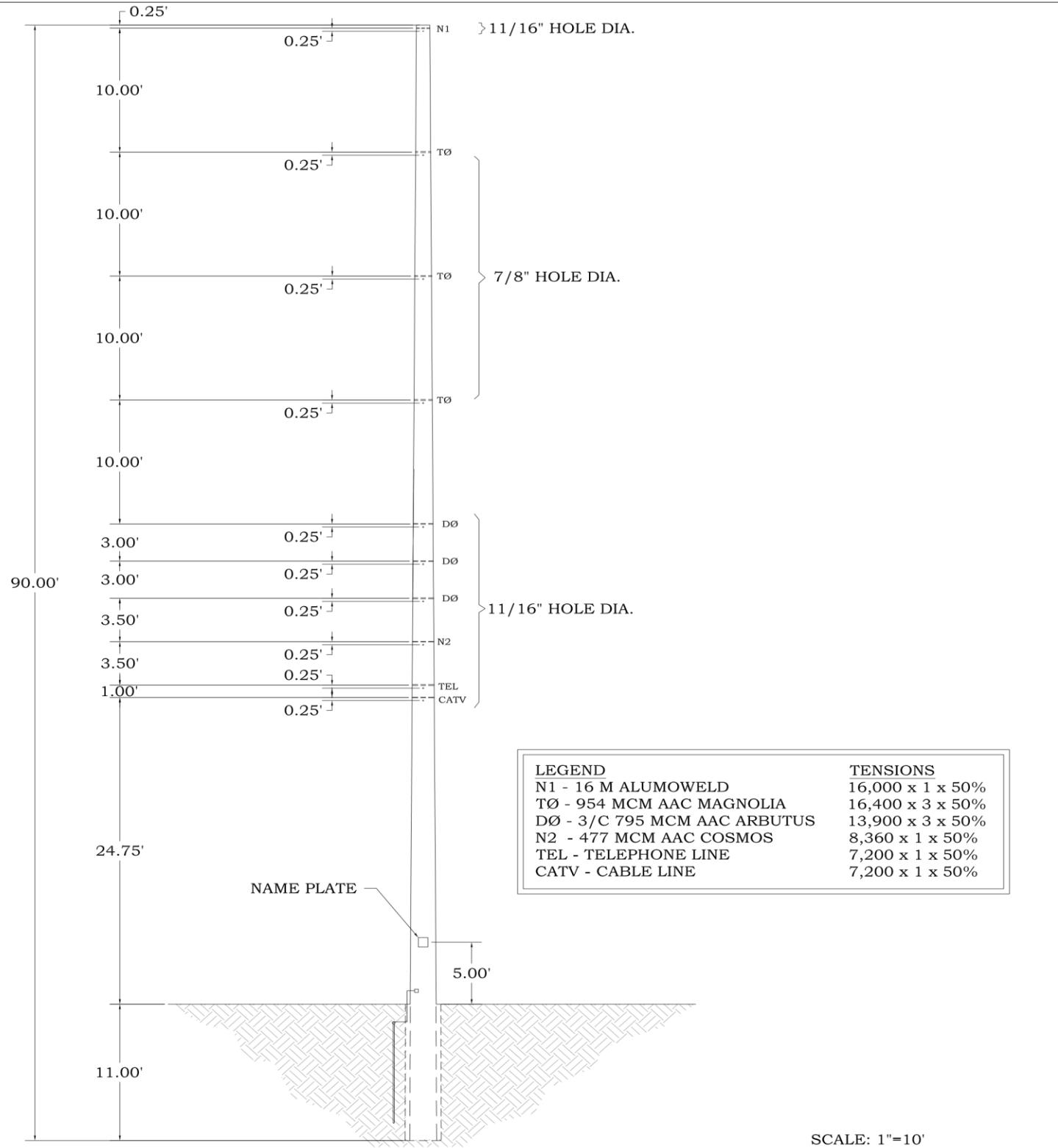
All poles shall be delivered F.O.B. BPUB. Delivery costs and charges shall be included in the bid. All poles **must be delivered to 3160 N. Illinois Avenue, Brownsville, Texas 78521**. BPUB's Shipping & Receiving hours are Monday thru Friday, from 8:00 AM thru 4:00 PM. Manufacturer shall coordinate and cooperate with BPUB to ensure smooth and efficient delivery of poles. The Manufacturer will provide all labor, equipment, and materials for the unloading of poles at the designated site.

#### 15. Bid Security and Materials Bond (Not Applicable)

Each bid shall be accompanied by a Certified or Cashier's check payable to the order of the Public Utilities Board of the City of Brownsville, Texas, for a sum not less than five (5%) percent of the total amount bid. In lieu of a check, a bid bond may be submitted in an amount not less than five (5%) percent of the total amount bid with a Corporate Surety licensed to do business in the State of Texas, conditioned that the BIDDER will pay the Brownsville PUB, as mutually agreed to liquidated damages, and not as a penalty, the amount specified in the bond unless he enters into a contract in accordance with his bid. **No bid will be considered if the Bid Security is not submitted.** Bidder is required to execute a contract and furnish a satisfactory Materials Bond and Certificate of Insurance within 10 days from the date of the Notice of Award. If the successful bidder fails to execute the contract and to furnish a satisfactory Materials Bond and Insurance Certificates within 10 days from the date on which they are notified that their bid has been accepted, the amount of the check or bid bond shall be forfeited to the Brownsville PUB as mutually agreed to liquidated damages, and not as a penalty.

---

#### **DRAWINGS REFERENCE:**



90 FT SPUN PRESTRESSED  
90 DEGREE DOUBLE DEADEND  
CONCRETE POLE

DEVELOPED BY:	STANDARDS COMMITTEE
APPROVED:	
DRAWING NUMBER	





DATE:  
6-11-04

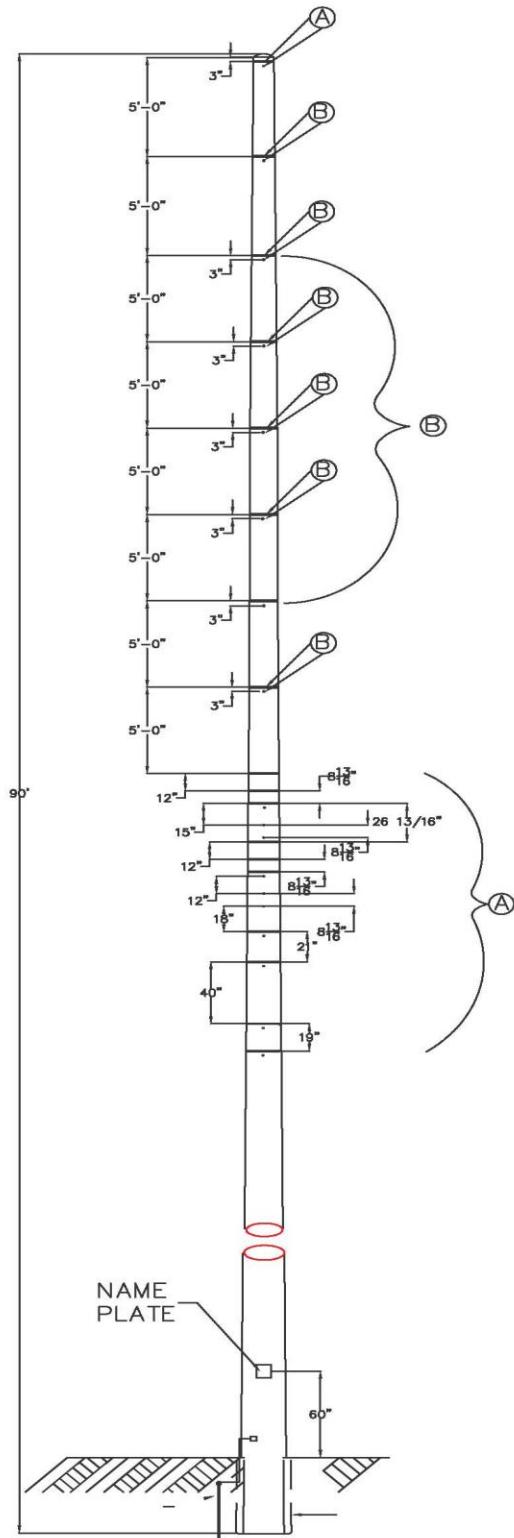
ED No.:

WORK ORDER No.:

DRAWN BY:  
A.G.C./ J.G.

CHECK BY:  
M.K.

APPROVED BY:



SPECIFICATION FOR  
90' SPUN PRESTRESSED  
CONCRETE POLE



DATE: 06/11/04

ED No.:

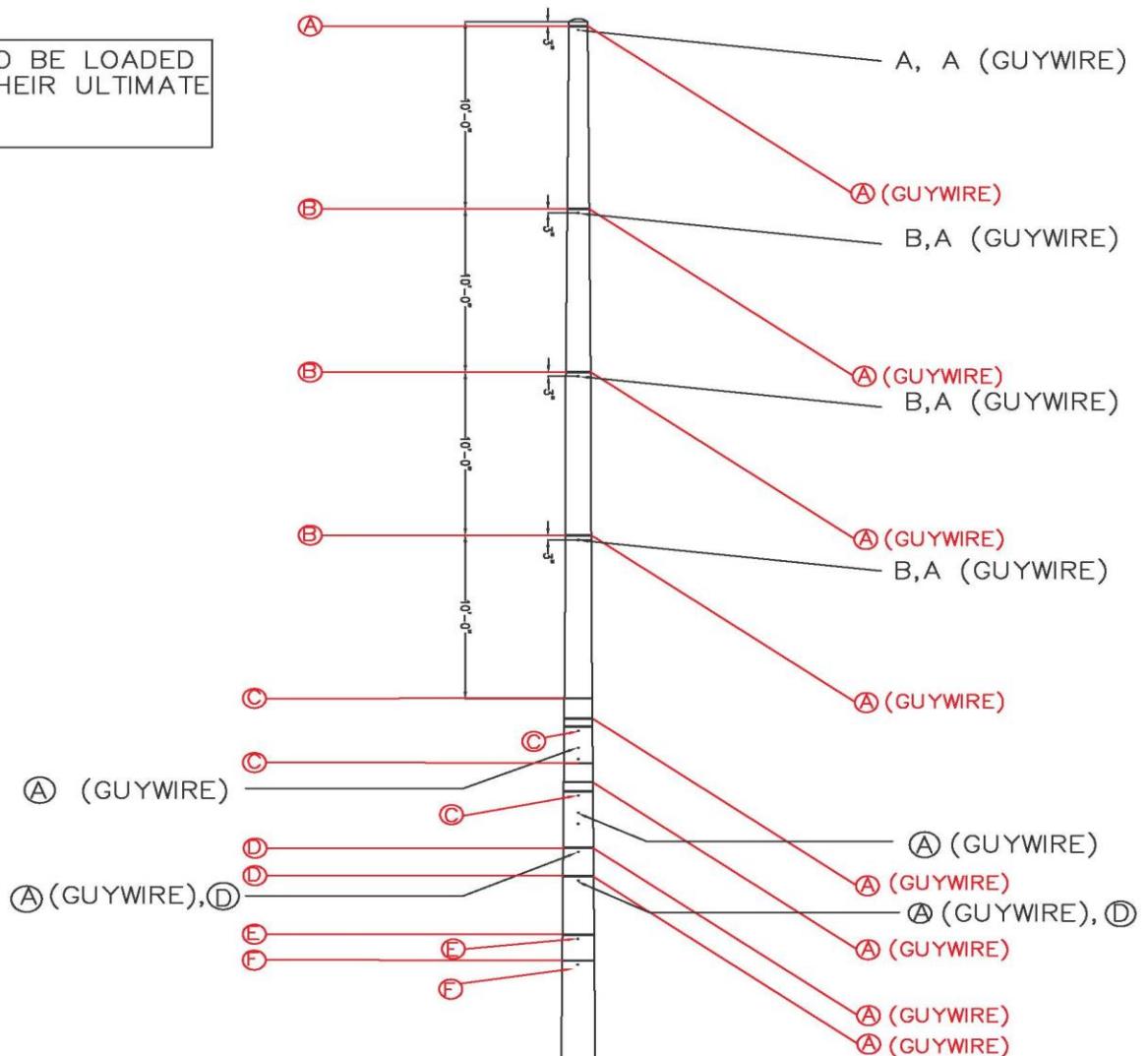
WORK ORDER No.:

DRAWN BY:

CHECK BY: M.K.

APPROVED BY:

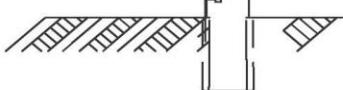
ALL CABLES TO BE LOADED  
TO 50% OF THEIR ULTIMATE  
STRENGTHS.



## LEGEND

- (A) 16 M ALUMOWELD
- (B) 954 MCM AAC MAGNOLIA
- (C) 3/C 795 MCM AAC ARBUTUS
- (D) 477 MCM AAC COSMOS
- (E) 2" TELEPHONE LINE (7200 lb.  
UTLIMATE STRENGTH)
- (F) 1/2" CABLE LINE (7200 lb.  
UTLIMATE STRENGTH)

CORNER DEADEND POLE

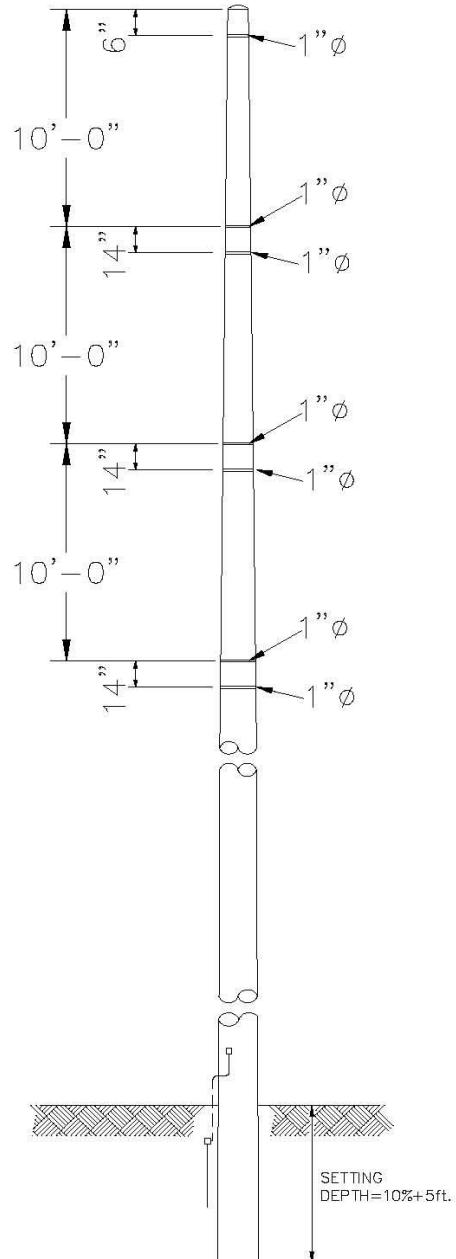


REV.	DESCRIPTION	DATE	DRAWN BY:	APPROVED BY:
1				
2				
3				
4				

Notes:

1. All drilled or cast-in holes ( $\phi$ ) shall have a diameter of one-inch.
2. All cast-in through holes shall contain a PVC sleeve.
3. Holes and tolerance between holes shall conform with the latest revision of the "Guide Specifications for Design of Pre-stressed Concrete Poles".

1"  $\phi$  — —



138kV TRANSMISSION LINE  
TANGENT HORIZONTAL POST  
CONCRETE STRUCTURE

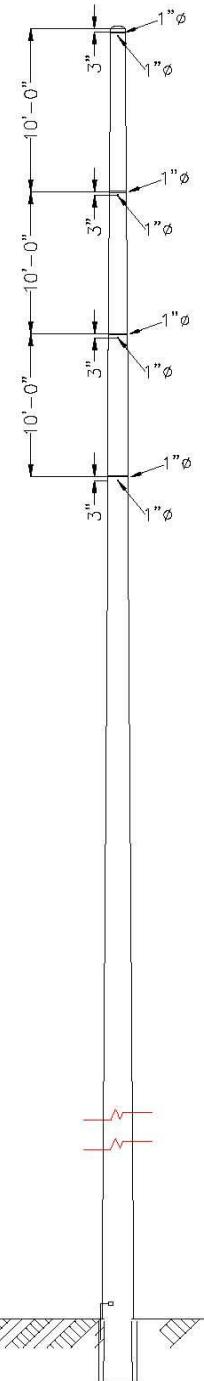
DRAWN BY:
DATE:
SCALE: N. T. S.
DRAWING NUMBER:

REV.	DESCRIPTION	DATE	DRAWN BY:	APPROVED BY:
1				
2				
3				
4				

Notes:

1. All drilled or cast-in holes ( $\phi$ ) shall have a diameter of one-inch.
2. All cast-in through holes shall contain a PVC sleeve.
3. Holes and tolerance between holes shall conform with the latest revision of the "Guide Specifications for Design of Pre-stressed Concrete Poles".

1"  $\phi$  —   
1"  $\phi$  — 



BROWNSVILLE  
PUBLIC UTILITIES BOARD

138kV TRANSMISSION LINE  
CORNER DEADEND POLE  
CONCRETE STRUCTURE

DRAWN BY:
DATE:
SCALE: N. T. S.
DRAWING NUMBER:

**REQUIRED FORMS  
CHECKLIST**

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

NAME	FORM DESCRIPTION	SUBMITTED WITH BID	
		YES	NO
Legal Notice	Acknowledgement Form	<input type="checkbox"/>	<input type="checkbox"/>
	Debarment Certification	<input type="checkbox"/>	<input type="checkbox"/>
	Ethics 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 the awarded vendor)	<input type="checkbox"/>	<input type="checkbox"/>
	Residence Certification Form	<input type="checkbox"/>	<input type="checkbox"/>
Special Instructions	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 (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
	OSHA 300 Log (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
	Contractor Pre-Bid Disclosure completed, signed and notarized (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
	Sub-Contractor Pre-Bid Disclosure completed, signed, and notarized (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
		<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			

**ETHICS STATEMENT**

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

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

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

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

COMPANY: \_\_\_\_\_

AGENT NAME: \_\_\_\_\_

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 (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.

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Name and Title of Authorized Representative (Typed)

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Signature of Authorized Representative

---

Date

---

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

## FORM CIQ

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY AND SUBMITTED WITH PROPOSAL  
RESPONSE

<b>CONFLICT OF INTEREST QUESTIONNAIRE</b> For vendor doing business with local governmental entity		<b>FORM CIQ</b>
<p>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session. 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). By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code. A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>		
<p>1 <b>Name of vendor who has a business relationship with local governmental entity.</b></p>		<b>OFFICE USE ONLY</b> Date Received
<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 <b>Name of local government officer about whom the information is being disclosed.</b> _____ Name of Officer</p>		
<p>4 <b>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.</b></p>		
<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> <p><input type="checkbox"/> Yes      <input type="checkbox"/> No</p>		
<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> <p><input type="checkbox"/> Yes      <input type="checkbox"/> No</p>		
<p>5 <b>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.</b></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 _____ Signature of vendor doing business with the governmental entity      Date _____</p>		

## 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.

## ***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](https://ethics.state.tx.us/whatsnew/elf_info_form1295.htm)

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

YES \_\_\_\_\_  
NO \_\_\_\_\_

## **CERTIFICATE OF INTERESTED PARTIES**

# FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.

Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

**5 Check only if there is NO Interested Party.**

## 6 UNSWORN DECLARATION

My name is \_\_\_\_\_, and my date of birth is \_\_\_\_\_.

My address is \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

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

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
(month) (year)

Signature of authorized agent of contracting business entity  
(Declarant)

**ADD ADDITIONAL PAGES AS NECESSARY**

**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 **Texas resident 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: \_\_\_\_\_

Organization Name  
State Law Verifications

I, \_\_\_\_\_ (Person's name), the undersigned representative of (Company or Business name) \_\_\_\_\_ (hereafter referred to as the "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 B085-25 (the "BID"), 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 BID, 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 not boycott Israel and (2) will not 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 not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) will not 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 not boycott energy companies and (2) will not 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.

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DATE

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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 confirm 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.

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DATE

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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 confirm that the above is true and correct.

NOTARY SEAL\_\_\_\_\_

NOTARY SIGNATURE\_\_\_\_\_

Date

## Previous Customer Reference Worksheet

Name of Customer:		Customer Contact:
Customer Address:		Customer Phone Number:
		Customer Email:

Name of Company Performing Referenced Work:

What was the Period of Performance?		What was the Final Acceptance Date?
From:		
To:		
Dollar Value of Contract?		What Type of Contract? <input type="checkbox"/> Firm Fixed Price <input type="checkbox"/> Time and Material <input type="checkbox"/> Not to Exceed <input type="checkbox"/> Cost Plus Fixed Fee <input type="checkbox"/> Other, Specify: _____
\$ _____		

**Request for Taxpayer  
 Identification Number and Certification**

Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

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

**Before you begin.** For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type.  
 See Specific Instructions on page 3.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)						
2 Business name/disregarded entity name, if different from above.						
<p><b>3a</b> Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check <b>only one</b> of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor   <input type="checkbox"/> C corporation   <input type="checkbox"/> S corporation   <input type="checkbox"/> Partnership   <input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) _____</p> <p><b>Note:</b> 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.</p> <p><input type="checkbox"/> Other (see instructions) _____</p>						
<p><b>3b</b> If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, 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 _____</p>						
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. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number						
<input type="text"/>	<input type="text"/>	-	<input type="text"/>	-	<input type="text"/>	<input type="text"/>
or						
Employer identification number						
<input type="text"/>	-	<input type="text"/>				

**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.

<b>Sign Here</b>	Signature of U.S. person	Date
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**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](http://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.

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-8BEN-E**

(Rev. October 2021)  
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](http://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 . . . . .
- 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 United States (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**

<b>1</b> Name of organization that is the beneficial owner	<b>2</b> Country of incorporation or organization
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3 Name of disregarded entity receiving the payment (if applicable, see instructions)

**4** Chapter 3 Status (entity type) (Must check one box only):

<input type="checkbox"/> Simple trust	<input type="checkbox"/> Tax-exempt organization	<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership
<input type="checkbox"/> Central Bank of Issue	<input type="checkbox"/> Private foundation	<input type="checkbox"/> Complex trust	<input type="checkbox"/> Foreign Government - Controlled Entity
<input type="checkbox"/> Grantor trust	<input type="checkbox"/> Disregarded entity	<input type="checkbox"/> Estate	<input type="checkbox"/> Foreign Government - Integral Part
<input type="checkbox"/> 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			

**5** Chapter 4 Status (FATCA status) (See instructions for details and complete the certification below for the entity's applicable status.)

<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"/> Nonreporting IGA FFI. Complete Part XII.
<input type="checkbox"/> Participating FFI.	<input type="checkbox"/> Foreign government, government of a U.S. possession, or foreign central bank of issue. Complete Part XIII.
<input type="checkbox"/> Reporting Model 1 FFI.	<input type="checkbox"/> International organization. Complete Part XIV.
<input type="checkbox"/> Reporting Model 2 FFI.	<input type="checkbox"/> Exempt retirement plans. Complete Part XV.
<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"/> Entity wholly owned by exempt beneficial owners. Complete Part XVI.
<input type="checkbox"/> Sponsored FFI. Complete Part IV.	<input type="checkbox"/> Territory financial institution. Complete Part XVII.
<input type="checkbox"/> Certified deemed-compliant nonregistering local bank. Complete Part V.	<input type="checkbox"/> Excepted nonfinancial group entity. Complete Part XVIII.
<input type="checkbox"/> Certified deemed-compliant FFI with only low-value accounts. Complete Part VI.	<input type="checkbox"/> Excepted nonfinancial start-up company. Complete Part XIX.
<input type="checkbox"/> Certified deemed-compliant sponsored, closely held investment vehicle. Complete Part VII.	<input type="checkbox"/> Excepted nonfinancial entity in liquidation or bankruptcy. Complete Part XX.
<input type="checkbox"/> Certified deemed-compliant limited life debt investment entity. Complete Part VIII.	<input type="checkbox"/> 501(c) organization. Complete Part XXI.
<input type="checkbox"/> Certain investment entities that do not maintain financial accounts. Complete Part IX.	<input type="checkbox"/> Nonprofit organization. Complete Part XXII.
<input type="checkbox"/> Owner-documented FFI. Complete Part X.	<input type="checkbox"/> Publicly traded NFFE or NFFE affiliate of a publicly traded corporation. Complete Part XXIII.
<input type="checkbox"/> Restricted distributor. Complete Part XI.	<input type="checkbox"/> Excepted territory NFFE. Complete Part XXIV.
<input type="checkbox"/> If you checked the box above, complete the following:	
<input type="checkbox"/> Active NFFE. Complete Part XXV.	
<input type="checkbox"/> Passive NFFE. Complete Part XXVI.	
<input type="checkbox"/> Excepted inter-affiliate FFI. Complete Part XXVII.	
<input type="checkbox"/> Direct reporting NFFE.	
<input type="checkbox"/> Sponsored direct reporting NFFE. Complete Part XXVIII.	
<input type="checkbox"/> Account that is not a financial account.	

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).

City or town, state or province. Include postal code where appropriate.	Country
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7 Mailing address (if different from above)

City or town, state or province. Include postal code where appropriate.	Country
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For Paperwork Reduction Act Notice, see separate instructions.

Cat. No. 59689N

Form **W-8BEN-E** (Rev. 10-2021)