



FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT

REQUEST FOR PROPOSAL

**PLUMBING SERVICES**

**RFP #23-001**

RFP RESPONSES due on or before:

**3:00 pm WEDNESDAY, SEPTEMBER 28, 2022**

# SECTION 1

## INTRODUCTION AND GENERAL INFORMATION

### **1.1 INTRODUCTION:**

Friendswood Independent School District (the “District” or “FISD”) has approximately 10 facilities and other property that the District expects will require plumbing maintenance and minor plumbing repairs, as the needs may arise. The District intends to award one or more contracts for multiple types of services, as specified in Section 2.1.

#### **Required Information on Sealed Envelope & Address Information:**

The RFP’s Qualitative Submission Requirements are found in **Section 4**;  
the Price Proposal Form is found in **Section 5**;  
and other required forms are found in **Section 6**.

The Proposer shall submit two paper (2) copies and one digital copy of each proposal by the deadline listed below. The following information **MUST** be noted on the outside of the envelope so that your RFP response is opened and all proposers’ names are read at the appropriate time.

- **Contractor’s Name & E-Mail address**
- **RFP: #23-001**
- **Due Date: WEDNESDAY, SEPTEMBER 28, 2022**
- **Due Time: 3:00PM**

Proposals should be sent to the following address:

*Friendswood Independent School District  
Attn: Purchasing Department, Plumbing RFP #23-001  
302 Laurel Drive  
Friendswood, TX 77546*

All proposals become the property of the District upon receipt and will not be returned. Any information deemed to be confidential by proposer should be clearly noted on the page(s) where confidential information is contained; however, the District cannot guarantee that it will not be required by law to disclose all or part of any record under the Texas Public Information Act or pursuant to Court Order.

### **1.2 GENERAL INFORMATION:**

Pursuant to Texas Education Code §§ 44.031 (“Code”), the District is issuing this Request for Proposals (“RFP”) from qualified firms to perform maintenance and minor repair, services at various District locations to the fullest extent permitted under the Code and interpreting authorities.

The exact nature and extent of services required will vary and no specified minimum amount of work will be guaranteed to the successful contractor(s).

**13 TYPE OF CONTRACT:**

The District expects to award one or more contracts under this RFP.

**14 THE DISTRICT’S RESERVATION OF RIGHTS:**

The District reserves the right to reject all proposals. No contract is created between the District and any one or more parties unless and until the award and a written contract is approved by the District’s Board of Trustees, and a Master Services Agreement is signed by the appropriate authorities of both the selected proposer(s) and the District. No work will commence on any project until the awarded Contractor has been issued a written Purchase Order.

Proposals qualified with conditional clauses, alterations, items not called for in the RFP documents, or irregularities of any kind are subject to rejection by the District, at its option. Failure to comply with all requirements contained in this RFP may result in the rejection of the Proposal at the District’s discretion.

**15 QUESTIONS:**

Questions regarding this RFP will be accepted in email form only, sent to [cblain@fisdk12.net](mailto:cblain@fisdk12.net) on or before: **3:00pm Wednesday, September 21, 2022.**

Responses to all material questions submitted will be posted as an addendum on FISD’s website ([www.myfisd.com](http://www.myfisd.com)) under the Purchasing Department tab before **3:00pm Friday, September 23, 2022.** There will not be a pre-proposal meeting.

**16 PROHIBITED COMMUNICATIONS:**

Respondents are prohibited from communicating with District trustees, employees, or agents regarding this RFP from the time the RFP has been released to the public until a Plumbing Contract Agreement(s) has/have been awarded. All communications regarding this RFP shall be made through the District’s Point of Contact noted below.

**Point of Contact:** Respondents shall restrict all contact with the District and direct all questions regarding this RFP to the Point-of-Contact person. The District designates the following person as its representative and Point-of-Contact for this RFP.

Carol Blain, Friendswood ISD Purchasing Coordinator  
email: [cblain@fisdk12.net](mailto:cblain@fisdk12.net)

**1.7 DISTRICT MINIMUM INSURANCE REQUIREMENTS:**

Amounts of policies of insurance as required shall be within limits no less than those stated hereinafter or required by law.

**TYPES OF INSURANCE**

**LIMITS OF LIABILITY**

a. Workers' Compensation	As statutory provisions require in the State of Texas
b. Comprehensive or Commercial General Liability Damage	
1. Bodily Injury and Property	\$ 1,000,000 each occurrence
2. Products/Completed Operations	\$ 2,000,000 aggregate
3. Fire Damage, Legal Liability	\$ 500,000 each occurrence
Any one fire	\$ 50,000 each occurrence
4. General Aggregate	\$ 2,000,000 aggregate
c. Business (Commercial) Automobile Liability:	
1. Bodily Injury Each Person	\$ 1,000,000 each occurrence
2. Property Damage	\$ 1,000,000 each occurrence

**SECTION 2**  
**PROJECT INFORMATION**

**2.1 SCOPE OF SERVICES:**

The District intends to award one or more contracts to furnish plumbing maintenance and minor plumbing repair services to meet the needs of the District. The actual scope of work will vary. The District will be utilizing the services of the vendor(s) to (1) perform repairs to existing plumbing systems; and (2) replace worn or damaged parts, fixtures or equipment, in areas of limited size and complexity, with equal grade and quality parts, fixtures or equipment. All goods and services shall be based on the specifications and methods described in the **Price Proposal Form in Section 5** (p.9). The freight will be included in the price of the product and will be quoted FOB Destination. Vendors awarded under this RFP will not be permitted to install plumbing parts, fixtures, equipment, or improvements in areas where such improvements did not previously exist, nor will the vendor be permitted to perform large-scale replacement jobs or any other services that would constitute “construction services.”

**2.2 TERM OF CONTRACT:**

Contract(s) awarded in response to the RFP, if any, will be for a **base term of (1) year**. The District, at its discretion, shall have the option to renew the contract award annually for not more than **four (4) additional years**.

**2.4 DISCLAIMERS:**

The District will not compensate respondents for any expenses incurred in the RFP response preparation or for any presentations that may be made. Respondents submit Proposals at their own risk and expense.

The District makes no representations of any kind that an award will be made as a result of this RFP, or that proposers will be awarded any minimum amount of work. The District reserves the right to accept or reject any or all Proposals, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFP when deemed to be in the District’s best interest.

**SECTION 3**  
**SELECTION CRITERIA**

<b>Criteria</b>	<b>Criteria Description</b>	<b>Weighted Value</b>
1	the Proposer's pricing	30%
2	the reputation of the Proposer and of their goods or services	15%
3	the quality of the Proposer's goods or services	15%
4	the extent to which the goods or services meet the District's needs	15%
5	the District's past experience with the Proposer	15%
6	the total long-term cost to the District to acquire the Proposer's goods or services	10%
<b>TOTAL VALUE OF CRITERIA</b>		<b>100%</b>

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**SECTION 4**  
**RESPONDENT'S QUALITATIVE SUBMISSION REQUIREMENTS**

**Tab 1**

- 1.1 Provide a statement of interest for this RFP including a narrative describing respondent's unique qualifications as they pertain to a Texas school district.
- 1.2 Provide a brief history of the respondent firm including when the firm was established, and type of ownership. If the firm has changed name or ownership within the last two years indicate the former name.
- 1.3 Where is your firm headquarters?
- 1.4 Does your firm have multiple locations? List all the locations.
- 1.5 If more than one office is listed indicate the office that will manage the project.
- 1.6 Is your firm licensed to do business in the State of Texas? List what authorizations and/or contractors licenses your firm holds.
- 1.7 Provide an Organization Chart for the team proposed for this RFP.
- 1.8 Provide resumes of key personnel who will be assigned to our District. Resumes must be limited to two (2) pages per person.

**Tab 2**

- 2.1 Is your firm currently for sale or involved in any transactions to expand or to become acquired by another business entity? If yes, please explain.
- 2.2 Provide any details of all past or pending litigation or claims filed against your company that would affect your company's performance under a contract with the Owner.
- 2.3 Is your company currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? If yes, specify date(s) details, circumstances, and prospects for resolution.
- 2.4 Does any relationship exist by relative, business associate, capital funding agreement, or any other such kinship between your firm and any District employee, officer or Board member? If so, please explain.
- 2.5 Provide a claims history under any and all liability insurance policies for the past five (5) years.

**Tab 3**

- 3.1 List a minimum of three (3) public entity owners for whom you have provided services under a similar contract, preferably a school district.
- 3.2 Provide a list of a minimum of five (5) client references, preferably school district references, with the name and phone number, fax number and e-mail address of a contact person.

**Tab 4**

- 4.1 Describe your firm's proposed methodology to manage the District's Purchase Orders or Work Orders.
- 4.2 Describe your firm's approach to job-site safety.
- 4.3 The District has the following manufacturers in place. Indicate on your response which firms your company is approved and certified to repair and install:
  - a. **American Standard**
  - b. **Zurn**
  - c. **Delta**
  - d. **Chicago**
  - e. **TNS**
- 4.4 Other than the manufacturers listed above, provide all manufacturers that your firm is an approved/certified contractor to service or repair. Include:
  - a. Name of Manufacturer
  - b. Products
  - c. Authorized to provide which services (list ALL that apply)

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**SECTION 5**  
**PROPOSAL INSTRUCTIONS AND PRICE PROPOSAL FORM**

**Hours of Work**

- a. Standard hours of work will be from **7:00 A.M. to 4:00 P.M.**, Monday through Friday, unless alternate standard hours are agreed to and adopted.
- b. Non-standard hours are hours required by the District to be worked before **7:00 A.M. and after 4:00 P.M.** (unless alternate standard hours are agreed and adopted), Monday through Friday, and all hours worked on Saturdays, Sundays and holidays will be considered non-standard hours.
- c. Non-standard hours worked by proposer to regain schedule or for the Proposer's convenience shall not be entitled to application of the Coefficient for Non-standard labor.

The Proposer shall furnish all supervision, labor, materials, tools, supplies, equipment, transportation, bonds, insurance, including taxes, overhead & profit to perform all services necessary and required for the services listed in **Section 2.1**, in accordance with the terms & conditions of the proposed Agreement. Work requirements will be specified in individual Purchase Orders.

**Price**

The proposer shall complete the following **Price Proposal Form** providing proposed labor rates and other charges.

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## PRICE PROPOSAL FORM

Name of Firm:	
<b>RATES</b> (Indicate whether additional labor charges will apply)	
Licensed Plumber Rate	
Apprentice or Plumber's Helper Rate	
Travel, Truck or Other Charges	
<b>OVERTIME</b>	
Define the Hours & Days that are "Overtime"	
Overtime Plumber Rate	
Overtime Apprentice Rate	
<b>OTHER SERVICE CHARGES</b> (per hour or flat fee)	
Backflow preventer inspections	
Gas Pipe Testing	
Sink & Sewer Machine Service	
Hydro-Jet Service	
Backhoe Service	
Camera Inspection Service	
Material Cost (include source and % markup)	

Any other pricing terms proposed must be included on a **separate attachment** and included with the Vendor's Proposal.

Authorized Signature: \_\_\_\_\_

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

Title: \_\_\_\_\_

E-Mail: \_\_\_\_\_ Phone #: \_\_\_\_\_

**SECTION 6**  
**REQUIRED FORMS**

ALL Respondents must submit the following forms required with their Proposal.

- **Certification of Criminal History Record Information**  
Note: The District considers ANY person that comes onto an operating District campus as having access to our students. This interpretation will mandate that ANY interested proposer to ANY of the JOC services being solicited MUST complete the **Certification of Criminal History** forms.  
NO FIRM IS EXEMPT FROM THIS REQUIREMENT.
- **Felony Conviction Notice**
- **W-9**
- **Form CIQ – Conflict of Interest Questionnaire**  
Note: If there are no conflicts to report, you must still file this form.  
Simply note “No conflicts to report” and have the authorized officer sign the form.
- **State Certifications**
- **Form 1295 - Disclosure of Interested Parties**
- **Certificate of Insurance** (see Section 1.7)



**CERTIFICATION OF CRIMINAL HISTORY RECORD INFORMATION  
REVIEW BY SERVICE CONTRACTOR**

**Certifying Affidavit submitted to:**

**Name of School District:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

**Project/Agreement:** \_\_\_\_\_

\_\_\_\_\_

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

(1) The undersigned representative, on behalf of the contracting firm identified below, swears and affirms to \_\_\_\_\_ Independent School District (the “District”) the following (please check the option that applies):

Such firm has obtained, reviewed and verified, from a law enforcement or criminal justice agency, the criminal history record information of all employees of the contracting firm who (i) have or will have continuing duties related to the contracted services, and (ii) have or will have direct contact with students (substantial opportunity for verbal or physical interaction with students that is not supervised by a certified educator or other professional District employee). The undersigned further certifies that no employees of the contracting firm who meet the requirements of (i) and (ii) herein have been convicted of any offense identified in Section 22.085 of the Texas Education Code or prohibited by District policy.

Such firm has ensured that all employees of the contracting firm have submitted to

the DPS all information necessary for use in obtaining criminal history record information, but such firm does not have access to the results of the criminal history search.

No employees, including the undersigned, have or will have direct contact with students, as defined by Tex. Admin Code §153.1101(7).

If the public work involves an existing “instructional facility,” as defined by Tex. Ed. Code §46.001, such firm certifies that (1) the public work area contains sanitary facilities and is separated from all areas used by students by a secure barrier fence that is not less than six feet in height; and (2) that the contractor has adopted a policy prohibiting employees, including subcontractor employees, from interacting with students or entering areas used by students, informs employees of the policy, and enforces the policy at the public work area. Such firm further certifies that it has an ongoing responsibility to make a reasonable effort to ensure that the aforementioned conditions/precautions continue to exist throughout the time that the contracted services are provided.

(2) The undersigned firm swears and covenants that no present or future employee of the contracting firm, no present or future independent contractor, and no present or future employee or independent contractor of any subcontractor of the contracting firm, will provide services to the Project on a continuing basis that involve direct contact with students unless and until such employee’s or independent contractor’s national criminal history record information has been reviewed, cleared and certified, as required herein. In the event of an emergency, an employee or independent contractor who has not been previously certified may only provide services that involve direct contact with students if such employee is escorted by a District employee.

(3) The undersigned firm swears and covenants that, upon receipt of information, directly or indirectly, that any employee or independent contractor of the contracting firm has been convicted of an offense identified in Section 22.085 of the Texas Education Code or prohibited by District policy, the contracting firm will immediately remove or cause the removal of such

employee from the Project or scope of the Agreement and notify the District.

(4) If applicable, the undersigned agrees that its use of the District's DPS LEE Pass account/number to obtain criminal history information in no way creates any agency relationship between the District and the undersigned or its employees.

\_\_\_\_\_, being duly sworn, affirms and certifies that he/she is the \_\_\_\_\_ (position) of \_\_\_\_\_ (contracting firm), and that all statements and acknowledgements contained herein are true and correct, and that he/she has the authority to bind such firm to the covenants set out above.

\_\_\_\_\_  
SUBSCRIBED AND SWORN TO BEFORE ME this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public \_\_\_\_\_ State of \_\_\_\_\_

My Commission expires \_\_\_\_\_



## FELONY CONVICTION NOTIFICATION

State of Texas Legislative Senate Bill No. 1, Section 44.034, Notification of Criminal History, Subsection (a), states “a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or owner or operator of the business entity has been convicted of a felony.” The notice must include a general description of the conduct resulting in the conviction of a felony.

Subsection (b) states “a school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination of the contract.”

**THIS NOTICE IS NOT REQUIRED OF A PUBLICLY HELD CORPORATION**

**You must check A, B or C and sign below:**

- A. Our firm is a publicly held corporation, therefore, this reporting requirement is **not applicable**.
- B. Our firm **is not** owned or operated by anyone who has been convicted of a felony.
- C. Our firm **is** owned or operated by the following individual(s) who has/have been convicted of a felony.

Name of Individual(s): \_\_\_\_\_  
(attach additional sheet if necessary)

Details of Conviction(s): \_\_\_\_\_  
(attach additional sheet if necessary)

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I, the undersigned for the firm named below, certify that the information concerning notification of felony convictions has been by me and the following information furnished is true to the best of my knowledge.

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

Authorized Official's Name (Printed): \_\_\_\_\_

Signature of Company Official: \_\_\_\_\_ Date: \_\_\_\_\_



# 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**

\_\_\_\_\_  
Signature of vendor doing business with the governmental entity

\_\_\_\_\_  
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:

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(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.

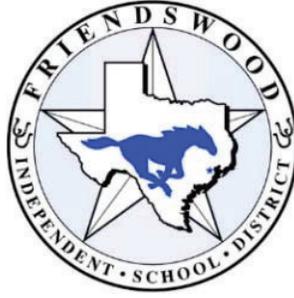
(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(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.



## STATE CERTIFICATIONS FORM

Date:		Federal Tax ID# :	
Vendor Name:			
Printed Name of Representative:			
Title:			
Signature:			

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### CERTIFICATION REGARDING TERRORIST ORGANIZATIONS

[Govt Code 2252 (SB252)]

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Vendor hereby certifies that it is not a company identified on the Texas Comptroller's list of companies known to have contracts with, or provide supplies or services to, a foreign organization designated as a Foreign Terrorist Organization by the U.S. Secretary of State.

 Initials of Authorized Representative of Vendor

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### CERTIFICATION REGARDING BOYCOTTING OF ISRAEL

[Govt Code 808 (HB89)]

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The following certification shall apply if:

- (a) Vendor is not a sole proprietorship;
  - (b) Vendor has ten (10) or more full-time employees; and
  - (c) this Agreement has a value of \$100,000.00 or more.
- (Otherwise, this certification is not required.)

Pursuant to Chapter 2270 of the Texas Government Code, the Vendor hereby certifies and verifies that neither the Vendor, nor any affiliate, subsidiary, or parent company of the Vendor, if any (the "Vendor Companies"), boycotts Israel, and the Vendor agrees that the Vendor and Vendor Companies will not boycott Israel during the term of this Agreement. For purposes of this Agreement, the term "boycott" shall mean and include 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 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.

 Initials of Authorized Representative of Vendor

## **FRIENDSWOOD ISD CERTIFICATE OF INTERESTED PARTIES – FORM 1295**

**(2020 Update)**

### **Certificate of Interested Parties (Form 1295 – must be filled out electronically with the Texas Ethics Commission’s online filing application, printed out, signed, and submitted with proposal to Friendswood ISD)**

Friendswood ISD is required to comply with House Bill 1295, which amended the Texas Government Code by adding Section 2252.908, Disclosure of Interested Parties. Section 2252.908 applies to a contract of Friendswood ISD that (1) requires an action or vote by the Friendswood ISD Board of Trustees before the contract may be signed; (2) has a value of at least \$1 million; or (3) is for services that would require a person to register as a lobbyist under Tex. Gov’t Code Chapter 305. If applicable, the business entity must submit a Disclosure of Interested Parties (Form 1295) to Friendswood ISD at the time business entity submits the signed contract/proposal. The Form 1295 requirement does not apply to: (1) a contract with a publicly traded business entity or wholly owned subsidiary of the same; (2) an electric utility; or (3) a gas utility. The Texas Ethics Commission has adopted rules requiring the business entity to file Form 1295 electronically with the Texas Ethics Commission.

**“Interested Party”** means a person:

- a) who has a controlling interest in a business entity with whom Friendswood ISD contracts; or
- b) who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity. TEX. GOV’T CODE § 2252.908(1).

**“Business Entity”** means an entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation. TEX. GOV’T CODE § 2252.908(3).

**“Controlling interest”** means:

- a) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent;
- b) membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or
- c) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers. *Subsection (c) does not apply to an officer of a publicly held business entity or its wholly owned subsidiaries.* TEX. ETHICS COMM. RULE 46.3(c).

**“Intermediary”** means a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who:

- a) receives compensation from the business entity for the person’s participation;
- b) communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
- c) is not an employee of the business entity. TEX. ETHICS COMM. RULE 46.3(e).

**As a “business entity,” vendors must electronically complete, print, sign, and submit Form 1295 with their proposals even if no interested parties exist.**

Proposers must file Form 1295 electronically with the Texas Ethics Commission using the online filing application, which can be found at [https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm). Proposers must use the filing application on the Texas Ethics Commission’s website to enter the required information on Form 1295. Proposers must print a copy of the completed form, which will include a certification of filing containing a unique certification number. The Form 1295 must be signed by an authorized agent of the business entity.

The completed Form 1295 with the certification of filing must be filed with Friendswood ISD by attaching the completed form to the vendor’s proposal. Friendswood ISD must acknowledge the receipt of the filed Form 1295 by notifying the Texas Ethics Commission of the receipt of the filed Form 1295 no later than the 30<sup>th</sup> day after the contract is approved by Friendswood ISD. After Friendswood ISD acknowledges the Form 1295, the Texas Ethics Commission will post the completed Form 1295 to its website with seven business days after receiving notice from Friendswood ISD.

# 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**  
**CERTIFICATE OF FILING**  
 After you submit the form on-line, the Texas Ethics Commission will add a Number and Date.

**1 Name of business entity filing form, and the city, state and country of the business entity's Place of business.**  
 Company name here

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

**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 services, goods, or other property to be provided under the contract.**  
 Friendswood ISD RFP/CSP Number, for example <18-001> If no RFP/CSP exists you can enter contract date/type/title.

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
Name of Interested Party from your Company as defined on previous page.			

*Must file online at [www.ethics.state.tx.us/file](http://www.ethics.state.tx.us/file)*

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

**6 UNSWORN DECLARATION**

My name is John Smith and my date of birth is 1/19/1968

My address is 123 Main Drive, Houston TX, 77034 USA  
(street) (city) (state) (zip code) (country)

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

Executed in United States Country, State of Texas, on the 14 day of January, 20 20.  
(month) (year)

**SAMPLE**

John Smith  
 Signature of authorized agent of contracting business entity  
 (Declarant)

**PLEASE INCLUDE A CERTIFICATE OF INSURANCE  
(see Section 1.7)**