



E-RATE PROGRAM MANUAL

June 2021
(revised 06/11/2021)

Changes to E-Rate Program Manual

Date	Reason For Change	Description of Change
May 2013	Policy Change	Added Part One: E-Rate Program Controls, Sections 1.0 – 1.19
May 2013	Policy Change	Part Two: Section 2.3 – Dallas ISD is imposing a thirty-day time period for all RFPs unless waived by the E-Rate Compliance Officer.
May 2013	Policy Change	Part Two: Section 2.3 – Director of Purchasing determines need to extend RFP
May 2013	Policy Change	Part Two: Section 2.9 – Latest version of manual effective on Superintendent’s signature
January 2014	Update Manual	Changes to Titles for personnel as needed
January 2014	Update Manual	Changes to Department names as needed
January 2014	Update Manual	Part One: Section 1.7 – Annual District Timeline
January 2014	Update Manual	Part One: Section 1.9 – Contact Information
January 2014	Update Manual	Part Two: Section 2.8 - Reporting
January 2014	Update Manual	Part Two: Section 2.9 – Effective Date and Signatures
January 2014	Update Manual	Exhibit A: Board of Trustees – names and positions
June 2015	Update Manual	Board of Trustees (Exhibit A) Add Part Three – Asset Management Delete Technology Plan Requirement
July 2015	Update Manual	Document Retention – 10 years Update Superintendent signature Board of Trustees (Exhibit A) Delete all references to Technology Plan

January 2020	Update Manual	<p>Revise All Section to include abbreviation of ERCO</p> <p>Revise All Section to correct title from E-Rate Director to ERCO or E-Rate Coordinator</p> <p>Revised all references to RFP to state solicitation per Procurement Services</p> <p>Section 1.3 to denote price as the heaviest weighted in the list of criteria</p> <p>Section 1.4 remove reference to Compliance Agreement</p> <p>Section 1.5 revise exceptions to timeline</p> <p>Section 1.6 remove reference to Compliance Agreement</p> <p>Section 1.7 add partial approval by USAC as option</p> <p>Section 1.8 revise category to sub-object code and reference Goods and Services</p> <p>Section 1.14 to update FCC Order reference and remove reference to Compliance Agreement</p> <p>Section 1.16 remove reference to Compliance Agreement</p> <p>Section 2.3 Update section references, consulting options and remove the E-Rate Rider requirement</p> <p>Section 2.4 regarding best value to the District, update section references, and add information regarding multiple selected responders and ranking</p> <p>Section 2.7 removed duplicative language and added intrinsic value language</p> <p>Section 2.8 removed duplicative language</p> <p>Section 3.1 renamed section and updated employee titles</p> <p>Section 3.2 renamed section and update processes</p> <p>Section 4.0 updated delegated authority to ERCO only.</p> <p>Note: A informational memo will be submitted to the Superintendent of Schools signifying notification of updates to the manual.</p>
July 2020	Update Manual	<p>Section 1.13 updated approval and review matrix to include Professional Standards Office</p>
June 2021	Update Manual	<p>Section 1.2 updated to inform vendors of RFP timeline for E-Rate solicitations and disqualification of vendors without an assigned USAC SPIN prior to proposal submission.</p> <p>Section 1.13 updated approval and review matrix per Professional Standards Office recommendations</p>

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DALLAS INDEPENDENT SCHOOL DISTRICT E-RATE PROGRAM MANUAL

PART ONE: E-RATE PROGRAM CONTROLS

1.0 Statement of Purpose and Authority

These practices, procedures, and requirements shall govern the Dallas ISD E-Rate Program and are promulgated pursuant to the authority granted the E-Rate Compliance Officer (ERCO) pursuant to District Policy CAA (Local) and CAA (Regulation).

1.1 Internet Safety and Protection

The Children's Internet Protection Act (CIPA) requires recipients of federal technology funds for Internet access and/or internal connection services to comply with certain Internet filtering and policy requirements. A separate, but related provision of the Protecting Children in the 21st Century Act requires that policy include measures for educating minors about appropriate online behavior.

- The Information Technology department is responsible for Internet filtering and utilizes this filtering to block access to visual depictions that might be deemed obscene, child pornography, or harmful to minors.
- The Counseling Services Department is responsible for the training and resources necessary to train staff to educate minors about appropriate online behavior and Cyberbullying.

1.2 Request For Proposal (RFP)

E-Rate eligible goods and services shall be purchased by Procurement Services using the District's RFP or similar competitive bidding process to solicit competitive proposals from the supplier community. Procurement Services and associated departments shall collaborate to compile the scope of each solicitation related to the E-Rate Program. Vendors are specifically not allowed to participate in this phase of the E-Rate Program.

The solicitations shall correspond with the District's filing of its FCC Form 470 and must be open for at least 28 days in accordance with USAC rules. (However, Dallas ISD is imposing a thirty-day period for all RFPs unless waived by the E-Rate Compliance Officer.) The solicitation shall be advertised publicly in accordance with Texas Education Code (TEC) 44.031(g). Any and all prospective suppliers must submit proposals that include a Service Provider Identification number (SPIN). Any RFPs received without a SPIN will be disqualified.

FCC Form 470 shall describe specific services or functions for support, identify the correct category of services, identify recipients of services, and follow all applicable state and local procurement laws.

The E-Rate solicitations must contain specific language that clearly spells out the responsibilities and requirements incumbent upon an E-Rate Vendor/Service Supplier. An E-Rate Vendor/Service Supplier must be willing to comply with the following: a certification statement that they understand USAC rules and regulations, SPIN registration, Service Provider Annual Certification registration, E-Rate invoicing procedures pertaining to FCC Forms 472 and 474 and conflict of interest requirements. The E-Rate Compliance Office shall coordinate such language with the Procurement Services and Legal Department.

In compliance with E-Rate Program Rules and District Policy, during the period of time the solicitation process is open, communications regarding the open solicitations between District personnel, including Board members, and the supplier community is limited to the designated Procurement representative. Such communications must assure open and fair competition with full disclosure to all solicitation participants. The designated representative must be named in the solicitation and shall function as the point of contact with the supplier community to handle all communications from vendors or other persons interested in the RFP during the course of the proposal and selection process. Said employee must document all such communications, whether telephonic, e-mail, or otherwise in writing.

Further, the E-Rate solicitations must specify a due date, time, and place for the receipt of proposals. All bids received must be sealed.

In accordance with Procurement Services standard practice and TEC 44.031(g), proposal openings must occur after the (minimum) 28-day waiting period and are open to the public.

Participants in the preparation of the solicitation shall provide their approval of the technical specifications and final RFP, with quality assurance approval from the ERCO, or designee. Prior to submission, the FCC Form 470 shall also have the approval of the requesting department. All supporting documentation shall be retained with formal audit trails in accordance with section 1.14 of this manual.

1.3 EVALUATION OF PROPOSALS

When proposals are opened, the proposing company names must be documented on the Procurement Services approved form designated for this purpose.

Committees of representative stakeholders must evaluate the proposals. The committees must include knowledgeable personnel as designated by Procurement Services and Information Technology department. The committees must be chaired and facilitated by a Procurement Service representative, who shall be responsible for all communications to and from the supplier community during the evaluation period and all documentation covering the proposal tabulation process.

The evaluation committees shall score each of the proposals that are submitted using a comparative, numerical system designed to promote open and fair competition. In accordance with USAC rules, price must be considered the most heavily weighted criterion in the evaluation, but other aspects of a supplier's effectiveness, such as quality of products and services, are also evaluated. A weighted system is used to evaluate the respective value of the various criteria. The weights may differ slightly from project to project but price will always carry the heaviest weight. For instance, a cabling installation project may have a heavier scope of services weight than a project for simple delivery of goods, but price will be the most heavily weighted criterion in either case.

The evaluation committees shall work independently of other District management not on the committee, senior administration, and the Board of Education. The committee scores each supplier, Procurement Services performs the calculations, and the committee makes recommendations in accordance with the data contained in the proposal. Procurement Services representative must assure that all aspects of TEC 44.031(b) are considered by the committee, thereby assuring compliance with state procurement laws.

A formal audit trail containing signatures of each evaluation committee member, dates of meetings and those in attendance, tabulation summaries of all bids (both winning and losing bids), and conclusions reached shall be maintained by a Procurement Service representative and the E-Rate Compliance Office in accordance with retention requirements in section 1.14 of this manual.

The recommendations of the evaluation committee shall be reviewed and approved by the requesting department-head or designee, and the Procurement Services Director or designee. Following that approval process, the recommendations will be prepared for the Dallas ISD School Board and presented to the Board for a vote. In any case, if the recommendations from the evaluation committee are overridden by any party for any reason, the committee shall communicate such to the ERCO. The committee members shall document the details of the override, including the overriding parties' name, the basis for the override and if the member believes or suspects any wrongdoing. The ERCO shall fully review and evaluate these actions and supporting data for possible communication to the federal regulators.

1.4 Contracting

Following Dallas ISD School Board approval, contracts are drafted and executed with the Board-awarded suppliers. The Procurement Services Executive Director, or designee, then notifies the E-Rate Vendor/Service Provider that they have been awarded the winning bid. Approval signatories for the District's E-Rate are completed by the Procurement Services Department.

Following the execution of contracts, the E-Rate Coordinator shall complete the FCC Form 471, naming the service providers who have been awarded contracts under this process. The E-Rate Coordinator shall also be responsible for the preparation of supporting schedules to calculate the applicable discount level for each service requested using the percentage of students eligible for free and reduced lunches under the National School Lunch Program obtained from the Public Education Information Management System (PEIMS) reporting. The E-Rate Coordinator will submit the Form 471 upon ERCO review and approval.

File copies of Form 471 shall contain the signature of all parties who contributed in preparing the document, supervisory review, quality assurance, compliance oversight, and formal approval parties. All supporting documentation shall be retained with formal audit trails in accordance with section 1.14 of this manual.

1.5 Annual District Timeline for E-Rate Process

1. No later than June 1 – All E-Rate "Scope of Services" for the solicitation should be delivered to the Procurement Department from requesting department
 2. No later than August 31st – All solicitations and 470's should be posted
 3. During the months of September and October – Evaluations should be completed
 4. During the months of October, November, and December – Recommendations should be taken to the School Board
 5. By end of January – All contracts should be negotiated, completed, signed, and sent to E-Rate Coordinator.
 6. January and February – All Item 21s are due to E-Rate Coordinator or ERCO.

The timeline above should be followed for all purchases seeking E-Rate reimbursements. Exceptions may be considered by the ERCO and/or the Procurement Services Executive Director.

Deadlines for each step in the process should be met in order to facilitate a timely submission of Form 471. If a deadline cannot be met, the ERCO should be given a written notification (detailing the specific need to deviate from the timeline cited above) in order to seek alternative solutions.

1.6 Application Review by USAC

Responses to USAC inquiries and requests for additional information shall be coordinated by the E-Rate Coordinator. All responses and any supporting documentation shall be retained in accordance with section 1.14 of this manual.

1.7 Funding Decision from USAC

A funding commitment decision letter is issued by USAC to communicate details of its decision to approve, partially approve, or deny the District's funding requests. The District may elect to purchase eligible E-Rate goods and services independently of USAC with Dallas ISD School Board approval.

1.8 Procurement Process

Individual requisitions and purchase orders must be subsequently entered in the District's financial system to authorize and release specific pieces of work or specific purchases of goods for delivery. The requisitions pertaining to E-Rate goods and services shall be identified by a specific sub-object code. The E-Rate requisitions for goods and services are approved for funding by supervisory personnel in the Information Technology department who did not prepare the requisitions and are approved for adherence to District technology standards by specified Information Technology personnel. E-Rate purchase orders shall be prepared by the Procurement buyer for E-Rate matters regarding specific purchases of goods and services for delivery. If any purchase exceeds \$50,000.00, it shall be approved pursuant to District Policy. Invoices pertaining to E-Rate Services (i.e. cabling,

internet, etc.) will be paid by the Accounts Payable department. The E-Rate invoices for goods or services are approved for funding by supervisory personnel in the Technology Department. A purchase order shall be assigned to each good or service at specified locations to quickly identify that item or service for E-Rate reimbursement.

The E-Rate procurement process must follow all standard District procurement policies and procedures, except where E-Rate requirements stated herein are more stringent.

1.9 Commencement of Services

The ERCO, or designee, prepares FCC Form 486 to inform USAC that services have started. The ERCO approves and submits the form. File copies of FCC Form 486 shall contain the signature of all parties who contributed in preparing the document, supervisory review, quality assurance, compliance oversight, and formal approval parties. All supporting documentation shall be retained with formal audit trails in accordance with section 1.14 of this manual.

1.10 Invoicing

Any E-Rate Vendor/Service Provider that enters into a contract involving E-Rate funds with the District must adjust its billing policies and procedures to conform to the payment requirements of the USAC and E-Rate Program Rules. One of two invoicing methods shall be utilized:

- a) FCC Form 472 where the District pays the invoice upfront and completes documentation for USAC to reimburse the District, or
- b) FCC Form 474 where the District pays the non-discounted portion of an invoice and USAC pays the discounted portion.

In the case of FCC Form 474, the following rules shall apply:

1. Invoices shall contain all goods and services provided by the E-Rate Vendor/Service Provider and shall reflect all charges to both the District and USAC. This invoice must contain a comprehensive itemization of all charges and clearly set forth the appropriate percentage of payments due from USAC and the District.
2. Invoices shall itemize all E-Rate eligible and ineligible goods and/or services being procured per the corresponding purchase order.
3. Invoices shall be submitted to and reviewed by the District prior to submission of the invoice to USAC. The District shall review all such E-Rate invoices within ten business days from their receipt by the Technology Department. The E-Rate Vendor/Service Provider shall only be permitted to submit the invoice to USAC after receiving written approval from the District. As a preventive control, the ERCO, or designee, shall enroll in the USAC "invoice check process", which requires the District to certify such invoices prior to USAC payment.
4. Invoices shall be free of variances between items delivered and items billed. If variances are found, the District will notify the E-Rate Vendor/Service Provider of such variances and that the invoice has not been approved. Corrected invoices must be re-submitted.

1.11 Invoice Matching and Approval

Free goods or services shall be excluded from the E-Rate process. In addition, such invoices shall not be inflated to cover the cost of free goods or services.

The District is prohibited from allowing an E-Rate Vendor/Service Provider to pay any portion of the District's allocated invoice (i.e., non-discounted portion pertaining to FCC Form 474 invoices).

Any benefit from pre-payment discounts shall be submitted to USAC.

The District shall pay its portion of an invoice no later than the time USAC makes its payment to the E-Rate Vendor/Service Provider. Deferred payment plans will jeopardize a funding request.

Prior to payment, an authorized employee of the Information Technology department shall inspect the receipt, installation, and/or quality of work performed by an E-Rate Vendor/Service Provider and evidence such review by signature on the appropriate file copies which shall be submitted to the E-

Rate Coordinator or IT Asset Management Inventory Specialist for retention in accordance with section 1.14 of this manual.

For exceptions identified during the invoice matching process, the buyer or designee, for E-Rate matters shall coordinate a resolution with the E-Rate Vendor/Service Provider. Where applicable, a revised invoice shall be submitted to the District or the service work revised to allow re-inspection by the Information Technology department.

1.12 Invoice Disputes

Invoice disputes shall be escalated to the Accounting Department, who shall consult with the Chief Financial Officer and E-Rate Vendor/Service Provider as applicable to resolve such matters in a timely fashion.

1.13 General Internal Control Requirements

At a minimum, the District shall adhere to the following approval matrix for E-Rate matters initiated after the approval date of this regulation. Compliance oversight shall be the responsibility of the ERCO. The District may also request the services of an external consultant on certain E-Rate matters for an added layer of quality assurance. In addition, the E-Rate Coordinator, or designee, shall create and maintain documentation per the table of contents shown on the USAC Web site.

Document	Preparer Sign-off	Supervisor Review	Quality Assurance Sign-off / Review	Final Submission to USAC
USAC Forms Filings	E-Rate Coordinator	IT Business Services Director	E-Rate Compliance Officer [Sign-off]	E-Rate Coordinator
Competitive Bidding for E-Rate Eligible Services	Procurement Services Buyer	Procurement Services Contracts Director	Independent Consultant, as needed	E-Rate Coordinator
		IT Business Services Director		
Response to USAC PQA and/or BCAP Inquiries	E-Rate Coordinator	IT Business Services Director	E-Rate Compliance Officer [Sign-off]	E-Rate Coordinator
			Professional Standards Office (PSO) [Quarterly memo review]	
Invoice Processing for E-Rate Vendors / Payment	IT Business Services Specialist	E-Rate Coordinator	IT Business Services Director [Review]	E-Rate Coordinator
Donations of Technology Equipment	Volunteer & Partnership Services	E-Rate Coordinator	E-Rate Compliance Officer [Sign-off]	E-Rate Coordinator
			Professional Standards Office (PSO) [Quarterly memo review]	

1.14 Document Retention

The ERCO, or designee, shall retain documents for defined ten years (i) as required by the *Schools and Libraries Universal Service Support Mechanism, Seventh Report and Order, FCC_14-99-A1_Rcd*

8870 (2014) or such subsequent additional guidance as the FCC may provide. In addition, the District shall retain all documents that are related to performance under this E-Rate Compliance Agreement, including documents relevant to determining compliance or noncompliance.

The E-Rate Compliance Office will have a copy of all documents relative to E-Rate requirements. In addition, each Department will keep copies of their documents, relative to E-Rate, thus having duplication of all E-Rate documentation required.

E-rate records retention is an action-based retention period (last date of service plus ten years). All E-Rate records should not ship to the Records Center before the required action takes place and these records become inactive. The record retention process must follow all Dallas ISD policies and procedures, except where E-Rate requirements stated herein are more stringent.

1.15 Consequences of Noncompliance

Noncompliance with the District's E-Rate Policy, Federal and State E-Rate Program rules and requirements, and this manual may be grounds for disciplinary action, including but not limited to, criminal and civil prosecution, warning, censure, reprimand, suspension, loss of pay and dismissal, cancellation of contracts/commitments, recoupment of disbursed E-Rate funds, and suspension/debarment from the E-Rate Program.

1.16 Remedies for Noncompliance

The ERCO shall communicate and consult with the District's Legal Services Department, outside counsel, Superintendent, and/or the Dallas ISD School Board or USAC where appropriate, to address the following areas, as necessary:

1. Material noncompliance, misconduct, or E-Rate Program violations;
2. Suspension of funding;
3. Request for deadline extension; and
4. Appeal process.

1.17 Contact Information

For questions relating to this regulation or any E-Rate matter, or to report any known, alleged, or suspected noncompliance or misconduct with the E-Rate Program, please contact the following:

The Dallas ISD E-Rate Hotline at 1-800-530-1608

PART TWO: PROCUREMENTS, CONFLICTS OF INTEREST AND GIFTS

2.0 Statement of Purpose and Authority

- These practices, procedures and requirements shall govern the procurement of all goods and services for which E-Rate Program funding will be sought in whole or in part. These practices, procedures and requirements are intended to ensure that all E-Rate Program activities are conducted in accordance with all federal, state and local procurement and other applicable laws, Dallas ISD policies, rules and requirements, including the Federal Communication Commission's (FCC) rules and orders requiring fair and open competitive bidding process.
- These practices and procedures are promulgated pursuant to the authority granted the ERCO within the District Policy CAA (Local) and CAA (Regulation).

2.1 Procurement Method

All contracts for goods and/or services to be funded in whole or in part with E-Rate program funding shall be procured in accordance with District policy, Texas law, and the rules and requirements governing the E-Rate Program.

All contracts for goods and/or services to be funded in whole or in part with E-Rate program funding shall be awarded only as a result of a fair and open competitive bidding process.

2.2 Specifications for Goods and Services

The Procurement Services Executive Director, or designee, shall consult with the Chief Technology Officer, ERCO, or designee, in developing the specifications for E-Rate procurements.

Design specifications and pricing shall be consistent with the applicable bid request.

No individual or entity who is likely to participate in an upcoming procurement shall play any role in the development or writing of any portion of the specifications for the upcoming procurement. Any individual or entity who assists the District in any manner, directly or indirectly, in the development of any portion of a design specification shall not be permitted to participate in bid or any proposal or participate in any contract that relates in any way to the specifications with which the individual or entity assisted.

A current E-rate vendor may assist in the development, preparation or drafting of a design specification but that vendor may not participate in any bid response or proposal submitted to the District or any contract that relates in any way to the specifications with which the individual or entity assisted.

2.3 E-Rate Procurement Documents

All procurements shall remain open at least the minimum period of time in accordance with section 1.2 of this manual and as required by the FCC. Addenda solicitations that do not materially change the solicitation will not necessarily extend the time for response, however the Procurement Services Executive Director may determine any such need for extension.

The department requesting goods or services shall recommend the criteria to be used in evaluating the responses to solicitations. The criteria shall be consistent with District policy, federal and state law and the rules and requirements of the E-Rate Program. The department may consult with Procurement Services as to appropriate phrasing and presentation for each criterion.

The Procurement Services Executive Director, or designee, shall determine the weighting to be given to the Minority & Women Business Enterprise (M/WBE) criteria used to evaluate responders. The department requesting goods or services assigns the remaining values to sum to 100 points less the M/WBE set point values. Price must weigh more heavily than any other factor, but price need not be weighted at fifty percent (50%) or more of the

criteria. Procurement Services utilizes an algorithm to determine how many points to allocate to each proposal of the total points assigned by the department for that criterion.

The criteria to be used in evaluating the responses to solicitations and the weighting to be given the criteria shall be published in the solicitation.

All solicitations shall contain the following language:

Every vendor of goods and services selected to participate in the District's E-Rate program will be required to sign a contract with the District that includes the following provisions. Any vendor selected with an existing contract with the District will be required to agree to an amendment containing the same provision

1. The vendor must expressly acknowledge:
 - a) That the E-Rate Program is a federal program and that compliance with the E-Rate Program rules and requirements, including the obligations to comply with state and local procurement laws, applicable federal laws (e.g. the Commission's rules and orders requiring a "fair and open" competitive bidding process free from conflicts of interest and inappropriate gift giving) and the instructions, notices, and certifications in the E-Rate Program application forms is a condition of receiving Universal Service Funds payments and of participation in the E-Rate Program;
 - b) That USAC is obligated to recover funds disbursed in violation of E-Rate Program Rules and Requirements. See Federal-State Joint Board on Universal Service, Changes to the Board of Directors for the National Exchange Carrier Association, Inc., Schools and Libraries Universal Service Support Mechanism, Order on Reconsideration and Fourth Report and Order, CC Docket Nos. 96-45, 97-21, 02-6, 19 FCC Rcd 15252 (2004); Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Fifth Report and Order, 19 FCC Rcd 15808 (21204);
 - c) That a vendor's violation of E-Rate Program rules and requirements, including the requirements for a fair and open competitive bidding process may be grounds for rescission of vendor contracts or even debarment depending on the severity of the violation and repetitive nature of the misconduct.
 - d) That, if applicable, the vendor will be required to submit each FCC Form 474 to Dallas ISD for review and approval before the Vendor submits the FCC Form 474 to USAC for payment.
2. The vendor must certify to the District that within 60 calendar days of the beginning of the contract term:
 - a) The vendor's personnel who will be handling Dallas ISD E-Rate Program submissions have reviewed the rules and requirements governing the E-Rate Program;
 - b) The vendor's personnel who will be handling Dallas ISD E-Rate Program submissions have reviewed training materials specified by USAC, including the information identified for service providers on the schools and libraries section of USAC's website, <http://www.usac.org/sld>, and the information in the Schools and Libraries Reference Area of the website;
 - c) The vendor's personnel who will be handling Dallas ISD E-Rate Program submissions will make best efforts to attend or review online USAC-sponsored training workshops;
 - d) The vendor's personnel who will be handling Dallas ISD E-Rate Program submissions will subscribe to and timely review the weekly Schools and Libraries Newsbrief at <http://www.usac.org/sl/tools/news-briefs/Default.aspx>.
 - e) The vendor will represent and warrant that it has complied in all respects with the requirement that the competitive bidding process for E-Rate goods and services was "fair and open" and consistent with the rules and requirements of the FCC.
3. The vendor will acknowledge all Applicable Dallas ISD Personnel shall be prohibited

from accepting any gifts as in accordance with section 2.7 of this manual) from any outside entity that provides or seeks to provide goods or services pursuant to the E-Rate Program. Thereafter Applicable Dallas ISD Personnel may only accept such gifts, items or other things of value to the extent consistent with applicable state, local and federal law, including E-Rate Program rules and requirements (e.g. the rules requiring "fair and open" competitive bidding process), and Dallas ISD policies. Violation of these rules by a vendor may result in termination of contracts and other sanctions.

The procurement documents will include a requirement that any physical product delivered (i.e. network electronics, servers, switches, etc.) be delivered with a separate label (in addition to the District Fixed Asset tag) that will be the responsibility of the vendor to affix. This label will clearly identify each component as having been procured with E-Rate funds, and have appropriate notifications to users and carry an identifying applicable FRN number. Upon completion of the project, the vendor will be responsible for documenting all hard goods installed under the project, including location, FRN number, model number, etc.

2.4 Receipt and Evaluation of Responses to E-Rate Procurements

All responses to E-Rate procurements shall be received at the time, at the place and in the manner specified in the solicitation. The Executive Director of Procurement Services, or designee, shall make the determination whether a vendor response shall be accepted and deemed responsive or not.

All responses to E-Rate program procurements shall be evaluated by a team of at least five evaluators. The Executive Director of Procurement Services, or designee, shall solicit and approve names for the evaluators. In addition, at least one non-voting representative shall come from the requesting department and at least one shall be from the Procurement Services Department. All evaluators will have received training on the rules and requirements of the E-Rate Program. Every evaluator will sign a conflict of interest form before receiving copies of the responses received from responders.

The evaluation committee scoring of responses shall be done anonymously, with only the total score for each vendor being published. The Executive Director of Procurement Services, or designee, who is not an evaluator shall oversee the evaluation and shall calculate the scores given by each evaluator.

The selected bid shall be consistent with the bid request.

All bids submitted will be carefully considered and the bid selected will be for the best value with price being the primary factor, and will be the most cost-effective means of meeting educational needs. In determining which service offering is the most cost-effective, entities may consider relevant factors other than the pre-discount prices submitted by providers but price must be the primary factor considered.

The prices in any bid or response shall have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other bidder, responder or competitor relating to those prices, the intention to submit a bid or response, or the methods or factors used to calculate the prices offered.

The prices in any bid or response will not be knowingly disclosed by the bidder or responder, directly or indirectly, to any other bidder, responder or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law.

No attempt will be made by any individual or entity to induce any other individual or entity to submit or not to submit an offer for the purpose of restricting competition.

The Executive Director of Procurement Services, or designee, shall require that the recommendation of the committee be fully documented that the recommended award to the selected responder provides the best value to the District.

The Executive Director of Procurement Services, or designee, shall require complete documentation of any "value add" response to ensure that it represents a clear improvement in value to the District.

Based strictly upon the evaluations the evaluation committee shall recommend one or more responders to be selected. The evaluation committee may also recommend that no responder be selected. The recommendation of the evaluation committee is only a recommendation to the Board of Trustees. The Board of Trustees shall make the decision which one or more responders should be awarded a contract. The Board of Trustees may also decide to make no award. If multiple responders are selected, a ranked list must be included based on the final Procurement pricing evaluation.

Protests of any decision or action relating to a procurement process shall be handled in accordance with Board policy.

2.5 Vendor Communications

Before, during and after the pendency of any E-Rate procurement, any questions from prospective vendors (including their employees, agents, or representatives or anyone acting on their behalf) shall be directed to the Executive Director of Procurement Services, or designee, for response, if any is required. Except as provided above, there shall be no contact between any District employee and any employee, agent or representative of a prospective vendor before, during and after the pendency of an E-Rate procurement concerning the procurement.

Prospective vendors (including their employees, agents, or representatives or anyone acting on their behalf) shall refrain from communicating directly or indirectly with individual members of the Board of Trustees before, during and after the pendency of an E-Rate procurement concerning the procurement.

Any communication between a current E-Rate vendor and the District shall be strictly limited to the subject of the on-going District business with the vendor.

2.6 Vendor Conflicts of Interest

All prospective E-Rate vendors shall certify that there are no hidden terms, side agreements or payments, other undisclosed arrangements, or conflicts of interest that are inconsistent with general and state law, District policies, and the policies and requirements of the E-Rate Program.

All prospective E-Rate vendors shall fill out and turn in with bid responses the conflict of interest questionnaire required by the State of Texas. See Exhibit A attached.

All prospective E-Rate vendors shall fill out and turn in with bid responses the District's conflict of interest questionnaires, including disclosure of family interest. See Exhibit B attached.

Failure to fill out and timely return any required conflict of interest questionnaire or form may be grounds for disqualification of a vendor from further consideration in the pending procurement.

2.7 Gifts

Vendors and prospective vendors, including their agents and representatives, are prohibited from giving any gift, meal, entertainment or any other item of value to any District employee participating in any way in an E-Rate procurement. Items of little intrinsic value, such as pens, keychains, or greeting cards are exceptions to this requirement.

Therefore, District employees involved in any manner with any E-Rate procurement are strictly prohibited from accepting any gift, meal, entertainment or any other item of value from any vendor or prospective vendor.

This prohibition extends to the members of the employee's immediate family, including spouse (or partner), children, parents, and siblings of the employee.

2.8 E-Rate Eligible Employee Agreement, Conflicts of Interest, and Reporting Requirements

E-Rate Eligible Employees (EEE) includes individuals or entities that:

1. Determine whether goods or services are eligible for support under the E-Rate Program;
2. Prepare bids;
3. Communicate and/or work with E-Rate service providers, E-Rate consultants, or USAC;
4. Perform other contractual activities related to the E-Rate program;
5. Prepare, review, approve, sign or submit E-Rate applications, or other forms related to the E-Rate Program; and
6. Are responsible for auditing and monitoring the District's compliance with E-Rate Program rules and requirements, as well as for establishing contractual and other requirements to ensure training of contractors, consultants, and other entities or individuals substantively involved on behalf of the District with the E-Rate Program. See CAA (Local).

EEE Members shall sign the "Dallas Independent School District Agreement to Certain Rules Governing Dallas ISD E-Rate Eligible Employee" ("EEE Agreement") before being eligible to participate in the E-Rate Program. See Exhibit C attached.

EEE Members are prohibited from participating in contracts with E-Rate Vendors where there is a relationship that presents a conflict of interest, including family relationships and substantial business relationships as defined in the EEE Agreement. See Exhibit C attached.

EEE Members are required to disclose conflicts of interest with current and prospective E-Rate Vendors by completing a Conflict of Interest Disclosure Affidavit and submitting the same to the Procurement Services Executive Director, or designee, as soon as possible after the EEE member becomes aware of the conflict of interest.

Any District employee who knows or suspects with regard to any E-Rate program procurement there has been a violation of these policies, procedures and requirements of District policy, federal or state law, or of the E-Rate Program rules and requirements shall report the knowledge or suspicion to one or more of the following: the employee's direct supervisor; the ERCO; the District's internal auditor; or the E-Rate whistle-blower hotline number listed on the District's web site.

Upon receipt of any suspected E-Rate violation, the District's ERCO will contact the appropriate FCC/USAC official concerning the suspected violation in accordance with District Policy.

The report may be made anonymously.

PART THREE: ASSET MANAGEMENT

3.0 Statement of Purpose and Authority

- The purpose of the ITS E-Rate Asset and Inventory Process is to provide procedures for identifying and tracking E-Rate qualified technology equipment district-wide.
- The inventory process generally includes receiving, temporary storage, labeling and storage, withdrawal, issue, and movement of the item through work-in-process routine. It also involves tracking the item's movement at various stages and maintaining records of those events and their effects. Without processes there can be delayed IT projects, lost revenue, security breaches leading to non-compliance fines, failed audits and productivity loss. The policy procedures are provided to aid and ensure accountability and responsibility.
- These practices and procedures are promulgated pursuant to the authority granted the ERCO in District Policy CAA (Local) and CAA (Regulation).

3.1 E-Rate Asset Inventory Process Compliance

The E-Rate Compliance Office works in conjunction with the IT Infrastructure Director, Network Services Director, Project Managers, E-Rate Inventory Technicians, the Controlled Asset Management department, and the IT Asset Inventory Specialist to the defined process by all stakeholders as required to assure the effectiveness and efficiency of this process and compliance. (See guidelines for "ITS E-RATE ASSET AND INVENTORY PROCESS" at: <http://www.dallasisd.org/Page/8161>)

3.2 E-Rate Asset Inventory Process Activities

Installation

1. Dallas ISD's Service Center 1 will receive shipment, secure then transport to appropriate campus
2. Vendor will, configure, and affix E-Rate Asset Tags to devices as well as clearly identify inventory by the funding request number (FRN) and E-rate Funding Year it was purchased.
3. After the walkthrough to audit installed devices, Vendor will provide inventory and closing binder to Dallas ISD for verification of installed devices and cabling.

Inventory Documentation

1. All information must be logged into DALLAS ISD E-rate inventory tracking system using the following criterion:
 - A. E-rate funding year of purchased is clearly tagged permanently on each item.
 - B. Serial Number of item.
 - C. Location where item is installed.
 - D. Funding Request Number tagged permanently on each item
 - E. Description of Item.
 - F. When item was installed.
 - G. Where item was installed.
 - H. The signature of an authorized DALLAS ISD technology employee or representative confirms receipt of the installed inventory.

Inventory Maintenance

1. E-Rate Inventory personnel creates initial master inventory to include serial number, school name, purchase order number, FRN, and asset tag number in E-Rate database.
2. Inventory counts are performed as per policy to identify missing assets regularly.

3. All missing assets will be reported within the required timeframes per the Compliance Agreement to the ERCO, the Superintendent, the FCC, and USAC.

Redeployment

1. Inventory of removed and redeployed devices prepared by vendor to include
 - A. location where device was removed
 - B. date of removal
 - C. FRN
 - D. new E-Rate eligible installation site
 - E. completion date of installation.
 - F. serial number
2. The device will be redeployed to another school that was listed on the Block 4 of the Form 471.
3. The redeployed device must be redeployed and operating in an E-Rate eligible school.
4. E-Rate rules do not allow for uninstalled devices to be kept in a warehouse.
 - Notification to USAC of equipment movement must occur when equipment is moved from one location to a different location.

Record Retention

1. Vendor will submit an electronic copy of the Asset Load spreadsheet with the final deliverables
2. "Removed and Redeployed" inventory is documented on the E-Rate Inventory Management Spreadsheet and Hayes database to include:
 - A. location where device was removed
 - B. date of removal
 - C. serial number
3. A Fixed Asset Register shall be properly implemented to identify all equipment purchased with E-Rate funding for a period of ten years and shall mirror the USAC suggested fields to be included in the E-Rate Fixed Asset Register.

4.0 Effective Date

These policies, procedures and requirements originally became effective on November 23, 2009 and have been amended with the latest version as of the date of the ERCO's signature. The provisions in this manual shall remain in effect until rescinded or amended in writing duly authorized.

DocuSigned by:

0E2B822EEA80427

Jack Kelanic, Chief Technology Officer
E-Rate Compliance Officer

6/11/2021

Date

EXHIBIT A: Conflict of Interest Disclosure Statement and Conflict of Interest Questionnaire, CIQ Form

**Notice to Vendors
Conflict of Interest Disclosure Statements
Texas Local Government Code, Chapter 176**

Vendors are required to file a Conflict of Interest Questionnaire with the District if a relationship exists between the vendor's company and an officer of the District.

Conflicts of interest exist if:

1. the person has employment or other business relationship with the local government officer or a family member resulting in the officer or family member receiving taxable income; or
2. the person has given the local government officer or family member one or more gifts (excluding food, lodging, transportation, and entertainment) that have an aggregate value of more than \$250 in the twelve-month period preceding the date the officer becomes aware of an executed contract or consideration of the person for a contract to do business with the District.

Forms must be filed:

1. No later than the seventh business day after the date that the person begins contract discussions or negotiations with the government entity, or submits to the entity an application, response to a request for proposal or bid, correspondence, or other writing related to a potential agreement with the entity.
2. The Vendor also shall file an updated questionnaire
 - a. not later than September 1 of each year in which a covered transaction is pending, and
 - b. the seventh business day after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.
3. A vendor is not required to file an updated questionnaire if the person had filed an updated statement on or after June 1, but before September 1 of the year.

(No one is required to file a disclosure under this statute before January 1, 2006)

Board of Trustee Members and Superintendent of the Dallas Independent School District can be found on the Dallas ISD Website: <http://www.dallasisd.org/domain/447>

If you are required to file, send the completed form to Dallas Independent School District, Procurement Services Department, 3700 Ross Avenue, Box 89, Dallas, Texas 75204.

CONFLICT OF INTEREST QUESTIONNAIRE		FORM CIQ
For vendor or other person seeking to do business with local governmental entity		
Name of Person Completing Form:	(Required Field)	
Name of Company Completing Form:	(Required Field)	
<p>This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.</p> <p>This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).</p> <p>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 person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.</p> <p>A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.</p>		OFFICE USE ONLY Date Received: / /
1	Name of person who has a business relationship with local governmental entity.	
2	Check this box if you are filing an update to a previously filed questionnaire. <input type="checkbox"/> (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 the originally filed questionnaire becomes incomplete or inaccurate.	
3	Name of local government officer with whom filer has employment or business relationship: _____ <div style="text-align: right; font-size: small;">(List Name of Officer in space provided above)</div>	
If naming government officer above, completion of A, B, C & D below is required. If no conflict, check box at line 4 below.		
This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has affiliation or business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.		
A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire? <div style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>		
B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity? <div style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>		
C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director or holds an ownership of 10 percent or more? <div style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>		
D. Describe each employment or business relationship with the local government officer named in this section.		
4	<input type="checkbox"/> Check here if you are <u>NOT</u> reporting a conflict with any government officer of Dallas ISD	
5	<div style="text-align: center; margin-top: 20px;"> _____ Signature (Required) </div> <div style="text-align: right; margin-top: 20px;"> _____ Date </div>	
THIS PAGE MUST BE COMPLETED, SIGNED AND RETURNED WITH YOUR RESPONSE		

EXHIBIT B: Family Conflict of Interest Questionnaire

This Questionnaire must be completed by every individual or entity that contracts or seeks to contract with the District for the sale or purchase of property, goods, or services.

The questionnaire(s) required by this policy shall be filed with the Procurement Services Executive Director, or designee, not later than the seventh (7TH) business day after the date that the individual or entity begins contracts discussions or negotiations with the District or submits to the District an application, response to a request for proposals or bids, correspondence, or other writing related to a potential agreement with the District. If the individual or entity becomes aware of new facts or change of facts that would make the completed questionnaire(s) inaccurate, the individual or entity shall file an amended questionnaire(s) within seven (7) days of the date the individual or entity first learned of the new facts or changes in facts.

Family or family relationship means a member of an individual’s immediate family, including spouse, parents, children (whether natural or adopted), aunts, uncles, and siblings.

For individuals who contract or seek to contract with the District for the sale or purchase of any property, goods, or services:

Identify each and every family relationship between yourself (and any member of your family) and any full-time District Employee (and any member of such employee’s family) (please include name and sufficient information that will allow proper identification of any named individual):

For entities that contract or seek to contract with the District for the sale or purchase of property, goods, or services:

Identify each and every full-time District employee (and any member of the employee’s family) who serves as an officer or director of the entity, or holds an ownership interest of 10 per cent or more in the entity (please include name and sufficient information that will allow proper identification of any named individual):

If more space is required, please attach a second page. If the answer to any question is none, or not applicable, please write “None” or “Not Applicable” in the space reserved for that answer.

“I certify that the answers contained in this questionnaire are true and correct.”

Individual: _____ Date: _____

Entity: _____

By: _____ Date: _____
Signature

Title: _____

Certified this _____ day of _____, 20_____, by _____
Notary Public in and for the State of Texas.

EXHIBIT C: Dallas Independent School District
Agreement to Certain Rules Governing
Dallas ISD E-Rate Eligible Employee

DALLAS INDEPENDENT SCHOOL DISTRICT

AGREEMENT TO CERTAIN RULES GOVERNING DALLAS ISD
E-RATE ELIGIBLE EMPLOYEE

I, _____, have agreed to serve as an E-rate Eligible Employee (EEE) at Dallas Independent School District (“District”). I have read this Agreement to Certain Rules Governing Dallas ISD E-RATE ELIGIBLE EMPLOYEE (“Agreement”) and affirm that I understand this Agreement. I state and affirm upon my oath that, at all times while serving as a member of the EEE, I will follow the Agreement as well as any additional requirements that may be required by the District or the rules relating to the E-Rate program.

Family or family relationship means a member of an individual’s immediate family, including spouse or partner, parents, children (whether natural or adopted), aunts, uncles, and siblings.

Substantial Business Relationship with an entity means:

- Employee, officer or director of the entity;
- Ownership of ten percent or more of the voting stock or shares of the business entity;
- Ownership of ten percent or more of the fair market value of the business entity;
- Ownership of \$15,000 or more of the fair market value of the business entity;
- Funds received from the business entity exceed ten percent of the individual’s gross income for the previous year.

1. I agree that so far as I am concerned these rules apply to myself and to any member of my family as defined here.
2. I affirm that neither I nor any member of my family as defined herein has a substantial business relationship as defined herein with any current vendor(s) of technology goods and/ or services to the District.
3. Should I or any member of my family develop a substantial business relationship with a current vendor(s) of technology goods and/ or services to the District, I will within seven (7) business days notify the District’s Chief Compliance Officer/E-Rate Compliance Officer (ERCO).
4. I have completed the Conflict of Interest Disclosure Affidavit and have identified any potential vendor(s) of technology goods and/ or services to the Dallas Independent School District in which I or a member of my family as defined in this document has a significant business relationship.
5. Should I or any member of my family develop a substantial business relationship with a previously unidentified potential vendor(s) of technology goods and/ or services to the District, I will within seven (7) business days submit an amended Conflict of Interest Disclosure Affidavit and notify the Chairman of the Committee, the District’s Director of Purchasing and the District’s Director of Technology Services.

6. I affirm that I will treat all information I receive from the District relating to the District's technology goods and services, including plans regarding technology goods and services as confidential.
7. I affirm that I will not share any information I receive from the District relating to the District's technology goods and services, including plans regarding technology goods and services with anyone else, including but not limited to any member of my family or any entity that sells technology goods/and or services with which I or any member of my family has any relationship.
8. I affirm that I will not make any use of any information I receive from the District as an employee of the District to further the interests of any person or entity other than the District.
9. I am generally aware of the federal statute and rules regulating the E-rate program. I understand that the E-Rate rules require a fair and open competitive bidding process and that the District must conduct a fair and open competitive bidding process, consistent with all requirements relating to the E-Rate program. I understand all potential bidders and service providers must have access to the same information and must be treated in the same manner throughout the procurement process; that requirements or specifications must be available to all potential providers at the same time and in a uniform manner; and that it is a violation of the competitive bidding rules if the District has a relationship with a service provider that would unfairly influence the outcome of a competition or would furnish the services provider with 'inside' information. I agree that should my activity as a employee of the District raise a question about potential violation of these rules, any potential vendor of technology goods and/or services with whom I or a member of my family has a significant business relationship will be disqualified from participating in District procurements or contracts of technology goods/ and or services.
10. I will not seek access to nor receive from the District information that might be construed as giving a potential bidder inside information. I will not advise the District of specifications or receive information about specifications ahead of other potential bidders. If I do so, I understand that any potential vendor of technology goods and/or services with whom I or a member of my family has a significant business relationship will be disqualified from participating in District procurements or contracts of technology goods/ and or services.
11. I affirm that I may discuss new technologies with the District, but that I will not provide:
 - Any vendor-specific language for any District RFP's or form 470's;
 - Any template RFP's or forms 470;
 - Any assistance with any RFP or bid;
 - Any assistance in determining the types of service the District will seek on a procurement or bid or form 470;
 - Any assistance to the District with the filling out of the 470's.If I do so, I understand that any potential vendor of technology goods and/or services with whom I or a member of my family has a significant business relationship will be disqualified from participating in District procurements or contracts of technology goods/ and or services.
12. I understand that for the life of the E-rate Compliance agreement, all Dallas ISD E-rate Eligible Employee's will abide by the E-rate Compliance Agreement's gift policy as stated as applicable for the first year of the E-rate Compliance Agreement.
13. I understand that it is a crime to offer, confer, or agree to confer or solicit, accept or agree to accept from another any benefit as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion as a public servant. Benefit means anything reasonably regarded as economic gain or advantage, including benefit to any other person in whose welfare the beneficiary is interested.

- 14. I understand that it is a crime for a public servant who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government to solicit, accept or agree to accept any benefit from a person the public servant knows is interested in or likely to become interested in any contract, purchase, payment, claim or transaction involving the exercise of his discretion.
- 15. I understand that it is a crime for an individual to offer, confer, or agree to confer any benefit on a public servant that he or she knows the public servant is prohibited by law from accepting.
- 16. I understand that federal law contains a number of provisions that make similar types of misconduct, and conspiracy to commit such prohibited misconduct, federal crimes.
- 17. I agree to immediately report all suspected violations of the E-rate rules and regulations to either the District's E-Rate Compliance Officer or the District's Internal Audit Department, or the District's Fraud, Waste, and Abuse hotline at 1-800-530-1608. Upon receipt of any suspected E-Rate violation the District's ERCO will immediately contact the appropriate FCC/USAC official concerning the suspected violation.
- 18. I understand and agree that to the extent my employment to the on District puts me in a position that I am or become privy to information about potential or pending procurements or bids for technology goods and/or services not shared with other potential bidders, any potential vendor of technology goods and/or services with whom I or a member of my family has a significant business relationship will be disqualified from participating in District procurements or contracts of technology goods and/or services.
- 19. I understand that if I fail to comply with this Agreement any potential vendor of technology goods and/or services with whom I or a member of my family has a significant business relationship will be disqualified from participating in District procurements or contracts of technology goods/ and or services. I further understand that the decision to disqualify will be within the sole discretion of the District.

Signature: _____

Date: _____

ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF _____

Sworn to and subscribed before me the undersigned authority on this ____ day of _____ (month, ____ (year).

_____, Notary Public in and for the State of Texas.