BROWNSVILLE
PUBLIC UTILITIES BOARD

LEGAL NOTICE
AND
INVITATION TO BID
#B037-26

The Brownsville Public Utilities Board will accept sealed or electronic bids for Battery Bank, Charger, and Rack for the Airport Substation, **until 5:00 PM, April 22, 2026,** in the Brownsville PUB Purchasing Office, 1155 FM 511, Olmito, Texas. **Bids received after this time will not be considered.**

Bids will be publicly opened and read aloud on April 23, 2026 at 10:00 AM**.** Bidders can request a copy of the bid tabulation by emailing nespinoza@brownsville-pub.com. Vendors can call in at 10:00 AM, April 23, 2026 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, https://www.bidnetdirect.com/texas/brownsville-pub.

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

Please mark on the **outside of the envelope and on any carrier's envelope**: "**B037-26 SEALED BID FOR BATTERY BANK, CHARGER, AND RACK FOR THE AIRPORT SUBSTATION, APRIL 22, 2026, 5:00 PM**", and send to the attention of Diane Solitaire, Purchasing Department, 1155 FM 511, Olmmito, 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. **Electronic bids will only be accepted via Bidnet.**

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

Please submit this page upon receipt.

ACKNOWLEDGEMENT FORM
B#037-26 BATTERY BANK, CHARGER, AND RACK FOR THE AIRPORT SUBSTATION

For any clarifications, please contact Nicole Espinoza at the Brownsville Public Utilities Board, Purchasing Department at (956) 983-6353 or via e-mail: nespinoza@brownsville-pub.com

Please e-mail this page upon receipt of legal notice.

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: nespinoza@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 E-MAIL THIS PAGE TO EMAIL LISTED ABOVE

Special Instructions

- **Interpretation**

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

Nicole Espinoza, Purchasing Department or Hugo Lopez,
(956) 983-6353 Purchasing Administrator
(956) 983-6375

- **Tentative Time Line**

1. April 6, 2026 to April 22, 2026 - Vendors work on bid.
2. April 22, 2026 at 5:00 PM CST - **Vendor must submit one (1) set of bid document sealed in an envelope to**:

   Diane Solitaire, Purchasing
   1155 FM 511
   Olmito, TX 78575

BID #B037-26 – BATTERY BANK, CHARGER, AND RACK FOR THE AIRPORT SUBSTATION

Bid Due: April 22, 2026 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, late mail or late electronic submissions****. Brownsville Public Utilities Board* ***will accept electronic transmission*** *of sealed bids via* ***Bidnet, only****.*

1. April 13, 2026 - Last day for questions
2. April 23, 2026 – Open bids at 10:00 AM
3. April 23, 2026 - Evaluate bids
4. April 23, 2026 – Provide Final Recommendations
5. May 11, 2026 - Send to Utilities Board for approval
6. Term of contract will commence June 2026

- **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. BPUB also reserves the legal right to specify a "sole source" component if such

component is critical for integration to a larger assembly and alternative manufactured items will not meet the design and/or performance needs of the BPUB, in BPUB's sole discretion.

- **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 delivery of material.**

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

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

- **Vendor Representative**

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

- **Quality of Products**

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

- **Determining Factors for Award**

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

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

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

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

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

- **Tax Identification Number (TIN)**

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

- **Taxes**

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

- **Signing of Bid**

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

- **EEOC Guidelines**

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

- **As Needed Basis (Not Applicable)**

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

- **Contract and Purchase Order**

The battery bank, battery charger, and the rack will be delivered to Brownsville Public Utilities Board, 1155 FM 511, Olmito, Texas 78575. A contract for the Battery Bank Replacement equipment will be placed into effect by means of a purchase order issued by the Brownsville Public Utilities Board after tabulation and final approval by the Brownsville PUB Board.

- **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; <u>for cause</u>: upon default by the vendor/contractor, for delay or non-performance by the vendor/contractor; or if it is deemed in the best interest of the BPUB <u>for BPUB's convenience</u>.
    6. The right to increase or decrease quantities. In bid, stipulate whether an increase or decrease in quantities will affect bid price
    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.

BID SCHEDULE FOR #B037-26

ITEM	QUANTITY	DESCRIPTION	MFG#	UNIT COST	TOTAL
1	1 EA	Battery Bank			
2	1 EA	Battery Charger			
3	1 EA	Battery Rack			
4	1 EA	Capacity Test Report			
5	1 EA	Wiring, Connectors, and Accessories			
6	1 EA	Extended Three-year Warranty			
7	1 EA	Freight			
		GRAND TOTAL =			

Please include electronic files (PDF or AutoCAD) of any manufacturer cut-sheets, specification sheet, cell outline, rack outline, cell arrangements/connection diagrams, or data sheets with this bid as well as scanned copy of the bid submittals.

Special Instructions:

The undersigned (hereinafter called the "Bidder") hereby proposes to furnish and deliver the battery bank, rack, charger, and accessories (hereinafter called the "Equipment") described in the Plans and Specifications attached.

The Purchase Order quantities are subject to BPUB's right to increase or decrease as deemed necessary. Stipulate below, if an increase or decrease in quantity affects bid price:

(_____) Yes, an increase or decrease in quantity affects bid price.
(_____) No, an increase or decrease in quantity will not affect bid price.

Price shall remain firm until delivery of material

Company Name:_____

Authorized Company Representative:_____
Print Name

Authorized Company Representative:_____
Signature *Failure to sign bid will disqualify it*

Company Address:_____
_____

Telephone #: _____
Email: _____

BROWNSVILLE PUBLIC UTILITIES BOARD (BPUB)

Specifications for a Battery Bank 125 V.D.C., Battery Charger, and Rack for Airport Substation

1. Scope

The vendor shall furnish and deliver to the Brownsville PUB (BPUB) at 1155 FM 511, Olmito, Texas 78575, the battery bank, battery charger, and the rack. This equipment shall comply with the terms and conditions of these specifications to the complete satisfaction of the Brownsville PUB.

2. General Requirements

The 125 V.D.C. Battery Bank, Battery Charger and Support shall be furnished with all components and accessories necessary for installation and shall include the following:

2.1 Design, detail, material, fabrication, assembly, test, and delivery should comply with the latest revision of ANSI, ASTM, IEEE, NEMA, NESC, NFPA, NEC, and the UL standards.
All material used in the construction of the battery shall be new, Unused, Non-Surplus materials of the current design, and shall include all accessories as specified.

2.2 Drawings, drawing schedule, and other specified information shall be in Auto Cad 2014 (or higher) format. Instruction manuals shall be written in Microsoft Word or another standard word processor.

2.3 The Vendor shall be responsible for disassembly and preparation of equipment for shipment.

2.4 The battery bank shall operate at 125 V.D.C. and shall have sixty (60) cells in a thermoplastic container.

2.5 The Vendor shall provide a copy of the batteries' acceptance or capacity test report

3. Condition of Service

3.1 General Description of Equipment Function

The battery bank and associated equipment shall be installed at the Airport Substation located in the City of Brownsville to provide D.C. power to utility distribution.

3.2 Physical Location and Plant Site

The D.C. equipment shall be installed on the inside in the control room and shall be subject to the following criteria:

Minimum Temperature	20 Degrees Fahrenheit
Maximum Temperature	110 Degrees Fahrenheit

4. Design Data

4.1 Battery Bank

4.1.1 The battery bank shall have an output of 125 V.D.C. and will have capacity of 300 amps-hour at the eight (8) hour rate to 1.75 final volts per cell at 77 degrees F. Consisting of sixty (60) cells on a thermoplastic transparent container that allow visual inspection of plates, with high impact flame retardant cover and seismic qualification, with exposed terminal allow measurement of individual cell voltages with two points suspended positive plated permit free growth without pressure on jar and cover, the plates must be Lead- Calcium and the electrolyte must be sulfuric acid.

4.1.2. The Float Voltages recommended for the various types of Lead Calcium batteries shall be:

Specific Gravity	
Nominal 1.25	2.15 to 2.17 Volts per cell
Nominal 1.250	2.23 to 2.33 Volts per cell
Nominal 1.300	2.28 to 2.37 Volts per cell

4.1.3 The battery bank shall support a discharge according to IEEE-450 procedures.

4.1.4 The Cell Voltage Variation that may exist with the battery on the float and not greater the 5°F (2.78 °C) variation in cell temperature of a series string at any given time is:

NORMAL VOLTAGE RANGE

Lead Calcium	Average Float Voltage	Variation
Nominal 1.215sp.gr.	2.17 to 2.25 V.P.C.	-+ 0.04 V.P.C.
Nominal 1.25 sp.gr.	2.23 to 2.33 V.P.C.	-+ 0.04 V.P.C.
Nominal 1.300 sp.gr.	2.28 to 2.37 V.P.C.	-+ 0.04 V.P.C.

4.2 Battery Charger

4.2.1 The battery charger shall be designed to recharge/float charge a battery and designed to carry continuous direct current loads and intermittent loads.

4.2.2 The battery charger shall be a silicon-controlled rectifier, having a regulation of -+ 0.50 percent (%) from no load to full load with a -+ 5 percent (%) variation in A.C. input voltage. It will have a D.C. output of 130 volts and a minimum of 35 amperes when operating at 120/208/240 Vac (Multi-tap), 60 hertz, Single-Phase input and will be filtered to 30 mV RMS when connected to a battery.

4.2.3 The battery charger will be assembled with High/ Low voltage alarm relay with lights, DC ammeter and voltmeter with 1% accuracy or less, No charge alarm relay with lights, 0 – 72 hours equalized timer, ground detection with lights, A.C. failure relay alarm and lighting arrestors, and a 150 D.C. volts transducer with an output of + 0 - 1 mA to connect with a RTU.

4.2.4 The battery charger will be wall mounted.

4.2.5 The battery charger shall be operated at temperatures of 32˚F to 122˚F (0˚C to 50˚C) and humidity from 0 to 95 %, non-condensing, and at altitudes not exceeding 330 feet with any problem.

The audible noise shall not exceed 65 dB at any point five feet from any vertical surface at 100 % load and the battery charger shall have ventilating openings in a form that it shall have natural cooling convection.

4.2.6 The battery charger shall have thermal magnetic circuit breakers with shunt trip on the inputs and similar protection on the output.

4.2.7 The battery charger shall have blocking diodes to prevent reverse current drain when the unit is connected to a battery and shall also have surge suppression devices which provide transient protection at the alternate current input. The equalized timer shall be mounted internally; the charger automatically switches from Equalize to “Float “at end of the set time interval.

4.3 Battery Rack

4.3.1 The battery rack shall be two-tier type and able to fit sixty (60) cells. It should fit on a room 12-ft L x 7-ft W x 8-ft H. The rack must be painted with ANSI 6 acid resistance paint, with an electrical grounding provision built into the base to the frame, with flame retardant polyethylene rail

covers to provide electrical isolation, and accessible anchor bolts preparation.

4.4 **Optional:** Monitoring System

4.4.1 The monitoring system shall measure the DC Voltage levels, provide high- and low-voltage alarms, sample-by-sample report view of the voltage levels, etc.

5. Documentation

5.1 Three (3) sets of drawings, documentation, test reports, list of materials and manuals shall be sent to the Public Utilities Board (PUB), City of Brownsville.

Documentation shall be sent to:
Mr. Arnulfo Mejia
Brownsville PUB
1155 FM 511
Olmito, TX 78575

6. Shipping

Equipment shall be shipped to the Warehouse Department located at 1155 FM 511, Olmito, Texas 78575. Equipment can be received via rail freight transport or truck. Equipment shall be supplied with shipping braces and jack support for handling correctly. Equipment shall be unloaded by the BPUB Warehouse staff with a forklift or pallet jack.

7. Warranty

The manufacturer shall provide a Three (3) year warranty against all kinds of defects on all battery banks, battery chargers, and racks, and any other equipment provided by the manufacturer with an option for additional years of warranty.

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	☐	☐
	Debarment Certification	☐	☐
	Ethics Statement	☐	☐
	Conflict of Interest Questionnaire	☐	☐
	Certification of Interested Party Form 1295	☐	☐
	Residence Certification	☐	☐
	State Law Verification	☐	☐
	House Bill 89 Verification	☐	☐
	W9 or W8 Form	☐	☐
Special Instructions	Bid Schedule Rate/Cost sheet completed and signed	☐	☐
	Cashier Check or Bid Bond of 5% of Total Amount of Bid (if applicable)	☐	☐
	OSHA 300 Log (if applicable)	☐	☐
	CONTRACTOR Pre-Bid Disclosure completed, signed and notarized (if applicable)	☐	☐
	Sub-CONTRACTOR Pre-Bid Disclosure completed, signed, and notarized (if applicable)	☐	☐
		☐	☐
References	Complete the Previous Customer Reference Worksheet for each reference provided	☐	☐
Addenda			
Other	CONTRACTOR Job Safety Analysis Form (Sample)		

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, 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.

ETHICS STATEMENT

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

The undersigned Firm, by signing and executing this bid, certifies and represents to the Brownsville Public Utilities Board that Firm 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 Firm also certifies and represents that the Firm 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 Firm certifies and represents that Firm 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 Firm also certifies and represents that Firm has not received any information not available to other Firms so as to give the undersigned a preferential advantage with respect to this bid; the Firm further certifies and represents that Firm has not violated any state, federal, or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that Firm 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 Firm 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 RESPONDENT 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 NEGLIGENT ACTS OR OMISSIONS OF CONTRACTOR OR ANY AGENT, EMPLOYEE, SUBCONTRACTOR, OR SUPPLIER OF RESPONDENT 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.

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

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

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

Form provided by Texas Ethics Commission www.ethics.state.tx.us Revised 8/14/2024

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.

Form provided by Texas Ethics Commission www.ethics.state.tx.us Revised 8/14/2024

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 entityor 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 thebusiness 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 avalue 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'swebsite. 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 thebusiness 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 tothe 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 thecontract 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 newaccount or to complete an electronic version of Form 1295 for submission with a signed contract, please go to the following link: https://ethics.state.tx.us/whatsnew/elf_info_form1295.htm

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

CERTIFICATE OF 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.

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO Interested Party. ☐

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

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

Form provided by Texas Ethics Commission www.ethics.state.tx.us Revised 12/22/2017

BROWNSVILLE PUBLIC UTILITIES BOARD
RESIDENCE CERTIFICATION

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

Section 1. (a)

(1) "Nonresident CONTRACTOR " means a CONTRACTOR 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 CONTRACTOR " means a CONTRACTOR 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 CONTRACTOR unless the nonresident's bid is lower than the lowest bid submitted by a responsible Texas resident CONTRACTOR by the same amount that a Texas resident CONTRACTOR would be required to underbid a nonresident CONTRACTOR to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

I certify that_____
(Company Name) is **a resident Texas CONTRACTOR** as defined in Art. 601g.

Signature: _____

Print Name: _____

I certify that _____
(Company Name) is a **nonresident CONTRACTOR** as defined in Art. 601g. and our principal place of business is:

_____
(City and State)

Signature: _____

Print 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 (B037-26) (the "BID"), the responding Company represents that, to the extent this bid submission or any contracts executed in response to this bid constitutes a governmental contract within the meaning of Section 2252.151 of the Texas Government Code, as amended, solely for purposes of compliance with Section 2252.152 of the Texas Government Code, and except to the extent otherwise required by applicable federal law, neither the responding Company, nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the Company is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code.

- **ANTI-BOYCOTT ISRAEL VERIFICATION**: By submission of a response to the BPUB RFQ, the responding Company represents that, to the extent this bid submission, or any contracts executed in response to this bid, constitutes a contract for goods or services within the meaning of Section 2271.002 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2271 of the Texas Government Code, and subject to applicable federal law, including without limitation, 50 U.S.C. Section 4607, the responding Company, as well as any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the Company, (1) does <u>not</u> boycott Israel and (2) will <u>not</u> boycott Israel through the term of any such contract. The term "boycott Israel" as used in this paragraph has the meaning assigned to such term in Section 808.001 of the Texas Government Code, as amended.

- **VERIFICATION REGARDING NO DISCRIMINATION AGAINST FIREARMS**: By submission of a response to the BPUB RFQ, the responding Company represents that, to the extent this bid submission, or any contracts executed in response to this bid, constitutes a contract for goods or services for which a written verification is required under Section 2274.002, Texas Government Code (as added by Senate Bill 19, 87th Texas Legislature, Regular Session), as amended, the responding Company hereby verifies that it, as well as any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the Firm, (1) does <u>not</u> have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) will <u>not</u> discriminate during the term of any such contract against a firearm entity or firearm trade association. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code (as added by Senate Bill 19, 87th Texas Legislature, Regular Session), as amended, to the extent such section does not contravene applicable Texas or federal law. As used in the foregoing verification, "discriminate against a firearm entity or

firearm trade association" shall have the meaning assigned to such term in Section 2274.001, Texas Government Code (as added by Senate Bill 19, 87th Texas Legislature, Regular Session).

- **VERIFICATION REGARDING NO ENERGY COMPANY BOYCOTTS**: By submission of a response to the BPUB RFQ, the responding Company represents that, to the extent this bid submission, or any contracts executed in response to this bid, 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

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 _____

Form **W-9**
(Rev. March 2024)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

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

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

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.

☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate

☐ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) . . . . .

Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.

☐ Other (see instructions)

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 . . . . . ☐

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any)

(Applies to accounts maintained outside the United States.)

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

☐☐☐ – ☐☐ – ☐☐☐☐

or

Employer identification number

☐☐ – ☐☐☐☐☐☐☐

Part II Certification

Under penalties of perjury, I certify that:

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

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

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

General Instructions

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

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

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

Cat. No. 10231X Form **W-9** (Rev. 3-2024)

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:	**Instead use Form:**
• 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

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):

☐ Corporation ☐ Partnership
☐ Simple trust ☐ Tax-exempt organization ☐ Complex trust ☐ Foreign Government - Controlled Entity
☐ Central Bank of Issue ☐ Private foundation ☐ Estate ☐ Foreign Government - Integral Part
☐ Grantor trust ☐ Disregarded entity ☐ International organization

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. ☐ Yes ☐ No

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

☐ Nonparticipating FFI (including an FFI related to a Reporting IGA FFI other than a deemed-compliant FFI, participating FFI, or exempt beneficial owner).
☐ Participating FFI.
☐ Reporting Model 1 FFI.
☐ Reporting Model 2 FFI.
☐ Registered deemed-compliant FFI (other than a reporting Model 1 FFI, sponsored FFI, or nonreporting IGA FFI covered in Part XII). See instructions.
☐ Sponsored FFI. Complete Part IV.
☐ Certified deemed-compliant nonregistering local bank. Complete Part V.
☐ Certified deemed-compliant FFI with only low-value accounts. Complete Part VI.
☐ Certified deemed-compliant sponsored, closely held investment vehicle. Complete Part VII.
☐ Certified deemed-compliant limited life debt investment entity. Complete Part VIII.
☐ Certain investment entities that do not maintain financial accounts. Complete Part IX.
☐ Owner-documented FFI. Complete Part X.
☐ Restricted distributor. Complete Part XI.
☐ Nonreporting IGA FFI. Complete Part XII.
☐ Foreign government, government of a U.S. possession, or foreign central bank of issue. Complete Part XIII.
☐ International organization. Complete Part XIV.
☐ Exempt retirement plans. Complete Part XV.
☐ Entity wholly owned by exempt beneficial owners. Complete Part XVI.
☐ Territory financial institution. Complete Part XVII.
☐ Excepted nonfinancial group entity. Complete Part XVIII.
☐ Excepted nonfinancial start-up company. Complete Part XIX.
☐ Excepted nonfinancial entity in liquidation or bankruptcy. Complete Part XX.
☐ 501(c) organization. Complete Part XXI.
☐ Nonprofit organization. Complete Part XXII.
☐ Publicly traded NFFE or NFFE affiliate of a publicly traded corporation. Complete Part XXIII.
☐ Excepted territory NFFE. Complete Part XXIV.
☐ Active NFFE. Complete Part XXV.
☐ Passive NFFE. Complete Part XXVI.
☐ Excepted inter-affiliate FFI. Complete Part XXVII.
☐ Direct reporting NFFE.
☐ Sponsored direct reporting NFFE. Complete Part XXVIII.
☐ 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

7 Mailing address (if different from above)

City or town, state or province. Include postal code where appropriate. | Country

For Paperwork Reduction Act Notice, see separate instructions. Cat. No. 59689N Form **W-8BEN-E** (Rev. 10-2021)

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? ☐ Firm Fixed Price ☐ Time and Material ☐ Not to Exceed ☐ Cost Plus Fixed Fee ☐ Other, Specify:_____

Provide a brief description of the work performed for this customer (add additional page if required)