REQUEST FOR QUALIFICATIONS

FOR

CONSTRUCTION MANAGER-AT-RISK SERVICES

RFQ # 2526-03

(Two Step Process)

MIDLOTHIAN ISD
2025 BOND PROJECTS

New Elementary School #9
New Career & Technical Education (CTE) Building
Midlothian High School Renovations & Capital Improvements
Frank Seale Middle School Renovations & Capital Improvements
Restroom Renovations (Three Elementary Schools)
Transportation Facility Addition & Renovation
Ag Facility Renovation & Expansion

February 19, 2026

INVITATION

Pursuant to the provisions of the Texas Education Code Section 44.031 and Texas Government Code Chapter 2269, Subchapter F, it is the intention of the Midlothian Independent School District (the District or Owner) to select a Construction Manager-At-Risk (referred to herein as CMaR, firm, or company), via a two-step Request for Qualifications (RFQ)/Request of Proposals (RFP) process, for the construction of certain 2025 Bond Projects listed herein. The District intends to award one or more firms as Construction Manager-At-Risk (CMaR) to construct these 2025 Bond Projects.

Responses shall include the information requested in the sequence and format prescribed. In addition to and separate from the requested information, submitting organizations may provide supplementary materials further describing their capabilities and experience. The District reserves the right to waive any informality or to reject any or all submittals. No respondent shall withdraw their response or proposal within forty-five (45) days after the actual date of opening thereof.

The District shall receive, publicly open and read aloud the names of the firms submitting a Statement of Qualifications. A Statement of Qualifications may also be referred to herein as a response or a Qualification Statement. The District shall select the highest-ranked firms to submit Step 2 Proposals solely based on Step 1 qualifications. The ranking of responses will be completed initially by a District committee selected by the Superintendent and will include District personnel and may include representatives of the District's architect firms. The Evaluation Committee will evaluate and rank each response submitted in relation to the evaluation criteria set forth herein. Upon review and ranking, the Evaluation Committee will qualify a maximum of five (5) respondents to submit proposals in response to a Request for Proposals ("RFP") in Step 2. During Step 2, the selected respondents qualified in Step 1 may be interviewed by the District and will submit a proposal providing additional information requested by the District. The Evaluation Committee will rank each proposal submitted from first to last based on all of the criteria published in the RFQ and the RFP, with the first-ranked proposal(s) being the proposal(s) offering the best value to the District.

PROPOSED SCHEDULE*

Date	Event
February 19, 2026	RFQ Released
February 25, 2026	Deadline for Questions by 4:30 p.m.
February 27, 2026	Date to issue Addendum and Responses to Questions (if applicable)
March 5, 2026	**RFQ Step 1 Deadline at 3:00 p.m.**
March 6 - March 12, 2026	Period to Evaluate Responses and Select top firms
March 13, 2026	District to Notify top firms selected to participate in Step 2
March 25 – April 1, 2026	Interview top firms (if desired)
April 3, 2026	RFP Step 2 Deadline at 3:00 p.m.
April 20, 2026	Board Approval of CMAR firm(s)

*All times are Central Standard Time and will be according to the Midlothian ISD front desk computer. Dates are subject to change

QUESTIONS
All questions concerning this RFQ or the RFP must be addressed to:

Midlothian Independent School District
Shana Volentine, Director of Purchasing
100 Walter Stephenson Road
Midlothian, Texas 76065
shana.volentine@midlothianisd.org

Any clarifications or interpretations of this RFQ or the RFP that materially affect or change its requirements will be issued by the District as an addendum. Only questions answered by formal written addenda posted by Midlothian ISD on the district website will be binding.

Information from phone calls or through avenues other than as directed above is not binding and may result in your response being disqualified. In the interest of efficiency and continuity, one contact from each company should be responsible to coordinate and make any direct communications with Midlothian ISD. During this process **no contact** should be made with the Midlothian ISD Board of Trustees or Superintendent of Schools.

A response to this RFQ indicates agreement with all Midlothian ISD Standard Terms and Conditions, which can be found on the following website, Midlothian ISD Business – Purchasing/MISD Standard Terms and Conditions, (https://resources.finalsite.net/images/v1725909183/misdgs/aatoox8bmvrn2sbluqnh/MISDSTANDARDTERMSANDCONDITIONS.pdf), as well as all state of Texas laws, statutes and ordinances.

Thank you for your interest in this project. This is an exciting and complex undertaking, and we look forward to continuing to build a strong project team through the selection of a Construction Manager at Risk.

SUBMISSION

Step One

Statements of Qualifications must be received by **3:00 p.m., on March 5, 2026, at the address listed below**.

Midlothian ISD
Attn: Shana Volentine, Director of Purchasing
100 Walter Stephenson Road
Midlothian, Texas 76065

Statements of Qualifications received after that time will be returned unopened. Faxed or e-mailed Statements of Qualifications will not be accepted. Envelopes should be marked on the outside with "**CMAR RFQ # 2526-03, March 5, 2026**". Include two (2) hard copies and one (1) digital copy (delivered on a USB drive) in the envelope. It is the sole responsibility of the respondent to ensure timely delivery of the response. The District will not be responsible for failure of service on the part of the U.S. Postal Office, courier companies, or any other form of delivery service chosen by the respondent.

CRITERIA FOR SELECTION

STEP ONE
The District will evaluate each response to this RFQ using the following criteria.

01. EXPERIENCE – 30% of Scoring in Step One:
    Firms will receive a score up to 30% for demonstrating compliance with this criterion based on the following requested information:

    I. Reputation of the firm and the firm's goods or services;
    II. Relevant experience of the firm;
    III. Quality of the firm's services;
    IV. Past performance of the firm;
    V. Firm's past relationship with the District, or with similar-sized school districts and/or projects;
    - How substantial is the firm's recent experience in the construction of projects of comparable size and complexity?
    - Have past clients expressed a willingness to work with the firm again?
    - Has the firm demonstrated a long-term presence in the DFW market?
    - How substantial is the firm's experience in providing construction services for educational facilities of comparable size and complexity?
    - Is the firm knowledgeable about or experienced in the North Texas construction market?
    - How substantial is the firm's recent experience in providing pre-construction services for projects of comparable size and complexity?

02. DISTRICT'S NEEDS – 20% of Scoring in Step One:
    Firms will receive a score up to 20% for demonstrating compliance with this criterion based on the following requested information:
    I. Extent to which the firm's services meet the District's needs,
    - Does the description provided by the firm of its pre-construction and construction services evidence both understanding and capabilities of the process in general and as it applies to these projects for the District?
    - Does the firm appear to have the capability to meet the District's schedule objectives?

03. ORGANIZATION, LICENSING, FINANCIAL INFORMATION, REFERENCES – 20% of Scoring in Step One

Firms will receive a score up to 20% for demonstrating compliance with this criterion based on the following requested information:

I. Organization, licensing, financial information, references;
- Does the firm have a good safety record and an active safety program?
- How long has the firm been in business providing the type of services sought by the District?
- Does the firm's organizational structure, licensing, and financial information indicate that the firm is capable of undertaking these projects?
- Did the references listed (owners and architects) have a favorable experience with the firm? Would they work with them again? How comparable was their project to these projects?
- Agreement with the Midlothian ISD modified versions of the AIA A133 – 2019 (Standard Form of Agreement between Owner and Construction Manager as Constructor) and the AIA A201 – 2017 (General Conditions of the Contract for Construction) (collectively, the Contract). Has the firm indicated acceptance of the Contract as the governing instrument for this project? Did the firm submit any deviations to the Contract? What is the extent of the deviations?

04. PERSONNEL – 30% of Scoring in Step One
Firms will receive a score up to 30% for demonstrating compliance with this criterion based on the following requested information:

I. Proposed personnel for the projects
- Are the firm's personnel experienced in similar school projects?
- Do the personnel proposed for the projects appear to have the appropriate experience and capabilities?
- Have the proposed personnel demonstrated the ability to achieve quality work on schedule?
- Given the scope and schedule of the projects, identify the specific Job Superintendent, Assistant Job Superintendent, Project Manager, Assistant Project Manager, Lead Estimator, and Field Operations personnel who would work on the project(s). Provide a resume and references for each individual. The Project Manager and Job Superintendent will be required to remain on the project through final completion unless the Owner directs for any personnel to be removed. The firm may request that a Project Manager or a Job Superintendent be removed from the project only with the approval of the District.

A maximum of five (5) firms who are determined to provide the best value to the District, based upon the selection criteria and weights listed above, will be selected to move to Step Two. Those selected firms will be notified by the District by March 13, 2026, and sent a copy of the Step 2 Request for Proposals.

STEP TWO

Proposals including fees and costs for general conditions must be received at a date and time according to the Request for Proposals (RFP). As part of the final selection process, the District reserves the right to engage in an interview process with the short-listed firms prior to the submission of proposals in Step 2. The firms selected to be interviewed should include the Project Manager(s), Job Superintendent(s), and Lead Estimator(s), as identified in the Statement of Qualifications, in the interview.

Upon conclusion of the interviews, if any, and after submission of the Step 2 Proposals, the firms will be evaluated and ranked in accordance with the criteria contained in the RFQ and the RFP to select the firm or firms that provide the best value for the District.

01. COST FACTORS – 70% of Scoring in Step Two
Firms selected to advance to Step Two will receive a score up to 70% for demonstrating compliance with this criterion based on the following requested information:

I. Price – Projected fees and services, costs for general conditions

II. Total long-term cost to the District to acquire the goods or services
- Are the proposed fees and costs competitive with other proposals?

- If savings are realized during construction, what percentage of those savings is returned to the District? Scale between 100% - 0%
- What is the firm's concept for the disposition of any unused contingency included in the project cost? 100% to the District?

02. INTERVIEW – 30% of Scoring in Step Two (if interviews are performed)
    It is anticipated that the firms might be interviewed, but the District reserves the right not to conduct any interviews. If no interviews are conducted, the cost factors listed above will account for 100% of the Step Two scoring. Firms selected to advance to Step Two will receive a score up to 30% for their performance during the interview, if any, based on the following requested information:
    I. Proposed Project Team
    II. Communication Skills/Presentation Skills
        - Is the entire proposed project team present for the interview?
        - Are the roles assigned to each individual clear?
        - Does the project team have the same understanding of the District's needs as the District?
        - What unique skills does this project team bring to the project(s)?
        - How satisfied is the interview team with the proposed project schedule of this firm? What additional information was obtained during the interview about this firm's approach to this project that differentiates them from the other firms?
        - What is the firm's approach to working with the municipality where these projects are located? Do they demonstrate the ability to obtain the required permits to build this project?
        - What is their relationship and past experience with the architect(s) for these projects, if known?
        - Has the firm provided examples of the "Team Player" relationship and how any adversarial situation during construction was remedied?

The firms will be ranked and the recommended ranking will be presented to the District's Board of Trustees for approval. The District will then begin negotiations of a contract with the highest-ranked offeror based on the Contract contained herein. If the District is unable to negotiate a satisfactory contract with the highest-ranked offeror, the District shall formally, and in writing, end negotiations with that offeror and proceed to negotiate with the next offeror in the order of the approved ranking until a contract is reached or negotiations with all ranked offerors end.

PROJECT DESCRIPTIONS

Scope:
The scope of work includes the majority of the 2025 Bond Projects. The District will contract directly with a Construction Manager at Risk for performing construction management for the project. The District reserves the right to contract separately with other suppliers, vendors and contractors as the District deems to be in its best interest. The CMaR will be reimbursed for the Cost of the Work plus a Fee as described in the Contract. The CMaR competitively bids and enters into subcontracts for all portions of the work, with the exception of work specifically approved by the District when appropriate to schedule or logistics. All subcontract bids/proposals are reviewed and approved by the District prior to award. Payment and performance bonds will be required of the CMaR. The CMaR will be required to use an Owner approved project management software.

The CMaR will be required to coordinate with any other contractors/vendors the District may be contracting with directly. The District may elect to procure certain materials/equipment directly, with coordination and scheduling support from the CMaR. The materials/equipment would then be assigned to the CMaR for its full acceptance of responsibilities for coordination and installation.

The requirements for criminal history background checks and drug testing apply to all personnel who enter the job site including during the close out and warranty period of the project. No one will be allowed on the project site without complying with the requirements stated in the Contract. The criminal history background check requirements are detailed in the Contract, including Section 3.4.5 of the A201. The drug testing requirements are detailed in the Contract, including Section 10.1.1 of the A201.

Any person who is assigned to perform any work at any District location under the Contract shall be required to wear their photo identification badge while on-site.

The District will retain the right to audit the accounting records of the projects upon demand for up to three (3) years after the final completion of the work. The accounting method must clearly show the breakdown of the following as a minimum:

- Unit and materials costs
- Specific wage rates for all trades
- Premium time mark ups for all trades, if any
- Contractor's Fee
- Materials mark-up
- Subcontractors' mark-up
- Insurance and bond costs
- Equipment and tool rental costs

Audits will occur at regular or irregular intervals. The CMaR must be able to provide documentation required upon request within twenty-four (24) hours during the duration of the project. Audits will use the pricing information provided at bidding as the basis for verification of costs at each audit.

Additional information on the 2025 Bond Projects is listed below.

2025 BOND PROJECTS

PROJECT NO. 1: New Elementary School #9

Address/Location: Goodland Development

Scope: The scope for this project includes a new elementary building/campus.

Anticipated Schedule (schedule may be modified after selection of CMaR)

Design/Construction Document Phase:	Spring 2026 – December 2026
Proposal/Bid Phase:	January 2027 – March 2027
Construction Phase:	Spring 2027 – Summer 2028

Anticipated Construction Budget *(budgets may be modified after selection of CMaR*)
$55,000,000

PROJECT NO. 2: New Career & Technical Education (CTE) Building

Address/Location: Property located @ Don Floyd Dr & 14th Street, Midlothian (subject to change)

Scope: The scope for this project includes new building/campus.

Anticipated Schedule (schedule may be modified after selection of CMaR)

Design/Construction Document Phase:	Spring 2026 – December 2026
Proposal/Bid Phase:	January 2027 – March 2027
Construction Phase:	Spring 2027 – Summer 2028

Anticipated Construction Budget *(budgets may be modified after selection of CMaR)*
$130,000,000

PROJECT NO. 3: Midlothian High School Renovations & Capital Improvements

Address/Location: 923 9th Street, Midlothian

Scope: The scope for this project includes renovation and additions to existing campus.

Anticipated Schedule *(schedule may be modified after selection of CMaR)*

Design/Construction Document Phase:	Spring 2026 – January 2027
Proposal/Bid Phase:	February 2027 – April 2027
Construction Phase:	Spring 2027 – Summer 2029

Anticipated Construction Budget *(budgets may be modified after selection of CMaR)*
$42,500,000

PROJECT NO. 4: Frank Seale Middle School Renovations & Capital Improvements

Address/Location: 700 George Hopper Rd, Midlothian

Scope: The scope for this project includes renovation and additions to existing campus.

Anticipated Schedule *(schedule may be modified after selection of CMaR)*

Design/Construction Document Phase:	Spring 2026 – January 2027
Proposal/Bid Phase:	February 2027 – April 2027
Construction Phase:	Spring 2027 – Summer 2029

Anticipated Construction Budget *(budgets may be modified after selection of CMaR)*
$13,500,000

PROJECT NO. 5: Restroom Renovations/Updates (Three Elementary Schools)

Address/Location: Longbranch Elementary – 6631 FM 1387, Midlothian; Mt Peak Elementary - 5201 FM 663, Midlothian; Vitovsky Elementary – 333 Church St, Midlothian

Scope: The scope for this project includes renovation to existing campus.

Anticipated Schedule *(schedule may be modified after selection of CMaR)*

Design/Construction Document Phase:	Spring 2026 – December 2026
Proposal/Bid Phase:	January 2027 – March 2027
Construction Phase:	Spring 2027 – Summer 2028

Anticipated Construction Budget *(budgets may be modified after selection of CMaR)*
$3,525,000

PROJECT NO. 6: Transportation Facility Addition & Renovation

Address/Location: 601 E Avenue E, Midlothian

Scope: The scope for this project includes renovation and additions to existing facility.

Anticipated Schedule *(schedule may be modified after selection of CMaR)*

Design/Construction Document Phase:	January 2027 – October 2027
Proposal/Bid Phase:	October 2027 – December 2027
Construction Phase:	January 2028 – January 2029

Anticipated Construction Budget *(budgets may be modified after selection of CMaR)*
$8,500,000

PROJECT NO. 7: Ag Facility Renovation & Expansion

Address/Location: 1851 Mockingbird Lane, Midlothian

Scope: The scope for this project includes renovation and additions to existing facility.

Anticipated Schedule *(schedule may be modified after selection of CMaR)*

Design/Construction Document Phase:	Spring 2026 – December 2026
Proposal/Bid Phase:	January 2027 – March 2027
Construction Phase:	Spring 2027 – Summer 2028

Anticipated Construction Budget *(budgets may be modified after selection of CMaR)*
$5,500,000

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PRE-CONSTRUCTION SERVICES

The CMaR will participate in pre-construction services by preparing construction cost estimates and construction phasing scheduling assistance as identified below and in the Contract:

Schedule / Budgeting / Cost Estimating

- Attend regular meetings with the District and Architect to review the project status and to develop an understanding of the project scope, as further described in the Contract.
- Provide a detailed schedule of the work to detail how the project will be executed and completed as per the District's timelines.
- Consult with the District and Architect regarding on-site and off-site development, building systems selection, material selection, and identification of long-lead items impacting the project schedule.
- Provide recommendations on construction feasibility, phasing, and scheduling.
- Provide design alternatives and potential cost savings, including cost and schedule impacts, for the determination of best value for the District.
- Prepare and periodically update a project schedule for the Architect's review and the District's approval. The CMaR shall coordinate and integrate the preliminary project schedule with the services and activities of the District, Architect, and CMaR.
- Assist the District and the Architect in determining phasing, packaging, and the associated definition of scope.
- Prepare detailed cost estimates as described in the Contract. If any estimate submitted to the District exceeds the agreed-upon budget, the CMaR shall make recommendations to the District and the Architect to reduce the cost of the project.
- Recommend to the District and the Architect a schedule for procurement of long-lead items that will constitute the work as required to meet the project schedule.

FORM OF CONTRACT

The District intends to use the A133-2019 and A201-2017 Contract as modified by the District, subject to revisions agreed upon by the parties, see **Exhibit A** (the "Contract"). The Contract should be read carefully for District requirements. Firms should identify in their response any exceptions taken or additions/modifications requested that are considered by the firm to be mandatory. Objections to the contract type or format not included within the response may result in disqualification.

The firm must comply with all bond requirements, insurance requirements, insurance endorsements, ratings standards and coverages, and other non-insurance standards contained within the Contract. Prior to selection, the firm must confirm its agreement with and ability to provide the District's required insurance coverages.

Respondents are advised that the Texas Prevailing Wage Law will be administered in accordance with the Contract. Please see the minimum Prevailing Wage Rates attached as **Exhibit B**. The construction of these projects is subject to Chapter 2258 of the Texas Government Code. Among other things, this Chapter provides that it shall be mandatory for a Contractor and upon any subcontractor to pay not less than the prevailing rates of per diem wages in the locality at the time of construction to all laborers, workmen, and mechanics employed by them in the execution of the contract.

CONFLICT OR ATTEMPT TO INFLUENCE

Neither the firm, nor any agent or representative of the firm, shall undertake any activities or actions to promote or advertise their qualifications or proposal to any member of the District's Board of Trustees, the District's

administration or their respective staff persons, except as specifically requested in writing by the District, at any time between the date of this invitation and the date of award by the District's Board of Trustees. This restriction extends to "thank you" letters, phone calls, emails, and any contact that results in the direct or indirect discussion of the RFQ, RFP, and/or qualifications and proposal submitted by the firm.

WAIVER & CONFIDENTIALITY

By submitting a response to this RFQ or the RFP, each firm waives any claims it has or may have against the District, its trustees, representatives, officers, employees, agents, and the District's consultants, and their respective employees, officers, members, directors and partners that are connected with or arising out of this RFQ or the RFP, including, the administration of the RFQ/RFP, the RFQ/RFP evaluation, and the selection of qualified firms. The firm's submission of qualifications indicates its affirmative acceptance of the evaluation methodology and the firm's recognition that some subjective judgments must be made by the District during the determination of best value.

Without limiting the generality of the foregoing, each firm acknowledges that the rankings and other information shall be made public in accordance with applicable law, and the firm waives any claim it has or may have against the above-named persons, due to information that is publicly released. During the course of the selection process, the information submitted in response to this solicitation may be exempt from disclosure to the public under the Texas Public Information Act. The responses and proposals will, however, upon the award of the contract, become a public record; and therefore, subject to disclosure to any person who makes a proper request for the documents. Some of the information you may provide may contain commercial or financial information that you consider privileged or confidential, or may be of a nature that you feel may cause substantial competitive harm to your business if disclosed by the District to a third-party, even after the award. You may be entitled to protect this information at the time a request is made for disclosure; however, you will need to consult your legal counsel to ensure that this kind of information, if included in your response, is properly marked as confidential prior to submission. Wholesale marking of your entire Qualifications Statement or proposal as "Confidential" or "Proprietary" will not be effective. The District fully complies with the Texas Public Information Act. In the event information from a response is requested, the District will use its best efforts to notify the firm of such request, but will have no duty to assert any claim to the Texas Attorney General that the response or any parts of the response are not subject to disclosure under the Act.

NO GUARANTEE

The firm understands and agrees that the District has the ability to terminate its selection process at any time, and to reject any and all responses, or any and all proposals, and that the District has made no representation, written or oral, that it will award a contract. Furthermore, the firm recognizes and understands that any cost incurred by the firm that arises from the firm's submittal of a response to this RFQ or the RFP shall be the sole responsibility of the firm.

STEP ONE SUBMISSION REQUIREMENTS

Please provide the following information in the sequence and format prescribed by this questionnaire. Supplemental materials providing additional information may be attached, but the information requested below is to be provided in this format.

1. Firm Information

1.1 Name of firm:
1.2 Address of principal's office:
1.3 Phone, email, and fax:
1.4 Form of Business Organization (Corporation, Partnership, Individual, Joint Venture, other?):
1.5 Year Founded:
1.6 Primary Individual to Contact:
1.7 Phone and email of Primary Individual to Contact:

2. Organization

2.1 How many years has your organization been in business as a CMaR/Contractor?
2.2 How many years has your organization been in business under its present name? Under what other or former names has your organization operated?
2.3 If your organization is a corporation, answer the following: Date of incorporation, State of incorporation, President's name, Vice-President's name(s), Secretary's name, Treasurer's name.
2.4 If your organization is a partnership, answer the following: Date of organization, type of partnership (if applicable), and names of general partner(s).
2.5 If your organization is individually owned, answer the following: Date of organization, name of owner.
2.6 If the form of your organization is other than those listed above, describe it and name the principals.

3. Licensing

3.1 List jurisdictions and trade categories in which your organization is legally qualified to do business and indicate registration of license numbers, if applicable.
3.2 List jurisdictions in which your organization's partnership or trade name is filed.

4. Experience

4.1 List the categories of work your organization normally performs with its own forces (self performs). Would you propose to do any work with your own forces or to bid all work to subcontractors?
4.2 List any subcontractors in which your organization has some ownership and list the categories of work those subcontractors normally perform.
4.3 Provide information related to your organization's active safety program, including information on your past safety record. Provide any other pertinent data that supports your organization's past safety record.
4.4 Claims and suits (If the answer to any of the questions below is yes, please attach details).
  4.4.1 Has your organization ever failed to complete any work awarded to it?
  4.4.2 Are there any judgments, claims, arbitration proceedings, or suits pending, or outstanding, against your organization or its officers?
  4.4.3 Has your organization filed any lawsuits or requested arbitration with regard to construction contracts within the last five years?
4.5 Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract? (If the answer is yes, please attach details.)
4.6 Current Work:
List the major construction projects your organization has in progress, giving the name and location

of the project, the nature of your selection for the project, and the service you are providing (general contractor, construction manager-at-risk, construction manager-agent, etc.), owner, architect, contract amount, percent complete, and scheduled completion date. Provide contact email addresses and phone numbers of the owner and architect for reference.

4.7 Work over the last 5 years:

List major projects constructed by your organization over the last 5 years. For each project, provide the name, nature of the project/function of the building, size (SF), location, cost, completion date, owner and architect, and the manner in which your organization was selected (bid, RFP, or other method). Did your company perform satisfactory to the terms and conditions on these projects? Were there any discrepancies, issues or complaints reported concerning your organization's performance? Provide contact email addresses and phone numbers of the owner and architect for reference.

5. Financial Information

5.1 Attach financial statements for the last three (3) years, preferably audited, including your organization's latest balance sheet and income statement showing the following items:

a. Current Assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory, and pre-paid expenses).
b. Net Fixed Assets
c. Other Assets
d. Current Liabilities (e.g., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries, and accrued payroll taxes).
e. Other Liabilities (e.g., capital stock, authorized and outstanding shares par value, earned surplus, and retained earnings).

5.2 Name and address of firm preparing attached financial statement and date thereof.

5.3 Is the attached financial statement for the identical organization named under Item 1 above? If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsidiary).

5.4 Will the organization, whose financial statement is attached, act as guarantor of the contract for construction?

5.5 Provide name, address, and phone number for bank reference.

5.6 Surety: Name of bonding company and name and address of agent. Provide letter from surety stating current bonding capacity.

6. Experiences with Concepts for Work as a Construction Manager At-Risk

6.1 Describe your organization's concepts for working in a team relationship with the Owner and Architect during the design and construction of major projects. Describe your organization's methods for estimating costs and for scheduling during the design/construction documents phases. Which (one or more) of those projects listed above best exemplifies these concepts and experience?

6.2 Describe your organization's preconstruction services and the extent of the pre-construction and construction administration services to be provided to the District.

6.3 Cost Estimates

Attach a sample conceptual cost estimate prepared during the design phase of an educational project, and a sample of the final cost estimate/breakdown used to fix the contract amount for the construction of the same project. (Identity of the project may be concealed. The intent is to see the nature and format of the cost information provided.)

6.4 Savings

Describe your organization's concept for the disposition of savings realized during construction. Is the full amount returned to the Owner?

6.5 Contingencies

Describe your organization's concept for cost contingencies both during design and during construction. What is your organization's concept for the disposition of contingency funds after the completion of the project?

6.6 Cost Information
Does your firm make all cost information during design and construction available to Owner and Architect?

6.7 Subcontractor Bond Requirements
Is it your intent or a requirement of your company or surety to bond or insure any subcontractors for these projects? If yes, please explain. If Subcontractor Default Insurance is proposed in lieu of subcontractor performance and payment bonds, clearly describe this program as utilized by your company including how costs are determined and billed to the Owner.

6.8 Schedule
This project has a compressed schedule. Describe your strategies to ensure the project is completed within the allotted time.

7. Personnel

Given the scope and schedule of the project(s), identify the specific Project Manager(s), Lead Estimator(s), and Job Superintendent(s) who would work on the project. Provide a resume for each individual and the current and projected workload of the key personnel who will be responsible for managing this project. Provide assurances the identified team will remain with this project throughout the course of construction. Submit a separate team for each project listed herein. Team members may be the same for more than one project where the schedules allow. Refer to 'Criteria for Selection' for specific information requested of each individual.

8. Owner/Construction Manager Agreement

As noted above, the District will use modified versions of the AIA A133 – 2019 (Standard Form of Agreement between Owner and Construction Manager as Constructor) and the AIA A201 – 2017 (General Conditions of the Contract for Construction) (collectively, the Contract). The Contract has been prepared by the District's legal counsel and is provided as part of this RFQ. Any changes, deviations, modifications, or exceptions must be specifically noted, in writing, as part of the Step 1 Statement of Qualifications. Fee structures will be negotiated and contained as a part of the final agreement after Step 2.

As a part of your submission, indicate that, if selected, you will execute this form of the Contract, noting any exceptions, deviations, or modifications by section number(s). If no exceptions, deviations, or modifications are noted, the firm will be deemed to have accepted the form of the Contract as written. All requests for modifications will be made through mutual agreement of the District and the selected Construction Manager. In the event an agreement cannot be reached, the District will terminate negotiations and begin negotiations with the next-ranked firm that provides the best value to the District.

9. References

For six (6) of your firms most recently completed educational projects of similar size, scope and construction timeline, identify a representative of the owner and a representative of the architect (provide name, phone and email) whom we could contact as references regarding your organization's services. Ideally all of the references should be for educational projects of comparable scopes and cost.

10. Schedules

Provide samples of schedules that will be used to control various project phases. Detailed example of level of scheduling quality to be expected on the project by submission of a schedule for another educational project with similar scheduling complexity.

11. Required Forms

- **a. Execution of Offer**
- **b. Felony Conviction Notice**
- **c. Non-Collusion Affidavit**
- **d. Conflict of Interest Questionnaire (if applicable)**
- **e. Certificate of Residency**
- **f. W-9 Request for Taxpayer Identification and Certification**

g. Certificate of Interested Parties Form 1295 (will be required of the selected firms)

Fees, General Conditions Costs: Do not submit any fees or general condition costs with this response, these will be solicited in Step Two.

EXECUTION OF OFFER

The Respondent must complete, sign and return this Execution of Offer as part of their Statement of Qualifications.

Respondent's Name: _____

Identify each person who owns at least 25% of the Respondent's business entity by name:

_____
(Name)

_____
(Name)

_____
(Name)

_____
(Name)

Submitted and Certified By:

_____ _____
(Respondent's Printed Name) *(Title)*

_____ _____
(Street Address) *(Telephone Number)*

_____
(City, State, Zip Code)

By:_____ _____
(Authorized Signature) *(Date)*

NOTE TO RESPONDENTS: SUBMIT ENTIRE SECTION WITH RESPONSE.

THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED, AND RETURNED WITH THE RESPONDENT'S QUALIFICATIONS. FAILURE TO COMPLETE, SIGN AND RETURN THIS EXECUTION OF OFFER WITH THE QUALIFICATIONS MAY RESULT IN REJECTION OF THE QUALIFICATIONS.SIGNING A FALSE STATEMENT MAY VOID THE SUBMITTED QUALIFICATIONS OR ANY AGREEMENTS OR OTHER CONTRACTUAL ARRANGEMENTS, WHICH MAY RESULT FROM THE SUBMISSION OF RESPONDENT'S QUALIFICATIONS. A FALSE CERTIFICATION SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT AND, AT OWNER'S OPTION, MAY RESULT IN TERMINATION OF ANY RESULTING CONTRACT.

BY SIGNATURE HEREON:

1. Respondent acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Respondent in response to this RFQ will not create a contract between the Owner and Respondent; (3) the Owner has made no representation or warranty, written or oral, that one or more contracts with the Owner will be awarded under this RFQ; and (4) Respondent shall

bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFQ.

2. Respondent agrees to furnish to the Owner the services described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ and documents contained herein.

3. Respondent affirms that Respondent has not given, and does not intend to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Qualifications.

4. A corporate Respondent certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporate Respondent is exempt from the payment of such taxes, or that the corporate Respondent is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable.

5. Respondent certifies that neither the Respondent nor the firm, corporation, partnership or owner represented by the Respondent, or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state, codified in Section 15.01, et. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the response to any competitor or any other person engaged in such line of business.

6. Respondent represents and warrants that:

1. Respondent is a reputable company regularly engaged in providing construction manager services necessary to meet the terms, conditions, and requirements of the RFQ.

2. Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ.

3. Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances.

4. Respondent understands (i) the requirements and specifications set forth in this RFQ and (ii) the terms and conditions set forth in the Contract under which Respondent will be required to operate.

5. Respondent, if selected by the Owner, will maintain insurance as required by the Contract.

6. All statements, information, and representations prepared and submitted in response to this RFQ are current, complete, true, and accurate. Respondent acknowledges that the Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by the Owner as the successful Respondent, Respondent will notify the Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provided information.

7. Under Section 231.006, Texas Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.

7. Respondent certifies that the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements which may result from the submission of Respondent's Qualifications.

EXHIBIT A
SAMPLE A133 and A201 Contract, modified by Owner

Contact Shana Volentine for Exhibit A

Shana Volentine, Director of Purchasing
Midlothian Independent School District
100 Walter Stephenson Road
Midlothian, Texas 76065
E-mail: shana.volentine@midlothianisd.org

EXHIBIT B
Minimum Prevailing Wage Rates (excluding fringe benefits)

[to be attached]

"General Decision Number: TX20260246 01/02/2026

Superseded General Decision Number: TX20250246

State: Texas

Construction Type: Building

County: Ellis County in Texas.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Modification Number	Publication Date
0	01/02/2026

ASBE0021-011 06/01/2025

	Rates	Fringes
ASBESTOS WORKER/HEAT & FROST INSULATOR (Duct, Pipe and Mechanical System Insulation)	$ 33.23	7.52

BOIL0074-003 01/01/2025

	Rates	Fringes
BOILERMAKER	$ 33.17	24.92

CARP1421-002 10/01/2023

	Rates	Fringes
MILLWRIGHT	$ 32.02	11.27

ELEV0021-006 01/01/2025

	Rates	Fringes
ELEVATOR MECHANIC	$ 51.93	38.435+a+b

FOOTNOTES:

A. 6% under 5 years based on regular hourly rate for all hours worked. 8% over 5 years based on regular hourly rate for all hours worked.

B. New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, and Veterans Day.

ENGI0178-005 06/01/2020

	Rates	Fringes
POWER EQUIPMENT OPERATOR		
(1) Tower Crane	$ 32.85	13.10
(2) Cranes with Pile Driving or Caisson Attachment and Hydraulic Crane 60 tons and above	$ 28.75	10.60
(3) Hydraulic cranes 59 Tons and under	$ 32.35	13.10

IRON0263-005 06/01/2025

	Rates	Fringes

IRONWORKER (ORNAMENTAL AND
STRUCTURAL).....$ 29.64 8.43

PLUM0100-005 11/01/2024

	Rates	Fringes
HVAC MECHANIC (HVAC Unit Installation Only).....	$ 39.76	14.04
PIPEFITTER (Excludes HVAC Pipe Installation).....	$ 39.76	14.04

SUTX2014-022 07/21/2014

	Rates	Fringes
BRICKLAYER.....	$ 19.89	0.00
CARPENTER, Excludes Drywall Hanging, Form Work, and Metal Stud Installation.....	$ 16.62	0.00
CAULKER.....	$ 15.16	0.00
CEMENT MASON/CONCRETE FINISHER...	$ 13.21	0.00
DRYWALL HANGER AND METAL STUD INSTALLER.....	$ 15.42	0.00
ELECTRICIAN (Alarm Installation Only).....	$ 20.93	3.86
ELECTRICIAN (Communication Technician Only).....	$ 17.62	2.92
ELECTRICIAN (Low Voltage Wiring Only).....	$ 17.97	2.63
ELECTRICIAN, Excludes Low Voltage Wiring and Installation of Alarms/Sound and Communication Systems.....	$ 20.65	3.05
FORM WORKER.....	$ 12.13	0.00
GLAZIER.....	$ 16.55	3.13
HIGHWAY/PARKING LOT STRIPING: Operator (Striping Machine).....	$ 10.04	2.31
INSTALLER - SIDING (METAL/ALUMINUM/VINYL).....	$ 14.74	0.00
INSTALLER - SIGN.....	$ 15.61	0.00
INSULATOR - BATT.....	$ 13.00	0.00
IRONWORKER, REINFORCING.....	$ 12.37	0.00
LABORER: Common or General.....	$ 12.97	0.00
LABORER: Mason Tender - Brick...	$ 10.54	0.00
LABORER: Mason Tender - Cement/Concrete.....	$ 10.75	0.00
LABORER: Pipelayer.....	$ 13.00	0.35
LABORER: Plaster Tender.....	$ 12.22	0.00

LABORER: Roof Tearoff	$ 11.28	0.00
LABORER: Landscape and Irrigation	$ 11.09	0.00
LATHER	$ 16.00	0.00
OPERATOR: Backhoe/Excavator/Trackhoe	$ 12.83	0.00
OPERATOR: Bobcat/Skid Steer/Skid Loader	$ 13.93	0.00
OPERATOR: Bulldozer	$ 18.29	1.31
OPERATOR: Drill	$ 15.69	0.50
OPERATOR: Forklift	$ 13.21	0.81
OPERATOR: Grader/Blade	$ 12.96	0.00
OPERATOR: Loader	$ 13.46	0.85
OPERATOR: Mechanic	$ 17.52	3.33
OPERATOR: Paver (Asphalt, Aggregate, and Concrete)	$ 18.44	0.00
OPERATOR: Roller	$ 15.04	0.00
PAINTER (Brush, Roller and Spray), Excludes Drywall Finishing/Taping	$ 13.21	2.33
PAINTER: Drywall Finishing/Taping Only	$ 13.76	2.84
PLASTERER	$ 15.75	0.00
PLUMBER (HVAC Pipe Installation Only)	$ 22.16	5.46
PLUMBER, Excludes HVAC Pipe Installation	$ 22.31	5.18
ROOFER	$ 17.19	0.00
SHEET METAL WORKER (HVAC Duct Installation Only)	$ 20.88	5.19
SHEET METAL WORKER, Excludes HVAC Duct Installation	$ 24.88	5.97
SPRINKLER FITTER (Fire Sprinklers)	$ 22.94	0.00
TILE FINISHER	$ 11.22	0.00
TILE SETTER	$ 14.25	0.00
TRUCK DRIVER: 1/Single Axle Truck	$ 16.40	0.81
TRUCK DRIVER: Dump Truck	$ 12.39	1.18
TRUCK DRIVER: Flatbed Truck	$ 19.65	8.57
TRUCK DRIVER: Semi-Trailer Truck	$ 12.50	0.00

TRUCK DRIVER: Water Truck.....$ 12.00   4.11

TRUCK DRIVER.....................$ 16.15   3.46

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.

===

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave
for Federal Contractors applies to all contracts subject to the
Davis-Bacon Act for which the contract is awarded (and any
solicitation was issued) on or after January 1, 2017. If this
contract is covered by the EO, the contractor must provide
employees with 1 hour of paid sick leave for every 30 hours
they work, up to 56 hours of paid sick leave each year.
Employees must be permitted to use paid sick leave for their
own illness, injury or other health-related needs, including
preventive care; to assist a family member (or person who is
like family to the employee) who is ill, injured, or has other
health-related needs, including preventive care; or for reasons
resulting from, or to assist a family member (or person who is
like family to the employee) who is a victim of, domestic
violence, sexual assault, or stalking. Additional information
on contractor requirements and worker protections under the EO
is available at
https://www.dol.gov/agencies/whd/government-contracts.

Note: Executive Order 13658 generally applies to contracts
subject to the Davis-Bacon Act that were awarded on or between
January 1, 2015 and January 29, 2022, and that have not been
renewed or extended on or after January 30, 2022. Executive
Order 13658 does not apply to contracts subject only to the
Davis-Bacon Related Acts regardless of when they were awarded.
If a contract is subject to Executive Order 13658, the
contractor must pay all covered workers at least $13.30 per
hour (or the applicable wage rate listed on this wage
determination, if it is higher) for all hours spent performing
on the contract in 2025. The applicable Executive Order
minimum wage rate will be adjusted annually.   Additional
information on contractor requirements and worker protections
under Executive Order 13658 is available at
www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within
the scope of the classifications listed may be added after
award only as provided in the labor standards contract clauses
(29CFR 5.5 (a) (1) (iii)).

The body of each wage determination lists the classifications
and wage rates that have been found to be prevailing for the
type(s) of construction and geographic area covered by the wage
determination. The classifications are listed in alphabetical
order under rate identifiers indicating whether the particular
rate is a union rate (current union negotiated rate), a survey
rate, a weighted union average rate, a state adopted rate, or a
supplemental classification rate.

Union Rate Identifiers

A four-letter identifier beginning with characters other than
""SU"", ""UAVG"", ?SA?, or ?SC? denotes that a union rate was
prevailing for that classification in the survey. Example:
PLUM0198-005 07/01/2024. PLUM is an identifier of the union
whose collectively bargained rate prevailed in the survey for

this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE: UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio. The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the collective bargaining agreements on which the rate is based.

Survey Rate Identifiers

The ""SU"" identifier indicates that either a single non-union rate prevailed (as defined in 29 CFR 1.2) for this classification in the survey or that the rate was derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As a weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SUFL2022-007 6/27/2024. SU indicates the rate is a single non-union prevailing rate or a weighted average of survey data for that classification. FL indicates the State of Florida. 2022 is the year of the survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 6/27/2024 in the example, indicates the survey completion date for the classifications and rates under that identifier.

?SU? wage rates typically remain in effect until a new survey is conducted. However, the Wage and Hour Division (WHD) has the discretion to update such rates under 29 CFR 1.6(c)(1).

State Adopted Rate Identifiers

The ""SA"" identifier indicates that the classifications and prevailing wage rates set by a state (or local) government were adopted under 29 C.F.R 1.3(g)-(h). Example: SAME2023-007 01/03/2024. SA reflects that the rates are state adopted. ME refers to the State of Maine. 2023 is the year during which the state completed the survey on which the listed classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 01/03/2024 in the example, reflects the date on which the classifications and rates under the ?SA? identifier took effect under state law in the state from which the rates were adopted.

WAGE DETERMINATION APPEALS PROCESS

1) Has there been an initial decision in the matter? This can be:

a) a survey underlying a wage determination
b) an existing published wage determination
c) an initial WHD letter setting forth a position on a wage determination matter
d) an initial conformance (additional classification and rate) determination

On survey related matters, initial contact, including requests for summaries of surveys, should be directed to the WHD Branch of Wage Surveys. Requests can be submitted via email to davisbaconinfo@dol.gov or by mail to:

Branch of Wage Surveys
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

Regarding any other wage determination matter such as conformance decisions, requests for initial decisions should be directed to the WHD Branch of Construction Wage Determinations. Requests can be submitted via email to BCWD-Office@dol.gov or by mail to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2) If an initial decision has been issued, then any interested party (those affected by the action) that disagrees with the decision can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Requests for review and reconsideration can be submitted via email to dba.reconsideration@dol.gov or by mail to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210.

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END OF GENERAL DECISION
"

MIDLOTHIAN ISD
INSPIRING EXCELLENCE

Felony Conviction Notice

Statutory citation covering notification of criminal history of contractor is found in the Texas Education Code
#44.034. Following is an example of a felony conviction notice:

FELONY CONVICTION NOTICE

Senate Bill 1, passed by the State of Texas Legislators, Section 44.034, Notification of Criminal History, Subsection (a) states, "a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or owner or operator of the business entity has been convicted of a felony." The notice must include a general description of the conduct resulting in the conviction of a felony.

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

This notice is not required of a publicly held corporation.

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

Vendor's Name: _____

Authorized Company Official's Name: (please print)

_____

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): _____

Details of Conviction: _____

_____

Signature of Company Official: _____

THIS COMPLETED FORM MUST BE RETURNED WITH PROPOSAL

MIDLOTHIAN ISD
INSPIRING EXCELLENCE

STATEMENT OF NON-COLLUSION AND NON-DISCRIMINATION

My signature certifies that the accompanying Proposal:

1. Is not the result of, or affected by, an unlawful act of collusion with another person or company engaged in the same line of business or commerce, or any act of fraud punishable under current local, state, and/or federal ordinances, statutes, regulations and/or policies. Furthermore, I understand that fraud and unlawful collusion are crimes under Federal Law, and can result in fines, prison sentences, and civil damage awards.
2. During the performance of any contract awarded, the Seller will not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin, or handicaps, except where religion, sex or national origin is a bona fide occupation qualification reasonably necessary to the normal operations of the Seller, The Seller agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
3. The Seller, in all solicitations or advertisements for employees placed by or on behalf of the Seller, will state that such Seller is an equal opportunity employer.
4. Notices, advertisements and solicitations placed in accordance with Federal Law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
5. The Seller shall include the provisions of the foregoing paragraphs 2, 3 and 4 in every subcontract or purchase order over $10,000.00 so that the provisions will be binding upon each subcontractor or vendor.

I hereby certify that I am authorized to sign as a Representative for the Seller:

NAME OF SELLER:

_____

ADDRESS:

_____

CITY & STATE:

_____

NAME: (Print)

_____

Signature:

_____

TITLE:_____ DATE: _____

TELEPHONE:_____FAX: _____

EMAIL ADDRESS: _____

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. *See* Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 **Name of vendor who has a business relationship with local governmental entity.**

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

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

_____

Name of Officer

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

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

_____ _____ _____

Name of signatory Signature Date

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.

RESIDENT/NONRESIDENT CERTIFICATION

Texas Government Code Chapter 2252 relates to bids by nonresident contractors. The pertinent portions of the Act are as follows:

Section 2252.001(3)

"Nonresident bidder" means a bidder who is not a resident (of the State of Texas).

Section 2252.001(4)

"Resident bidder" means a bidder whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

Section 2252.002

A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

I certify that_____ is a

Resident Bidder of Texas as defined in Texas Government Code Section 2252.001(4).

Signature: _____

Printed Name: _____

I certify that_____ is a

Nonresident Bidder of Texas as defined in Texas Government Code Section 2252.001(3) and our principal place of business is:

City and State: _____

Signature: _____

Printed Name: _____

If the Bidder is a Nonresident Bidder of Texas, please answer the following:

Does the vendor's ultimate parent company or majority owner employ at least 500 persons in Texas?

Yes_____ No _____

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

Request for Taxpayer Identification Number and Certification

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

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

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See ***Specific Instructions*** on page 3.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)

2 Business name/disregarded entity name, if different from above.

3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only **one** of the following seven boxes.

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

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

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

☐ Other (see instructions)

3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions . . . . . ☐

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

Exempt payee code (if any)

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

(Applies to accounts maintained outside the United States.)

5 Address (number, street, and apt. or suite no.). See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			–		–				

or

Employer identification number

		–							

Part II Certification

Under penalties of perjury, I certify that:

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

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

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

General Instructions

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

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

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

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

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

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

5 Check only if there is NO Interested Party. ☐

6 UNSWORN DECLARATION

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

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

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

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

_____
Signature of authorized agent of contracting business entity
(Declarant)

ADD ADDITIONAL PAGES AS NECESSARY

Must file online at www.ethics.state.tx.us/File