



**BROWNSVILLE
PUBLIC UTILITIES BOARD**

**LEGAL NOTICE
AND
INVITATION TO BID
B #009-26**

The Brownsville Public Utilities Board will accept sealed bids for the Sale of Surplus Substation 145 KV Circuit Breakers, **until 5:00 PM, December 3, 2025**, 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 December 4, 2025 at 10:30 AM. Vendors can call in at 10:30 AM, December 4, 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) 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 the following website: https://www.brownsville-pub.com/rfp_status/open/

Please mark on the **outside of the envelope and on any carrier's envelope**: "B009-26 SEALED BID FOR THE SALE OF SURPLUS SUBSTATION 145 KV CIRCUIT BREAKERS, **DECEMBER 3, 2025, 5:00 PM**", and send to the attention of Diane Solitaire, Purchasing Department, 1155 FM511, 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. **Proposals will be accepted via electronic transmission through Bidnet only.**

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

BY:

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

Please submit this page upon receipt.

ACKNOWLEDGEMENT FORM

B#009-26 Sale of Surplus Substation 145 KV Circuit Breakers

For any clarifications, please contact Marisela Gaytan at the Brownsville Public Utilities Board, Purchasing Department at (956) 983-6365 e-mail:MaGaytan@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:

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

Date _____

Company: _____

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____

Email: _____

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

Special Instructions

Contract Information

- Interpretation**

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

Marisela Gaytan
Buyer
Phone No. (956) 983-6365

- Tentative Time Line**

1. November 17 to December 3, 2025 - Vendors work on bid.
2. December 3, 2025 at 5:00 PM CST - **Vendor must submit one (1) set of bid documents sealed in an envelope to:**

Diane Solitaire, Purchasing
1155 FM 511
Olmito, TX 78575

Bid #009-26 – Sale of Surplus Substation 145 KV Circuit Breakers
Due: **December 3, 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 not accept facsimile or electronic transmission of sealed bids.

1. November 24, 2025 – Last Day to submit questions
2. December 4, 2025 – Open bids at 10:30 AM
3. December 8 – 26, 2025 - Evaluate bids
4. December 29, 2025 – Provide Final Recommendations

- Or Equal (NOT APPLICABLE)**

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 price per each. Include all costs incurred such as loading and hauling to transport and remove surplus material from BPUB's Warehouse located at 1495 Robinhood Drive, Brownsville, Texas 78521. **Prices shall remain firm until all materials have been removed.**

Failure to submit any of the above information with the 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 (NOT APPLICABLE)**

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. Reputation and location of the bidder
3. Ability to promptly & carefully remove the surplus material
4. BPUB financial and legal responsibility evaluations of any identified teaming arrangements involving significant joint ventures, subcontractors and suppliers
5. Safety record will be considered when determining the responsibility of the bidder

- **Contract with Vendor/Entity Indebted to BPUB**

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

- **Vendor ACH (Direct Deposit) Services**

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

- **Tax Identification Number (TIN)**

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

- **Taxes**

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

- **Signing of Bid**

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

- **EEOC Guidelines**

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

- **Contract and Purchase Order**

The surplus materials shall be removed in a timely manner as specified in bid schedule. A bill of sale will be issued to the awarded vendor after tabulation and final approval by the Brownsville PUB Board.

- **Removal Procedures**

Surplus material will be removed from BPUB's Warehouse, 1495 Robinhood Drive, Brownsville, Texas 78521 within seven (7) days after notification of award unless approved otherwise. Bidder along with BPUB employee will verify quantity removed. BPUB will then invoice the successful Bidder within ten (10) days at the unit cost submitted on the Cost Sheet.

Payment shall be prior removing material. All items sold are as is, where is, Brownsville Public Utilities Board makes no guarantees or warranties, expressed or implied of any kind or other representation.

- **Brownsville Public Utilities Board Rights**

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

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

- **Corrections**

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

BIDDING INSTRUCTIONS

Bidders must comply with all rules, regulations and statutes relating to surplus and salvage property disposal in the State of Texas in addition to the requirement for transporting the electrical equipment. Transportation must be done by drivers thoroughly trained and familiar with the related hazards, safety measures and spill clean-up procedures. Certifications must be provided upon request by BPUB.

Bids should be submitted on this form. One (1) set of bid documents must be placed in a sealed envelope with bid number, bid name and bid due date annotated on the outside of the envelope. Bids must be time stamped at BPUB Purchasing Office ON OR BEFORE the hour specified. A bid shall be comprised of the bidding documents completed by the bidder plus supplemental information required by the specifications and documents or deemed necessary by the bidder to fully describe their offering.

Late and/or unsigned bids will not be considered under any circumstances. Late bids containing a return address will be returned to bidder UNOPENED.

Bids SHOULD show full name and mailing address of bidder and MUST be signed in the space provided on this form. Additionally, provide state taxpayer number assigned by the Texas Comptroller of Public Accounts; Federal Employer's Identification number; or for an individual, provide social security number.

Bids CANNOT be altered or amended after opening time.

Bid prices are requested to be firm for BPUB acceptance throughout the duration of the project from bid opening date and remain firm for 90 days after award of contract.

Bidder is urged to inspect the property to be sold prior to submitting a bid (attached cost sheet listing and additional items may be added). Successful bidder will be contacted for additional item pricing. In no case, will failure to inspect constitute grounds for the withdrawal of a bid after opening date.

Bid invitations allow sufficient time for receipt of mail response.

Successful bidder must submit a Certificate of Insurance to cover general liability, automobile liability, workers compensation and pollution legal liability; Certificate of Insurance is at Purchaser's expense to maintain in force during the time services are being performed and to name BPUB as an additional insured on all required insurance policies except worker's compensation. Insurance must be underwritten by companies acceptable to BPUB and authorized to do business in the State of Texas. Insurance Certificate(s) shall provide for 30 days advance notice to BPUB of any policy cancellation. True and correct copies must be filed with BPUB prior to the commencement of performing service hereunder.

Purchaser shall carry insurance in at least the following amounts:

1. Commercial General Liability
 - a. Bodily Injury \$1,000,000 each occurrence
 - b. Property Damage \$1,000,000 each occurrence
2. Personal Injury Coverage \$1,000,000
3. Worker's Compensation As required by Law
4. Comprehensive Business Automobile Liability Insurance (applicable to owned, non-owned and hired vehicles)
 - a. Bodily Injury \$50,000 each person, \$500,000 combined single limit each occurrence
 - b. Property Damage \$1,000,000 each occurrence

Successful bidder must submit proper pollution legal liability insurance from transporter and proper waste manifests, if applicable.

TERM OF CONTRACT

Prices shall remain firm until all surplus materials have been removed.

TERMS AND CONDITIONS OF SALE

BPUB reserves the right to accept or reject all or part of any bid and waive minor technicalities.

BPUB has the right to award the equipment to the highest bidder on all equipment and surplus materials or to multiple vendors.

Safety record will be considered when determining the responsibility of the bidder.

Successful bidder will be notified by mail or email.

Purchaser along with BPUB employee will verify equipment being removed from BPUB premises. **Payment is due to BPUB prior to removing materials. Payment shall be in the form of a cashier's check, money order or wire transfer.** Personal or company checks are not acceptable. At time of payment successful bidder must also pay all applicable sales and use tax or submit a properly executed Texas Comptroller of Public Accounts resale or exemption certification in the name as shown on bid.

Successful bidder(s) will be required to remove the items from the premises as requested by BPUB once payment has been made. Property should be removed during normal working hours, Monday through Friday, 9:00 AM to 4:00 PM. Bidder is required to contact Arnulfo Mejia **(956) 983-6327** and Julio C. Perez **(956) 983-6181** to schedule the pickup of the material.

The surplus material is located at BPUB Warehouse, 1495 Robinhood Drive, Brownsville, TX 78521 and will be picked up from this location.

All loading, hauling and removal of the surplus material shall be coordinated and performed at Bidders expense. Bidder must have the vehicles and equipment for proper removal and transporting the surplus material from the BPUB Warehouse.

Surplus material is sold “AS IS”; BPUB makes no guarantees or warranties, expressed or implied, of any kind or other representation. BPUB is not responsible once items are sold.

Failure to remit payment will place Buyer in default of contract.

Waiver to any claims against BPUB: Successful Bidder agrees to waive any claims against the BPUB based upon any defect in the articles.

To view items or request a walk-thru contact, Arnulfo Mejia **(956) 983-6327**.

Questions or concerns regarding specifications or bid documents should be directed to Marisela Gaytan, BPUB Purchasing, e-mail: MaGaytan@brownsville-pub.com; phone 956-983-6365 or (956) 983-6364. Written comments may be directed to the e-mail address above.

COST SHEET
B009-26 Sale of Surplus Substation 145 KV Circuit Breakers

Instructions: Awarded vendor is responsible to load and remove surplus material from BPUB Warehouse premises. Consider all costs incurred such as labor, materials, equipment, and permits when determining your price.

QTY	DESCRIPTION	PRICE PER EACH
12 ea	<p>Hyosung Corporation SF6 Gas Circuit Breaker 145KV, 2,000 A, 40 kA rms, 60 Hz, 650 kV peak, 10 kA peak, 3 cycles interrupted time, average of 9,700 lbs</p> <p>Year of Manufacture – 2004-2007</p> <p>Units were taken out of service in April 2022 due to mechanical problems (delay to OPEN or CLOSE) and not due to electrical faults.</p> <p>Note: Units do not have oil or gas</p>	

Prices shall remain firm until all surplus material has been removed. Bidder must provide, with formal bid, and upon request, at any time, evidence of adequate liability insurance, other insurances and authorizations to load, haul and transport surplus materials.

Bidder is urged to inspect the property to be sold prior to submitting a bid (attached cost sheet listing is NOT all inclusive, additional items may be added). Successful bidder will be contacted for additional item pricing. In no case, will failure to inspect constitute grounds for the withdrawal of a bid after opening date.

Name of Bidder

Authorized Signature
(Failure to sign disqualifies bid)

Street Address

Print Name

City

Phone Number

State

Fax Number

Zip code

E-mail address

NOTICE OF AWARD

TO: _____

Contract For: **B009-26, Sale of Surplus Substation 145 KV Circuit Breakers**

Dear Sir/Madam,

The Owner has considered the BID submitted by you for the above-described surplus materials in response to its Legal Notice and Invitation for Informal Bids dated December 3, 2025 and Instruction to Bidders.

You are hereby notified that your BID has been accepted in the amount of \$_____.

You are required by the Instructions to Bidders to execute the Agreement and furnish any required Certificates of Insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute this Agreement and furnish any required insurance certificates within ten (10) days from the date of this Notice, Owner will be entitled to consider all your rights arising out of the Owner's acceptance of your bid as abandoned.

The Owner will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the Owner.

Dated this _____ day of _____, 20__.

PUBLIC UTILITIES BOARD OF THE CITY OF BROWNSVILLE, TEXAS

If you have any questions, please contact me at (956) 983-6366.

BY: _____

Arnulfo Mejia
Substations & Relaying Manager
Brownsville Public Utilities Board

ACCEPTANCE OF AWARD

Contract For: **B009-26, Sale of Surplus Substation 145 KV Circuit Breakers**

Receipt of the above NOTICE OF AWARD is hereby accepted and acknowledged by:

Company Name

Authorized Signature

Print Name

Title

on this ____ day of _____, 20____

NOTICE TO PROCEED

TO:

ADDRESS:

Contract For: **B009-26 Sale of Surplus Substation 145 KV Circuit Breakers**

You are notified that the Contract Time under the above Contract will commence to run on _____, 20_____. By that date, you are to start performing your obligations under the Contract Documents. In accordance with the Agreement, the date of Substantial Completion prior to final payment is _____, 20_____.

Before you may start any Work at the site, material submittals must be submitted and approved by the BPUB before a Purchase Order is issued and prior to the purchase and shipment of materials.

Brownsville Public Utilities Board:
(Owner)

BY: _____
(Authorized Signature)

DATE: _____

NAME: Marilyn D. Gilbert

TITLE: General Manager/CEO

FOR: Brownsville Public Utilities Board

BILL OF SALE AGREEMENT

This Bill of Sale ("Agreement") dated the _____ day of _____ 20____, is from the City of Brownsville Public Utilities Board ("Seller"), a municipal corporation utility with an office located at 1425 Robinhood Drive, Brownsville, Texas 78521; to _____ ("Purchaser"), whose address is _____.

WHEREAS, Seller desires to sell, on an "As Is, Where Is" basis, Sale of Surplus Substation 145 KV Circuit Breakers, as potentially to be used by Purchaser or any third party, from a BPUB Warehouse facility.

WHEREAS, Purchaser desires to purchase the above referenced surplus material from Seller;

NOW, THEREFORE, Seller, for and in consideration of the sum of \$ _____ as detailed in the table below and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby GRANT, BARGAIN, SELL, TRANSFER, ASSIGN AND CONVEY to Purchaser, subject to the terms and provisions hereof, all the assets, rights, title and interest of Seller in and to the combined Material.

Method of Payment

Compensation shall be in accordance with, bid schedule rates described on page 9. Payment is due to BPUB prior to removing materials.

- FOB BPUB in Brownsville, Texas.
- All shipping documents, manifests, Work, reporting, transportation and disposal will be performed in strict compliance with all local, federal and state regulatory agencies including OSHA, TCEQ, USEPA TXDOT, USDOT, 49 CFR RCRA regulations.

TO HAVE AND TO HOLD, all and singular, the various solid and liquid Materials unto Purchaser and Purchaser's successors and assigns forever.

SELLER HEREBY EXPRESSLY DISCLAIMS AND NEGATES ANY REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, RELATING TO THE MATERIAL OR ITS CONDITION, INCLUDING WITHOUT LIMITATION, ANY EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY, ANY EXPRESS OR IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE, AND ANY IMPLIED OR EXPRESS WARRANTY OF CONFORMITY TO MODELS OR SAMPLES OF MATERIALS, IT BEING EXPRESSLY UNDERSTOOD BY PURCHASER, AND IT BEING THE EXPRESS INTENTION OF SELLER, THAT THE MATERIAL IS HEREBY CONVEYED TO PURCHASER "AS IS, WHERE IS, WITH ALL FAULTS" IN ITS PRESENT CONDITION AND STATE.

SELLER DISCLAIMS ANY WARRANTY, REPRESENTATION, OR COVENANT CONCERNING THE EXISTING SOLID AND LIQUID MATERIALS' COMPLIANCE WITH APPLICABLE FEDERAL, STATE, OR LOCAL STATUTES, REGULATIONS, ORDINANCES OR STANDARDS, INCLUDING BUT NOT LIMITED TO THOSE OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, CITY OF BROWNSVILLE FIRE AND BUILDING CODES, AND NATIONAL TESTING LABORATORY APPROVALS, SUCH AS UI AND FM APPROVAL.

PURCHASER AGREES TO DEFEND, INDEMNIFY, PROTECT, SAVE AND HOLD HARMLESS THE CITY OF BROWNSVILLE AND ITS PUBLIC UTILITIES BOARD (SELLER), AND THEIR RESPECTIVE OFFICERS, MANAGERS, EMPLOYEES AND ANY AGENTS, FROM AND AGAINST ANY AND ALL DEMANDS, CLAIMS, CAUSES OF ACTION, SUITS, LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES (INCLUDING WITHOUT LIMITATION, LITIGATION COSTS AND ALL ATTORNEYS' AND EXPERTS' FEES AND EXPENSES) A RISING FROM OR IN ANYWAY CONNECTED WITH THE OWNERSHIP TRANSFER OF THE SUBJECT SOLID AND LIQUID PERSONALITY MATERIALS, INCLUDING, BUT NOT LIMITED TO, THEIR RESPECTIVE HANDLING, TRANSPORT, ANY TEMPORARY OFFSITE STORAGE, USE, RE-SALE AND ANY DISPOSAL.

Purchaser warrants, represents and acknowledges that it understands all of the hazards and risks, including but not limited to safety hazards, associated with the design, nature, movement and use by any person of the subject solid and liquid Materials.

If any paragraph, sentence or clause herein shall be judged illegal, invalid, void or unenforceable, such illegality, invalidity, void ability or unenforceability shall not affect the legality, validity or enforceability of the Bill of Sale Agreement, as to the whole or any article, sentence, or clause hereof, not so judged.

From time to time, as and when reasonably requested by the Purchaser or Seller, the other party shall execute and deliver, or cause to be executed and delivered, such additional

related documents and instruments and shall take, or cause to be taken, such further or other actions as may be reasonably necessary to carry out the mutual purposes of this Agreement.

It is contemplated that Seller may, at any time or from time to time, execute, acknowledge or deliver one or more separate instruments of assignment and conveyance relating to certain of the solid and/or liquid assets. No such separate instrument of assignment or conveyance shall limit the scope and effect of this Bill of Sale Agreement. In the event that any conflict or ambiguity exists as between this Agreement and any required separate instrument of conveyance, the terms and provisions of this Agreement shall govern and be controlling.

This Agreement may be executed in several counterparts, each of which shall be deemed an original, but which together will constitute one and the same instrument.

The Bill of Sale Agreement shall bind and inure to the benefit of the parties hereto and their respective successors, legal representatives and assigns.

The validity of this Agreement shall be governed and construed in accordance with the laws of the State of Texas, and district courts of Cameron County, Texas, excluding any conflicts of law rule or principle which might refer same to another jurisdiction.

IN WITNESS WHEREOF, this Bill of Sale Agreement is executed as of the date first herein above provided.

SELLER:

CITY OF BROWNSVILLE PUBLIC UTILITIES BOARD

By: _____
Name: Marilyn D. Gilbert
Title: General Manager & CEO

PURCHASER: _____

By: _____

Name: _____

Title: _____

Company: _____

**REQUIRED FORMS
FORM 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.

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.

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.

OFFICE USE ONLY

Date Received

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 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.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 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).

7

Name of signatory _____
Signature _____
Date

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

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

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 Bids (the "RFB"), 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 RFB, 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 RFB, 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 RFB, 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.

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 confirm that the above is true and correct.

NOTARY SEAL_____

NOTARY SIGNATURE_____

Date

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 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
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 confirm that the above is true and correct.

NOTARY SEAL_____

NOTARY SIGNATURE_____

Date

Request for Taxpayer Identification Number and Certification

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

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

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.
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.	
<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 <input type="checkbox"/> 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. <input type="checkbox"/> Other (see instructions)	
3b 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	
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 foreign 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
____ - ____ - ____
or
Employer identification number
____ - ____ - ____

Part II Certification

Under penalties of perjury, I certify that:

- 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
- 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
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

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

Sign Here Signature of
U.S. person

Date

General Instructions

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

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

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

W-8BEN-E

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 for instructions and the latest information.
► Give this form to the withholding agent or payer. Do not send to the IRS.

OMB No. 1545-1621

Do NOT use this form for:

- U.S. entity or U.S. citizen or resident W-9
- A foreign individual W-8BEN (Individual) or Form 8233
- A foreign individual or entity claiming that income is effectively connected with the conduct of trade or business within the 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																																																													
1 Name of organization that is the beneficial owner	2 Country of incorporation or organization																																																												
3 Name of disregarded entity receiving the payment (if applicable, see instructions)																																																													
4 Chapter 3 Status (entity type) (Must check one box only): <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Simple trust</td> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Tax-exempt organization</td> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Corporation</td> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Partnership</td> </tr> <tr> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Central Bank of Issue</td> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Private foundation</td> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Complex trust</td> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Foreign Government - Controlled Entity</td> </tr> <tr> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Grantor trust</td> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Disregarded entity</td> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Estate</td> <td style="width: 33%; padding: 2px;"><input type="checkbox"/> Foreign Government - Integral Part</td> </tr> <tr> <td colspan="4" style="padding: 2px;">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</td> </tr> </table>		<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	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																																															
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5 Chapter 4 Status (FATCA status) (See instructions for details and complete the certification below for the entity's applicable status.) <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; padding: 2px;"><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).</td> <td style="width: 50%; padding: 2px;"><input type="checkbox"/> Nonreporting IGA FFI. Complete Part XII.</td> </tr> <tr> <td colspan="2" style="padding: 2px;">FFI other than a deemed-compliant FFI, participating FFI, or exempt beneficial owner).</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Reporting Model 1 FFI.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Reporting Model 2 FFI.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><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.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Sponsored FFI. Complete Part IV.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Certified deemed-compliant nonregistering local bank. Complete Part V.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Certified deemed-compliant FFI with only low-value accounts. Complete Part VI.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Certified deemed-compliant sponsored, closely held investment vehicle. Complete Part VII.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Certified deemed-compliant limited life debt investment entity. Complete Part VIII.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Certain investment entities that do not maintain financial accounts. Complete Part IX.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Owner-documented FFI. Complete Part X.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Restricted distributor. Complete Part XI.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> International organization. Complete Part XIV.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Exempt retirement plans. Complete Part XV.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Entity wholly owned by exempt beneficial owners. Complete Part XVI.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Territory financial institution. Complete Part XVII.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Excepted nonfinancial group entity. Complete Part XVIII.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Excepted nonfinancial start-up company. Complete Part XIX.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Excepted nonfinancial entity in liquidation or bankruptcy. Complete Part XX.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> 501(c) organization. Complete Part XXI.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Nonprofit organization. Complete Part XXII.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Publicly traded NFFE or NFFE affiliate of a publicly traded corporation. Complete Part XXIII.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Excepted territory NFFE. Complete Part XXIV.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Active NFFE. Complete Part XXV.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Passive NFFE. Complete Part XXVI.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Excepted inter-affiliate FFI. Complete Part XXVII.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Direct reporting NFFE.</td> </tr> <tr> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Sponsored direct reporting NFFE. 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Complete Part V.		<input type="checkbox"/> Certified deemed-compliant FFI with only low-value accounts. Complete Part VI.		<input type="checkbox"/> Certified deemed-compliant sponsored, closely held investment vehicle. Complete Part VII.		<input type="checkbox"/> Certified deemed-compliant limited life debt investment entity. Complete Part VIII.		<input type="checkbox"/> Certain investment entities that do not maintain financial accounts. Complete Part IX.		<input type="checkbox"/> Owner-documented FFI. Complete Part X.		<input type="checkbox"/> Restricted distributor. Complete Part XI.		<input type="checkbox"/> International organization. Complete Part XIV.		<input type="checkbox"/> Exempt retirement plans. Complete Part XV.		<input type="checkbox"/> Entity wholly owned by exempt beneficial owners. Complete Part XVI.		<input type="checkbox"/> Territory financial institution. Complete Part XVII.		<input type="checkbox"/> Excepted nonfinancial group entity. 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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)

Hyosung Nameplate



Sample Circuit Breaker

