

Texarkana Independent School District
Request for Proposals for School Supply Vendors
For the period January 1, 2020 to December 31, 2024
Proposals Received on an On-Going Basis until Thursday October 31, 2024
Initial Proposal Deadline is 1:30 P.M. Thursday, December 5, 2019

The Texarkana Independent School District is requesting proposals for school supply vendor for the period of January 1, 2020 to December 31, 2024 for a total of up to five years. The following criteria will be used in determining the vendor to award the contract to:

- a. the purchase price; **30 points**
- b. the reputation of the vendor and of the vendor's goods or services; **15 points**
- c. the quality of the vendor's goods or services; **20 points**
- d. the extent to which the goods or services meet the district's needs; **5 points**
- e. the vendor's past relationship with the district; **5 points**
- f. the impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses; **0 points**
- g. the total long-term cost to the district to acquire the vendor's goods or services; **5 points**
- h. for a contract for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendor's ultimate parent company or majority owner: (A) has its principal place of business in this state; or (B) employs at least 500 persons in the state of Texas; **5 points**
- i. any other relevant factors specifically listed in the specifications. **10 points**

Total possible points **95**.

Vendors should submit their proposal to the Texarkana Independent School District by 1:30 P.M. Thursday, December 5, 2019 in order to be considered during the initial evaluation period. Proposals will continue to be accepted until October 31, 2024. Awards will be made to multiple vendors on an incremental basis during this period. Vendors are encouraged to submit responses as soon as possible. Vendors should include information relating to how they can best serve the interest of the District. Any information that a vendor feels would help us in awarding this proposal should be submitted. All information requested below should also be included in the proposal. Proposals should be mailed or delivered to the address below:

Texarkana Independent School District
Attn: Purchasing Department Proposal for School Supply Vendor
4241 Summerhill Road
Texarkana, TX 75503

**EDGAR, FEDERAL, and TEXAS CERTIFICATIONS
ADDENDUM
FOR ALL TEXARKANA INDEPENDENT SCHOOL DISTRICT
PROCUREMENT CONTRACTS**

The following certifications and provisions are required and apply when Texarkana Independent School District (“TISD”) expends federal funds for any contract resulting from this procurement process. Accordingly, the parties agree that the following terms and conditions apply to the Contract between the District and (“Vendor”) in all situations where Vendor has been paid or will be paid with federal funds and also includes terms and conditions which apply where Vendor has been paid or will be paid with State and Local funds:

**REQUIRED CONTRACT PROVISIONS FOR NON-FEDERAL ENTITY CONTRACTS UNDER FEDERAL AWARDS
APPENDIX II TO 2 CFR PART 200**

(A) Contracts for more than the simplified acquisition threshold currently set at \$250,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

Pursuant to Federal Rule (A) above, when TISD expends federal funds, TISD reserves all rights and privileges under the applicable laws and regulations with respect to this procurement in the event of breach of contract by either party.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

(B) Termination for cause and for convenience by the grantee or subgrantee including the manner by which it will be effected and the basis for settlement. (All contracts in excess of \$10,000)

Pursuant to Federal Rule (B) above, when TISD expends federal funds, TISD reserves the right to immediately terminate any agreement in excess of \$10,000 resulting from this procurement process in the event of a breach or default of the agreement by Vendor in the event Vendor fails to: (1) meet schedules, deadlines, and/or delivery dates within the time specified in the procurement solicitation, contract, and/or a purchase order; (2) make any payments owed; or (3) otherwise perform in accordance with the contract and/or the procurement solicitation. TISD also reserves the right to terminate the contract immediately, with written notice to vendor, for convenience, if TISD believes, in its sole discretion that it is in the best interest of TISD to do so. Vendor will be compensated for work performed and accepted and goods accepted by TISD as of the termination date if the contract is terminated for convenience of TISD. Any award under this procurement process is not exclusive and TISD reserves the right to purchase goods and services from other vendors when it is in TISD's best interest.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

Pursuant to Federal Rule (C) above, when TISD expends federal funds on any federally assisted construction contract, the equal opportunity clause is incorporated by reference herein.

Does Vendor agree to abide by the above? YES _____ Initials of Authorized Representative of Vendor

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report

all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

Pursuant to Federal Rule (D) above, when TISD expends federal funds during the term of an award for all contracts and subgrants for construction or repair, Vendor will be in compliance with all applicable Davis-Bacon Act provisions.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

Pursuant to Federal Rule (E) above, when TISD expends federal funds, Vendor certifies that Vendor will be in compliance with all applicable provisions of the Contract Work Hours and Safety Standards Act during the term of an award for all contracts by TISD resulting from this procurement process.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

Pursuant to Federal Rule (F) above, when federal funds are expended by TISD, Vendor certifies that during the term of an award for all contracts by TISD resulting from this procurement process, Vendor agrees to comply with all applicable requirements as referenced in Federal Rule (F) above.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended— Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency(EPA).

Pursuant to Federal Rule (G) above, when federal funds are expended by TISD, Vendor certifies that during the term of an award for all contracts by TISD resulting from this procurement process, Vendor agrees to comply with all applicable requirements as referenced in Federal Rule (G) above.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

Pursuant to Federal Rule (H) above, when federal funds are expended by TISD, Vendor certifies that during the term of an award for all contracts by TISD resulting from this procurement process, Vendor certifies that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

Pursuant to Federal Rule (I) above, when federal funds are expended by TISD, Vendor certifies that during the term and after the awarded term of an award for all contracts by TISD resulting from this procurement process, the vendor certifies that it is in compliance with all applicable provisions of the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). The undersigned further certifies that:

- (1) No Federal appropriated funds have been paid or will be paid for on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the awarding of a Federal contract, the making of a Federal grant, the making of a Federal loan, the entering into a cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all covered sub-awards exceeding \$100,000 in Federal funds at all appropriate tiers and that all subrecipients shall certify and disclose accordingly.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

(J) Certification of Procurement of Recovered Materials – 2 CFR §200.323 A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Does Vendor agree to this guideline? YES _____ Initials of Authorized Representative of Vendor

(K) §200.216 Prohibition on certain telecommunications and video surveillance services or equipment.

(a) Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

- (1) Procure or obtain;
- (2) Extend or renew a contract to procure or obtain; or
- (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

(b) In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

Pursuant to the Federal Rules above, vendor certifies that it will not enter into a contract with the District to provide any of the prohibited equipment listed above.

Does Vendor agree? Yes _____ Initials of Authorized Representative of Vendor

(L) §200.322 Domestic preferences for procurements.

(a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

(b) For purposes of this section:

(1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

Pursuant to the Federal Rule above, vendor certifies that it will, to the greatest extent practicable, enter into contracts with the District with items produced within the United States, as outlined above, and will include this requirement in any sub-awards for any District contract that is entered into.

Does Vendor agree? Yes _____ Initials of Authorized Representative of Vendor

RECORD RETENTION REQUIREMENTS FOR CONTRACTS INVOLVING FEDERAL FUNDS

When federal funds are expended by TISD for any contract resulting from this procurement process, Vendor certifies that it will comply with the record retention requirements detailed in 2 CFR § 200.334. Vendor further certifies that it will retain all records as required by 2 CFR § 200.334 for a period of three years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF COMPLIANCE WITH THE ENERGY POLICY AND CONSERVATION ACT

When TISD expends federal funds for any contract resulting from this procurement process, Vendor certifies that it will comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.; 49 C.F.R. Part 18).

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF EQUAL EMPLOYMENT STATEMENT

It is the policy of TISD not to discriminate on the basis of race, color, national origin, gender, limited English proficiency or handicapping conditions in its programs. Vendor agrees not to discriminate against any employee or applicant for employment to be employed in the performance of this Contract, with respect to hire, tenure, terms, conditions and privileges of employment, or a matter directly or indirectly related to employment, because of age (except where based on a bona fide occupational qualification), sex (except where based on a bona fide occupational qualification) or race, color, religion, national origin, or ancestry. Vendor further agrees that every subcontract entered into for the performance of this Contract shall contain a provision requiring non-discrimination in employment herein specified, binding upon each subcontractor. Breach of this covenant may be regarded as a material breach of the Contract.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF COMPLIANCE WITH BUY AMERICA PROVISIONS

TISD has a preference for domestic end products for supplies acquired for use in the United States when spending federal funds (purchases that are made with non-federal funds or grants are excluded from the Buy America Act). Vendor certifies that it is in compliance with all applicable provisions of the Buy America Act.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF ACCESS TO RECORDS – 2 C.F.R. § 200.337

Vendor agrees that the District's Inspector General or any of their duly authorized representatives shall have access to any books, documents, papers and records of Vendor that are directly pertinent to Vendor's discharge of its obligations under the Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to Vendor's personnel for the purpose of interview and discussion relating to such documents.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

Certification of Employment Verification FAR 22.18, 74 FR 2731, 48 CFR 52.222-54

As applicable, and as a condition for the award of any Federal contract at \$150,000 or greater, Vendor certifies that vendor is enrolled in, and is currently participating in, E-Verify or any other equivalent electronic verification of work authorization program operated by the U.S. Department of Homeland Security and does not knowingly employ any person who is an unauthorized alien in conjunction with the contracted services. A breach in compliance with immigration laws and regulations shall be deemed a material breach of the contract and may be subject to penalties up to and including termination of the contract.

Does Vendor agree to? YES _____ Initials of Authorized Representative of Vendor

Certification of Health and Safety Certifications, Licensing, and Regulations

As applicable to federal funds contracts, all contractors must meet applicable local, state, and federal health and safety certifications, licensing, or regulations which include, but are not limited, to facility use, food establishment, and authorized providers.

Does Vendor agree to? YES _____ Initials of Authorized Representative of Vendor

Certification of Compliance with S/M/WBE/Labor Surplus, 2 CFR 200.321

As applicable with certain federal funds contracts, requires contractors to encourage and facilitate participation by small businesses, minority owned firms, and women's business enterprises, whenever to the maximum extent possible

Does Vendor agree to? YES _____ Initials of Authorized Representative of Vendor

Certification of Compliance with Texas Family Code

Pursuant to Texas Family Code, Section 231.006, a child support obligor who is more than thirty (30) days delinquent in paying child support or a business entity in which the child support obligor is a sole proprietor, partner, shareholder, or owner with an ownership interest of at least twenty-five percent (25%) is not eligible to receive payments from State funds under a contract to provide property, materials, or services until all arrearages have been paid; the obligor is in compliance with a written repayment agreement or court order as to the existing delinquency; or a court of continuing jurisdiction over the child support order has granted the obligor an exemption as part of a court-supervised effort to improve earnings and child support payments. The undersigned proposer certifies that he or she, as the proposing individual, or the proposing business entity named in this contract, bid or application, is not ineligible under Section 231.006 of the Texas Family Code, to receive the specified grant, loan or payment, and acknowledges that a contract resulting from this solicitation may be terminated and payment may be withheld if the certification provided herein is found to be inaccurate. NOTE: Owners not owning at least twenty-five percent (25%) of the business entity submitting this proposal need not execute this certification and acknowledgement.

Does Vendor agree to? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF HOUSE BILL 89, SECTION 2270.001 TEXAS GOVERNMENT CODE

Vendor agrees that, under the provisions of Subtitle F, Title 10, Government Code Chapter 2270:

Vendor does not boycott Israel currently; and Will not boycott Israel during the term of the contract.

"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

"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.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF SENATE BILL 252, SECTION 2252 TEXAS GOVERNMENT CODE

Vendor agrees that, under the provisions of Subtitle F, Title 10, Government Code Chapter 2270:

Vendor does not engage in business with Iran, Sudan, or foreign terrorist organizations and will not during the term of the contract.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF SENATE BILL 13, SECTIONS 809 and 2274 TEXAS GOVERNMENT CODE

Prohibition of Boycott Energy Companies. In accordance with Texas Government Code Chapter 2274, Professional (Contractor) verifies that it does not Boycott Energy Companies and agrees that during the term of this Agreement will not Boycott Energy Companies as that term is defined in Texas Government Code Section 809.001, as amended. This section does not apply if Professional (or Contractor) is a sole proprietor, a nonprofit entity, or a governmental entity; and only applies if: (i) Professional (or Contractor) has ten (10) or more fulltime employees and (ii) this Agreement has a value of \$100,000.00 or more to be paid under the terms of this Agreement.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF SENATE BILL 19, SECTION 2274 TEXAS GOVERNMENT CODE

In accordance with Texas Government Code Chapter 2274, Professional (Contractor) verifies that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (ii) will not discriminate during the term of the contract against a firearm entity or firearm trade association. This section only applies if: (i) Professional (or Contractor) has ten (10) or more fulltime employees and (ii) this Agreement has a value of \$100,000.00 or more to be paid under the terms of this Agreement; and does not apply: (i) if Professional (or Contractor) is a sole proprietor, a non-profit entity, or a governmental entity; (ii) to a contract with a sole-source provider; or (iii) to a contract for which none of the bids from a company were able to provide the required certification.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF SENATE BILL 2116, SECTIONS 2274 and 113 TEXAS GOVERNMENT CODE

PROHIBITION ON AGREEMENTS WITH CERTAIN FOREIGN-OWNED COMPANIES IN CONNECTION WITH CRITICAL INFRASTRUCTURE PROHIBITED CONTRACTS: (a) Company verifies that it will not enter into a contract or other agreement relating to critical infrastructure in this state with the District : (1) if, under the contract or other agreement, the company would be granted direct or remote access to or control of critical infrastructure in this state, excluding access specifically allowed by the governmental entity for product warranty and support purposes; and (2) if the governmental entity knows that the company is (A) owned by or the majority of stock or other ownership interest of the company is held or controlled by: (i) individuals who are citizens of China, Iran, North Korea, Russia, or a designated country; or (ii) a company or other entity, including a governmental entity, that is owned or controlled by citizens of or is directly controlled by the government of China, Iran, North Korea, Russia, or a designated country; or (B) headquartered in China, Iran, North Korea, Russia, or a designated country. (b) The prohibition described by Subsection (a) applies regardless of whether: (1) the company's or its parent company's securities are publicly traded; or (2) the company or its parent company is listed on a public stock exchange as: (A) Chinese, Iranian, North Korean, or Russian company; or (B) a company of a designated country. DESIGNATION OF COUNTRY AS THREAT TO CRITICAL INFRASTRUCTURE. (a) The governor, after consultation with the public safety director of the Department of Public Safety, may designate a country as a threat to critical infrastructure for purposes of this chapter.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF APPLICABILITY TO SUBCONTRACTS

Vendor agrees that all contracts it awards pursuant to the Contract shall be bound by the foregoing terms and conditions.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF TEC 22.0834 Criminal History Record Information Review of Certain Employees: Fingerprint Background Criminal History Information Checks

Vendors and all their employees that perform work and will have direct contact opportunities with Texarkana ISD students must undergo criminal history fingerprinting background checks and be approved by the District to be eligible to perform work at any District location. The District will be the final determiner of the definition of direct contact.

The vendor no longer has access to this required criminal history information to certify themselves so the approval must come from the District. Vendors must contact the District's Human Resources Department to obtain instructions on how to complete this process and the Vendor or its employees will be responsible for the cost of these background checks. The Local Education Entity (LEE) Fast Pass option will be required. The District has an IdentoGO service located in its facilities that utilizes this option.

This requirement will not apply to construction, alteration, or repair to an instructional facility if the contractor uses separate sanitary facilities, installs a barrier fence, and has a policy that employees may not interact with students or enter areas used by students.

Vendor acknowledges the above requirements and will ensure required applicable background checks will be completed and approved by the District before any on site work begins by them or their employees.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF GOVERNMENT CODE 552.104(c)

A person, including a board, may not include a provision in a contract related to a parade, concert, or other entertainment event paid for in whole or in part with public funds that prohibits or would otherwise prevent the disclosure of information relating to the receipt or expenditure of public or other funds by a board for the event. A contract provision that violates Government Code 552.104(c) is void.

Vendor acknowledges the above requirements and will not enter into such a contract with the District.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF GOVERNMENT CODE 2272.003(a)

A district may not enter into a taxpayer resource transaction with an abortion provider or an affiliate of an abortion provider. Gov't Code 2272.003(a)

"Taxpayer resource transaction" means a sale, purchase, lease, donation of money, goods, services, or real property, or any other transaction between a governmental entity and a private entity that provides to the private entity something of value derived from state or local tax revenue, regardless of whether the governmental entity receives something of value in return.

"Affiliate" means a person or entity who enters into with another person or entity a legal relationship created or governed by at least one written instrument, including a certificate of formation, a franchise agreement, standards of affiliation, bylaws, or a license, that demonstrates:

1. Common ownership, management, or control between the parties to the relationship;
2. A franchise granted by the person or entity to the affiliate; or
3. The granting or extension of a license or other agreement authorizing the affiliate to use the other person's or entity's brand name, trademark, service mark, or other registered identification mark.

Vendor agrees that it is not an abortion provider or affiliate of an abortion provider as stated above.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

CERTIFICATION OF GOVERNMENT CODE 403.1067(A) Lobbying Restriction – Tobacco Education Grant Funds

A district receiving funds or grants from the Permanent Fund for Health and Tobacco Education and Enforcement may not use the funds to pay:

1. Lobbying expenses incurred by the district;
2. A person or entity that is required to register with the Texas Ethics Commission under Government Code Chapter 305 (Registration of Lobbyists);
3. Any partner, employee, employer, relative, contractor, consultant, or related entity of a person or entity described by item 2; or
4. A person or entity who has been hired to represent associations or other entities for the purpose of affecting the outcome of legislation, agency rules, ordinances, or other government policies.

Vendor agrees that it will not provide services listed above to the District with said funds.

Does Vendor agree? YES _____ Initials of Authorized Representative of Vendor

VENDOR AGREES TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, RULES, REGULATIONS, AND ORDINANCES. IT IS FURTHER ACKNOWLEDGED THAT VENDOR CERTIFIES COMPLIANCE WITH ALL PROVISIONS, LAWS, ACTS, REGULATIONS, ETC. AS SPECIFICALLY NOTED ABOVE.

Vendor's Name: _____

Address, City, State, and Zip code: _____

Phone Number: _____ Fax Number: _____

Printed Name and Title of Authorized Representative: _____

Email Address: _____

Signature of Authorized Representative: _____

Date: _____

If part of an RFP/CSP/BID/RFQ, or other solicitation then return completed form with those documents, otherwise send to the Texarkana Independent School District Purchasing Department, 4241 Summerhill Road, Texarkana, Texas 75503, or email to Angel LeGrand, angel@txkisd.net or David DeFoy, david.defoy@txkisd.net. Questions may be directed to the above emails or by phone to 903.794.3651 ext. 1025 or 1028.

The vendors should submit in their proposal all authorized agents that we should contact in case we have questions, vendor's address, vendor's fax number, and vendor's telephone number. Information relating to warranties of the requested items and delivery time after the receipt of the purchase order should be included with the proposal. **The Proposal should be signed by an authorized agent of the entity proposing.**

Any reference to brand name is to show the level of quality only. Products of similar quality will be considered. Price proposed should include all shipping and handling charges to our location at 1600 Waterall, Texarkana, TX 75501, **FOB Destination.**

Texarkana ISD reserves the right to reject any and all proposals, waive technicalities, and award the proposal to best serve the interest of the District.

If you have any questions, please do not hesitate to contact the Purchasing Department at (903) 794-3651 ext. 1028.

Sincerely,
David DeFoy
Director of Purchasing

Texarkana Independent School District
Request for Proposal for School Supply Vendors
Initial Proposal Deadline is Thursday, December 5, 2019 at 1:30 P.M.
Proposals will be Received on an On-Going Basis Until Thursday, October 31, 2024

The Texarkana Independent School District is seeking proposals from vendors for school supplies which includes the following: instructional aides (bulletin board materials, classroom decorations, charts, posters, awards and incentives, resource books, learning games and toys, maps, globes, art supplies), miscellaneous teaching supplies and office supplies. A catalog (*defined as the most current list of available products or services that takes the form of a printed paper catalog, online electronic catalog, organized store shelves or other form, that has unit pricing information for each item to which a minimum pricing discount may be applied, and is regularly maintained by the vendor and accessible to the customer during the period of the contract*) price and a minimum discount percentage off catalog pricing will be used evaluate the pricing criteria of this proposal. Below are specifications intended to assist you in completing the proposal for school supply vendors.

1. The proposal will be for the period January 1, 2020 to December 31, 2024.
2. All proposals must be stated as a percentage of discounts off catalog prices, as defined above.
3. The catalog discount percentage must be guaranteed until December 31, 2024.
4. Please submit a printed or electronic (pdf) catalog with your proposal submission.
5. The awarding of the proposal will be partially based on a sampling of items listed from vendor's catalog or retail inventory. This sample list is enclosed to fill out.
7. The successful vendors will be given a reasonable length of time for delivery after receipt of a purchase order. The typical length of time is 1-7 business days.
8. Payment for merchandise will be made in the district's regular payment cycle. All items on a purchase order must be received before payment will be made.
10. All orders are to be shipped F.O.B. Receiving Department, Texarkana Independent School District, 1600 Waterall, Texarkana, Texas 75503. Proposals specifying F.O.B. point-of-origin will not be accepted.
12. If the vendor's company charges a service charge, surcharge, or adds a penalty for purchase orders under a certain dollar value the charges must be stated on the proposal.
13. The successful proposal must agree to file all freight claims for damaged merchandise. Replacement merchandise must be shipped immediately.
14. Invoices must be clearly marked to show which items will not be shipped. Back orders will not be accepted after May 30 of each fiscal year (July 1 to June 30).
15. In addition to federal terms attached, this proposal may be cancelled by either party for any reason, with 30 days written notice.

Please respond to the following:

1. List your percent discount off of your catalog price you will offer the District over the term of the contract. This question must be answered, if offering no discount, 0% must be listed. If offering different percentages for different categories of items, you must clearly explain the category and percentages for each. The discount percentage is a minimum percentage off of published pricing, awarded vendors may offer deeper discounts for large quantity or volume requests.

Texarkana Independent School District
Request for Proposal for School Supply Vendors
Initial Proposal Deadline is Thursday, December 5, 2019 at 1:30 P.M.
Proposals will be Received on an On-Going Basis Until Thursday, October 31, 2024

2. Do you have a minimum order requirement? If so, please state the requirement.

3. Do you have a sales representative who will service this account at regular intervals? If so, please state the name, address, email and telephone number.

4. How will you handle shortages and discrepancies in shipments?

5. Is your proposal freight paid? If yes, state all exceptions.

6. Will you mark each package individually with purchase order number?

7. Will you furnish a quantity of paper catalogs requested by the district, if available, at no cost?

9. Will all items be furnished as ordered without substitutions?

10. The District utilizes Skyward as its financial software. Are you able to become or are you already an ecommerce vendor set-up in Skyward?

The enclosed list is of items commonly purchased by teachers. Please fill out with your catalog item number, brand, catalog price, discount percentage, and TISD's discounted price. There are five write-in blanks for proposing additional items for the sample consideration. These items are not required, but, may be helpful for vendors that may not sell many or any items listed in the sample list and want to show the scope of items they have available and want to be considered.

The Texarkana Independent School District reserves the right to accept or reject any or all proposals, reserves the right to waive technicalities, and the right to award the proposal in the best interest of the District. All rights reserved.

All brand name references are descriptive not restrictive. Like products will be considered. If you have any questions, please contact the Purchasing Department at (903) 794 3651 ext. 1025.

Texarkana Independent School District
Request for Proposal for School Supply Vendors
Initial Proposal Deadline is Thursday, December 5, 2019 at 1:30 P.M.
Proposals will be Received on an On-Going Basis Until Thursday, October 31, 2024

By signing below, you are indicating that you have read the specifications and made any and all changes in writing.

Authorized Signature _____

Printed Name: _____

Company Name _____

Company Address _____

Telephone Number _____

Fax Number _____

E-Mail Address _____

Checklist of items to return with this sheet:

- ___ CIQ: conflict of interest questionnaire
- ___ Felony conviction notice (unless publicly traded)
- ___ 1295 form (created from Texas Ethics Commission website, unless publicly traded)
- ___ EDGAR addendum
- ___ Proposal Pricing Sheets, Question Sheets, Signature Page
- ___ Other helpful information for evaluation

**Texarkana Independent School District
Request for Proposal for School Supply Vendors Sample List**

	<u>Item Description</u>	<u>Catalog Item #</u>	<u>Brand</u>	<u>Catalog Price</u>	<u>Discount %</u>	<u>TISD Price</u>
1	Students 5 " steel blunt end scissors by Fiskars					
2	Elmer's School Glue 4 oz.					
3	Construction Paper, Pacon, holiday green, 50LB, 9x12, 50 per pack					
4	Dry Erase Markers, Expo, 12 PK, assorted colors					
5	Composition Book, 100 SH, 9.75 x 7.5, wide ruled					
6	Laminating film roll, 1.5 mil, 25" x 500, 2 PK					
7	Bemis Jason adjustable height (53" to 63") chart stand 38" wide					
8	1" Ruled chart paper pad, 24" x 32"					
9	50lb. Art Kraft roll of paper 36" x 1000' blue					

**Texarkana Independent School District
Request for Proposal for School Supply Vendors Sample List**

	<u>Item Description</u>	<u>Catalog Item #</u>	<u>Brand</u>	<u>Catalog Price</u>	<u>Discount %</u>	<u>TISD Price</u>
10	Crayons, 8 in tuck box					
11	Crayola washable marker set with 8 classic colors					
12	Tempera paint 16 oz. bottle, orange					
13	Bulletin board set - alphabet train 12.5' x 1' with manuscript alphabet					
14	Bordette Scalloped border continuous rolls solid color 2 1/4 X 50'					
15	Trend Enterprises Playful Combo Pack Letters, 4" Lime					
16	Teacher Reward primary pencils, 1 dozen					
17	Positive Power Sticker book 714 stickers (TCM4225)					
18	Stamp and Sniff stamp pad red with apple scent					
19	Dry - erase pupil boards set of 10 9"x 12" ruled					

**Texarkana Independent School District
Request for Proposal for School Supply Vendors Sample List**

	<u>Item Description</u>	<u>Catalog Item #</u>	<u>Brand</u>	<u>Catalog Price</u>	<u>Discount %</u>	<u>TISD Price</u>
20	School Smart Original pocket chart, 34" x 52", 10 clear pockets, Sturdy grommets for easy hanging, storage case included, and Resource guide					
21	The Original Judy Clock, 12.75" x 13.5"					
22	United States roller map, 61" x 52" on spring roller and steel map board					
23	Checkers board game					
24	Teacher Created Resources Aqua Stitch Magnetic Strips (77265) Each strip is 12" x 3/4" 12 pieces in the pack					
25	The Original Memory game by Milton Bradley					
26	Melissa and Doug 100 piece wooden blocks, colored, various shapes					
27	Wonderfoam USA Map Puzzle					

**Texarkana Independent School District
Request for Proposal for School Supply Vendors Sample List**

	<u>Item Description</u>	<u>Catalog Item #</u>	<u>Brand</u>	<u>Catalog Price</u>	<u>Discount %</u>	<u>TISD Price</u>
28	The Hokey Pokey CD					
29	Learning Resources dramatic play Pretend and Play Airport					
30	Classroom Play Food Set 80 pieces of plastic food					
31						
32						
33						
34						
35						
Total of TISD prices listed above.						<u>\$ -</u>

**Texarkana Independent School District
Certificate of Interested Parties – Form 1295**

The District 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 prohibits the District from entering into a contract resulting from this RFP with a business entity unless the business entity submits a Disclosure of Interested Parties – Form 1295 to the District at the time the business entity submits the signed contract. The Texas Ethics Commission has adopted rules requiring the business entity to file Form 1295 electronically with the Texas Ethics Commission.

All vendors (except a publicly traded business) must electronically complete, print, sign and submit Form 1295 with their proposals or contracts even if no interested parties exist.

Instructions to Vendors:

1. Go to the Texas Ethics Commission Website
https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm,
2. Register and complete Form 1295 online - include the proposal number and the contract/RFP name,
3. Print a copy of the submitted Form 1295 and sign it - it will have a certification # in the top right corner,
4. Include a copy of the completed signed Form 1295 with the proposal response.

Resources:

Form 1295 Frequently Asked Questions:

- https://www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html

Instructional Video – First Time Business User:

- <https://www.ethics.state.tx.us/filinginfo/videos/Form1295/FirstLogin-Business/Form1295Login-Business.html>

Instructional Video – How to Create a Certificate:

- <https://www.ethics.state.tx.us/filinginfo/videos/Form1295/CreateCertificate/CreateCertificate.html>

FELONY CONVICTION NOTICE FORM

Statutory citation covering notification of criminal history of contractor is found in the Texas Education Code §44.034.

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 an 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

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

VENDOR'S NAME: _____

AUTHORIZED COMPANY OFFICIAL'S NAME: _____

A. My firm is a publicly-held corporation, therefore, this reporting requirement is not applicable.

Signature of Company Official: _____

B. My firm is not owned nor operated by anyone who has been convicted of a felony.

Signature of Company Official: _____

C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony.

Name of Felon(s): _____

(attach additional sheet if necessary)

Details of Conviction(s): _____

(attach additional sheet if necessary)

Signature of Company Official: _____

(Please return form with RFP/CSP response or vendor application.)



Texarkana Independent School District Administration

TO: ALL CURRENT AND PROSPECTIVE VENDORS

FROM: David DeFoy, Director of Purchasing and Special Events

SUBJECT: FORM CIQ: CONFLICT OF INTEREST QUESTIONNAIRE

DATE: March 10, 2022

Pursuant to the State of Texas House Bill 914, attached is form CIQ: Conflict of Interest Questionnaire. Please read, fill out, and return with original signatures the form CIQ to the TISD Purchasing Department at the address below. If you already have a questionnaire on file and no information has changed, you do not need to file this form again. Officers of the District which could apply to this questionnaire include but are not limited to:

Board of Trustees:

Fred Norton	Bryan DePriest	Wanda Boyette
Gerald Brooks	Bill Kimbro	
Paul Miller	Amy Bowers	

Administration:

Doug Brubaker, Superintendent of Schools
Autumn Thomas, Deputy Superintendent
Sherri Penix, Chief Innovation Officer
Ken Reese, Chief Operating Officer
Anita Clay, Chief Financial Officer
David DeFoy, Director of Purchasing and Special Events

A more comprehensive list of TISD administrators may be viewed online at www.txkisd.net.

Please be sure to include the person doing business with TISD or the vendor name in box #1 of the form.

If you have any questions, please contact the Purchasing Department. You may also refer to the Texas Attorney General Opinion GA-0446 which can be viewed at the Texas Attorney General's website:

<https://www.texasattorneygeneral.gov/opinions/greg-abbott/ga-0446>

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:

(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.