



MARLIN INDEPENDENT SCHOOL DISTRICT

REQUEST FOR QUALIFICATIONS (RFQ) Professional Engineering Services For Groundwater Availability Study and Water Supply Evaluation

RFQ No: RFQ #2026-02

Issue Date: September 10, 2026

Qualifications Due: October 2, 2026

I. INTRODUCTION

The Marlin Independent School District ("District") is requesting Statements of Qualifications ("SOQs") from qualified professional engineering firms licensed to practice in the State of Texas to provide professional engineering services related to a groundwater availability study and water supply evaluation.

The District is engaged in long-range facility and infrastructure planning and desires to evaluate existing and future water supply needs, including the feasibility of groundwater resources to support District operations and future capital improvements. The District also seeks to better understand site-specific water conditions, including issues related to flooding, drainage, groundwater availability, and long-term water reliability.

The District desires to obtain professional engineering and hydrogeological services to evaluate the availability, quality, reliability, sustainability, and regulatory feasibility of groundwater as potential source of water supply for District facilities and operations.

The District will identify areas of study and will provide with sufficient information to determine whether groundwater can reasonably serve as a current or future water supply source as domestic, potable, irrigation, fire protection, athletic facilities, and other District uses, as applicable.

The study shall evaluate existing groundwater conditions, potential well sites, anticipated well capacity, water quality, impacts of groundwater production, applicable groundwater regulations, and the feasibility and estimated costs of developing a groundwater supply.

The District recognizes that the ultimate scope of services appropriate for this engagement may vary depending upon the engineering firm's professional recommendations, the District's priorities, available funding, and the results of negotiations following selection. Accordingly, the scope of services and deliverables described in this RFQ are intended to identify the District's anticipated objectives and may be modified, expanded, reduced, or phased during contract negotiations to best meet the District's needs.

This procurement is conducted in accordance with the Texas Professional Services Procurement Act, Texas Government Code Chapter 2254. Selection will be based solely upon demonstrated competence and qualifications. Respondents shall not submit any pricing, fee schedules, hourly rates, or other compensation information with their qualifications.

II. PROJECT OBJECTIVES

The District seeks to engage a qualified engineering firm to:

1. Evaluate the District's existing water supply infrastructure and available water resources;
2. Assess groundwater availability and long-term sustainability;
3. Evaluate the feasibility of groundwater as a current and future water supply source;
4. Review flooding and drainage conditions affecting District facilities, as applicable;

5. Identify regulatory, environmental, permitting, and infrastructure considerations;
6. Develop planning-level recommendations for future improvements; and
7. Provide information to assist the District in future budgeting, facility planning, and potential bond planning.

III. MINIMUM QUALIFICATIONS

Respondents shall:

- Be authorized to provide professional engineering services in the State of Texas.
- Have a Texas licensed Professional Engineer serving as Project Manager.
- Demonstrate experience performing groundwater availability studies, hydrogeologic evaluations, municipal or public water supply planning, or similar engineering studies.
- Demonstrate experience with Texas regulatory agencies, groundwater conservation districts, and water permitting requirements.
- Demonstrate experience working with public entities, preferably Texas independent school districts or other governmental entities.

IV. ANTICIPATED SCOPE OF SERVICES

The District seeks to retain a qualified professional engineering firm to evaluate the adequacy, reliability, and long-term sustainability of its existing water supply and to assess the feasibility of groundwater as a current and future water source for District facilities. The selected firm will be expected to apply its professional judgment to develop and perform a scope of services appropriate to accomplish the District's objectives.

At a minimum, the selected firm is anticipated to review available background information and existing conditions, including historical water usage, existing water supply infrastructure, available utility records, prior engineering reports and studies, geologic and hydrogeologic information, flooding and drainage information, and other information reasonably necessary to evaluate the District's current and future water supply needs. The engineer should meet with District representatives to discuss operational concerns, future facility planning, known site conditions, and other matters relevant to the study.

The selected firm is expected to perform appropriate site investigations and field observations necessary to evaluate existing water infrastructure, identify existing conditions, assess potential groundwater resources, and identify opportunities or constraints associated with future groundwater development. The extent of any field investigations shall be determined by the selected engineer in consultation with the District and may be modified during contract negotiations.

The engineering evaluation should include an assessment of groundwater availability, aquifer characteristics, anticipated production capacity, water quality considerations, long-term sustainability, and other hydrogeologic conditions that may affect the District's ability to utilize groundwater as a reliable water supply. The engineer should also identify regulatory,

environmental, permitting, and water rights considerations that may affect implementation of any recommendations.

As part of the study, the selected firm should evaluate feasible alternatives for meeting the District's present and future water supply needs. Such alternatives may include continued use or expansion of existing water sources, development of new groundwater wells, improvements to existing water infrastructure, additional storage capacity, or other engineering solutions the firm determines may be appropriate. The evaluation should identify the relative benefits, limitations, risks, and planning considerations associated with each alternative.

Based upon its evaluation, the selected firm shall prepare professional recommendations regarding future planning, infrastructure improvements, implementation priorities, and any additional engineering investigations that may be appropriate. To the extent practicable, recommendations should include planning-level opinions of probable construction cost and suggested implementation priorities to assist the District in future budgeting and capital planning.

The scope of services described in this RFQ represents the District's current objectives and is intended to establish a general framework for the anticipated engagement. Following selection of the most highly qualified firm, the District reserves the right to negotiate, refine, expand, reduce, phase, or otherwise modify the final scope of services, project schedule, and deliverables based upon the selected firm's professional recommendations, the District's operational priorities, available funding, and the results of contract negotiations conducted in accordance with the Texas Professional Services Procurement Act. The District may elect to proceed with all, some, or none of the services generally described in this RFQ.

V. ANTICIPATED DELIVERABLES

The District anticipates that the selected firm will prepare a comprehensive engineering study documenting the work performed, the information reviewed, the engineering analyses conducted, and the firm's professional findings and recommendations. The final deliverables should be suitable for use by District administration and the Board of Trustees in evaluating current water supply conditions, planning future infrastructure improvements, and supporting long-range capital planning.

At a minimum, the final study is anticipated to include a summary of the existing conditions reviewed during the engagement, including available background information, existing water supply infrastructure, existing wells and related facilities, historical water usage information, site observations, available geologic and hydrogeologic information, flooding and drainage considerations, and any other information relied upon by the engineer in conducting the evaluation.

The report should include a detailed engineering evaluation of groundwater availability and the feasibility of utilizing groundwater as a reliable long-term water source for the District. The evaluation should discuss hydrogeologic conditions, aquifer characteristics, anticipated groundwater production potential, water quality considerations, sustainable yield, regulatory and

permitting considerations, and any engineering or environmental constraints identified during the study.

The selected firm should also provide an evaluation of feasible water supply alternatives and, where appropriate, compare those alternatives based upon engineering considerations, anticipated benefits, limitations, implementation challenges, relative risks, and planning-level costs. The report should identify the circumstances under which each alternative may be appropriate and provide the District with sufficient information to support future decision-making.

The study should conclude with the engineer's professional recommendations regarding future water supply planning, infrastructure improvements, additional engineering investigations, and implementation priorities. To the extent appropriate for the level of study performed, the recommendations should include planning-level opinions of probable cost, suggested sequencing or phasing of improvements, and identification of projects that warrant additional evaluation or design.

The selected firm should also prepare an executive summary suitable for presentation to District administration and the Board of Trustees that clearly identifies the principal findings, significant risks or opportunities, recommended next steps, and major planning considerations resulting from the study.

Upon completion of the study, the selected firm shall present its findings and recommendations to District administration and, if requested, the Board of Trustees, and shall respond to questions regarding the engineering analyses and recommendations.

Final deliverables are anticipated to be provided electronically in searchable PDF format together with editable Microsoft Word and Excel files for reports, cost estimates, tables, and supporting data, as applicable. If mapping, GIS information, photographs, calculations, or other supporting technical documentation are developed during the engagement, such materials should also be provided electronically. Unless otherwise agreed in the professional services agreement, all reports, studies, calculations, electronic files, and other work product prepared under the engagement shall become the property of the District upon payment for the services rendered.

The deliverables described above represent the District's anticipated objectives and are intended to provide a framework for the engagement. Following selection of the most highly qualified firm, the District reserves the right to negotiate, modify, expand, reduce, phase, or otherwise refine the final deliverables to align with the negotiated scope of services, the District's priorities, available funding, and the selected firm's professional recommendations.

VI. STATEMENT OF QUALIFICATIONS

Statements of Qualifications shall include all the information as shown on Exhibit A. Respondents shall complete and submit the form.

VII. EVALUATION CRITERIA

This solicitation is issued pursuant to the Texas Professional Services Procurement Act, Texas Government Code Chapter 2254. Selection will be based solely upon demonstrated competence and qualifications. Following selection of the most qualified firm, the District will negotiate a detailed scope of services, project deliverables, schedule, and fair and reasonable compensation. The District expressly reserves the right to negotiate revisions to the proposed scope of work and deliverables to align with the District's operational needs, available funding, and the selected firm's professional recommendations. If an agreement cannot be reached, negotiations will be terminated and commenced with the next most qualified firm.

Respondents ***shall not*** include pricing, fee schedules, hourly rates, or other compensation information in their Statements of Qualifications.

Qualifications may be evaluated using criteria including, but not limited to:

<u>Evaluation Criteria</u>	<u>Points</u>
1. Firm qualifications and experience	25
2. Relevant groundwater and water supply experience	25
3. Qualifications of proposed project team	20
4. Project approach and understanding of District objectives	15
5. Experience with public entities and Texas regulatory requirements	10
6. References and demonstrated past performance	5
 TOTAL	 100

The District reserves the right to request interviews, presentations, or additional information from one or more respondents. The District reserves the right to request clarifications, supplemental information, presentations, interviews, or additional documentation from any Respondent at any time during the evaluation process.

VIII. SELECTION PROCESS

The District anticipates the following process and timeline:

- Issue the RFQ/First Advertisement in Paper: September 10, 2026
- Second Advertisement in Paper: September 17, 2026
- Deadline for questions/requests for clarifications by Respondents: September 25, 2026
- Deadline to Submit Statements of Qualifications: October 2, 2026
- Evaluate qualifications: By October 9, 2026
- Conduct interviews, if determined beneficial: Week of October 19, 2026
- Provide Advisory Ranking to Board and Board Approval/Delegation to Negotiate Agreement with Selected Professional(s): November 2, 2026
- Target for completion of negotiations: Negotiate a final scope of services and fair and reasonable compensation with the highest-ranked firm: By November 13, 2026
- Board consideration and approval of the final agreement: November 16, 2026

During negotiations, the District and the selected firm may refine the scope of work, deliverables, project schedule, and project phasing to align with the District's priorities, available funding, and the selected firm's professional recommendations. If negotiations are unsuccessful, the District may terminate negotiations and initiate negotiations with the next most qualified firm.

Questions concerning this RFQ shall be submitted by email to:

Norman Jones
Chief Operating Officer
Marlin ISD
njones@marlinisd.org

The District may issue written responses or clarifications by addendum to all respondents as appropriate.

IX. SUBMISSION REQUIREMENTS

Statements of Qualifications shall be submitted electronically in hard format and with a jump drive including PDF format no later than the date and time listed above.

Submit to:

Norman Jones
Chief Operating Officer
Marlin ISD
njones@marlinisd.org

Late submissions will be rejected. Respondents must submit hard copies of their SOQs and jump drive with all required documents.

X. GENERAL CONDITIONS

The District reserves the right to:

- Reject any or all Statements of Qualifications;
- Waive informalities or irregularities;
- Request clarifications or additional information;
- Modify or cancel this RFQ;
- Conduct further investigation regarding respondent qualifications;
- Negotiate the final scope of services and agreement terms;
- Award no contract if determined to be in the District's best interest.

Public Information Act. The District is subject to the Texas Public Information Act, Chapter 552 of the Texas Government Code ("TPIA"). Statements of Qualifications and other materials submitted in response to this RFQ may be considered public records and may be subject to disclosure in accordance with applicable law. If a Respondent believes that any portion of its submission contains confidential, proprietary, or trade secret information that is excepted from

disclosure under the TPIA, the Respondent shall clearly identify and label each page or section claimed to be confidential and specify the legal basis supporting the claimed exception from disclosure. The Respondent acknowledges and agrees that merely marking information as "confidential," "proprietary," or "trade secret" does not make such information confidential under the TPIA, and the District cannot guarantee that information designated by a Respondent will be withheld from public disclosure.

If the District receives a request for information that includes material a Respondent has identified as confidential or proprietary, the District may, but is not obligated to, notify the Respondent of the request in accordance with the TPIA. The Respondent shall be solely responsible for asserting any applicable exceptions to disclosure before the Office of the Attorney General of Texas and for providing any arguments required to support withholding the information. The District assumes no obligation to assert or defend any claim of confidentiality on behalf of a Respondent.

By submitting a Statement of Qualifications, the Respondent acknowledges that the District may disclose submitted materials to the extent required by the Texas Public Information Act, applicable law, court order, or opinion of the Office of the Attorney General, and releases the District, its Board of Trustees, officers, employees, and agents from any liability arising from such disclosure. Respondents are encouraged to refrain from submitting information that is confidential, proprietary, or otherwise sensitive unless such information is necessary to demonstrate the Respondent's qualifications.

Professional Licensure. The Respondent shall maintain all licenses, registrations, certifications, and professional qualifications required by the State of Texas throughout the term of the engagement. Any engineering services shall be performed under the responsible charge of a Professional Engineer licensed by the Texas Board of Professional Engineers and Land Surveyors.

Insurance. Prior to commencing services, the selected Respondent shall provide evidence of insurance in types and amounts reasonably acceptable to the District, including professional liability (errors and omissions) coverage appropriate for the services to be provided.

Contract Negotiation. The selected Respondent will be required to enter into a written professional services agreement acceptable to the District. The District reserves the right to negotiate all terms and conditions of the agreement, including the scope of services, deliverables, schedule, compensation, ownership of work product, and other contractual provisions.

Ownership of Work Product. Unless otherwise agreed in writing, all reports, studies, drawings, specifications, calculations, electronic files, field notes, maps, photographs, data, and other work product prepared for the District under the resulting agreement shall become the property of the District upon payment for the services rendered.

District-Furnished Information. The District will provide available information reasonably necessary for the performance of the services. The Respondent may rely upon information

provided by the District unless the Respondent knows, or in the exercise of ordinary professional care should know, that such information is inaccurate or incomplete.

Costs of Preparation. All costs incurred in preparing and submitting a Statement of Qualifications, participating in interviews, presentations, negotiations, or any other portion of this procurement process shall be borne solely by the Respondent.

Withdrawal of Qualifications. A Respondent may withdraw its Statement of Qualifications at any time prior to the submission deadline by providing written notice to the District. After the submission deadline, qualifications may be withdrawn only with the District's consent.

Addenda. The District reserves the right to issue written addenda, clarifications, or revisions to this RFQ at any time prior to the submission deadline. Respondents shall be responsible for acknowledging receipt of all addenda issued by the District.

Communications. From the date this RFQ is issued until a contract is awarded or the procurement is canceled, Respondents shall direct all communications regarding this solicitation only to the District's designated contact person identified in this RFQ. Respondents shall not contact members of the Board of Trustees or other District personnel regarding this solicitation except as expressly authorized by the District.

EXHIBIT A – REQUIRED FORM STATEMENT OF QUALIFICATIONS
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Groundwater Availability Study and Water Supply Evaluation

Complete all applicable sections below. Additional pages may be attached where necessary. The District reserves the right to request supplemental information or clarification.

SECTION 1: *General Firm Information*

1. Legal Name of Firm: _____
2. Primary Office Address: _____
3. Website: _____
4. Telephone: _____
5. Primary Contact Person: _____
6. Title: _____
7. Email Address: _____
8. Texas Engineering Firm Registration No.: _____
9. Year Firm Established: _____
10. Is your firm authorized to perform engineering services in the State of Texas?
☐ Yes ☐ No

SECTION 2: *Project Team*

11. Identify the individuals proposed for this project. (Attach resumes for key personnel.)

Name	Title	Role on Project	Texas License No.	Years of Experience

SECTION 3: *Firm Qualifications*

12. Describe your firm's qualifications and experience relevant to this project, including:
- Groundwater investigations
 - Hydrogeologic studies
 - Water supply planning
 - Municipal or public infrastructure
 - Work performed for school districts or other governmental entities
- (Attach additional pages if necessary.)

SECTION 4: *Relevant Project Experience*

13. Provide information regarding at least five projects of similar scope. For each project, include the client name, project name, completion date, project description, and services provided.

SECTION 5: *Project Understanding and Approach*

14. Describe your understanding of the District's objectives and the approach your firm would recommend for this engagement. Please discuss:

- Overall methodology
- Data collection
- Field investigations
- Hydrogeologic evaluation
- Regulatory review
- Coordination with District staff
- Anticipated schedule
- Quality assurance procedures

(Attach additional pages if necessary.)

SECTION 6: *References*

15. Provide at least five references for similar projects. For each reference, provide the client name, point of contact, title of point of contact, phone for point of contact, email, and project name.

SECTION 7: *Litigation and Claims*

16. Has your firm been involved in any material litigation, arbitration, professional liability claims, or licensing actions during the past five (5) years related to services similar to those requested?

☐ Yes

☐ No

If yes, explain.

SECTION 8: *Conflicts of Interest*

17. Identify any actual or potential conflicts of interest that may exist regarding this project.

☐ None

☐ See attached explanation.

Explanation (if applicable):

SECTION 9: *Additional Information*

18. Provide any additional information your firm believes will assist the District in evaluating your qualifications.

SECTION 10: *Certification*

The undersigned certifies that the information contained in this Statement of Qualifications is true and correct to the best of his or her knowledge and that the individual signing below is authorized to submit this Statement of Qualifications on behalf of the firm. The Respondent acknowledges that this procurement is conducted pursuant to the Texas Professional Services Procurement Act (Texas Government Code Chapter 2254) and certifies that no pricing, fee schedule, hourly rates, or other compensation information has been included with this Statement of Qualifications.

Authorized Representative: _____

Title: _____

Signature: _____

Date: _____

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

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

THIS NOTICE IS NOT REQUIRED OF A PUBLICLY-HELD CORPORATION.

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

Respondent’s Name: _____
(Legal/Official Company Name)

Respondent’s Authorized Official’s Name: _____
(Please print clearly or type)

A. My firm is a publicly-held corporation; therefore, this reporting requirement is not applicable:
Signature of Respondent’s Official Name: _____
Date: _____

B. My firm is not owned or operated by anyone who has been convicted of a felony.
Signature of Respondent’s Official Name: _____
Date: _____

C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony:
Name of Felon(s): _____
Detail of Conviction(s): _____
Signature of Proposal’s Official Name: _____
Date: _____

NOTE: Name and signature of company official should be the same as on the affidavit (Proposal Response Form.

Vendor is responsible for the performance of the persons, employees and/or sub-contractors assigned to provide services for the District pursuant to this RFP on any and all District campuses of facilities. Vendor will not assign individuals to provide services at District campus or facility who have a history of violent, unacceptable, or grossly negligent behavior or who have a felony conviction.

EXHIBIT C – REQUIRED FORM
CONFLICT OF INTEREST QUESTIONNAIRE

CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity		FORM CIQ
This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a). By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code. A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.		OFFICE USE ONLY Date Received _____
1	Name of vendor who has a business relationship with local governmental entity. _____	
2	☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)	
3	Name of local government officer about whom the information is being disclosed. _____ Name of Officer	
4	Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary. A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor? ☐ Yes ☐ No B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity? ☐ Yes ☐ No	
5	Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.	
6	☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).	
7	_____ Signature of vendor doing business with the governmental entity _____ Date	

Form provided by Texas Ethics Commission

www.ethics.state.tx.us

Revised 1/1/2021

**NOTE: THIS FORM MUST BE COMPLETED WITH COMPANY NAME,
SIGNATURE AND DATE EVEN IF COMPANY HAS NO CONFLICT OF INTEREST**

EXHIBIT C – REQUIRED FORM DEBARMENT OR SUSPENSION CERTIFICATON FORM
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FEDERAL/NON-FEDERAL FUNDS

As the awarded vendor on this contract, you are required to provide disbarment/suspension certification indicating that you are in compliance with the below Federal Executive Order Certification by completing and signing this form.

Debarment:

Federal Executive Order (E.O.) 12549 “Debarment and Suspension “requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.

Your signature certifies that neither your nor your principal is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Respondent’s Name: _____
(Legal/Official Company Name)

Address: _____

City/State/Zip: _____

Telephone: _____

Name of Respondent’s Authorized Official: _____
(Type or Print)

Title of Respondent’s Authorized Official: _____
(Type of Print)

Signature of Respondent’s Authorized Official: _____

Date Signed: _____

EXHIBIT D – REQUIRED FORM NONCOLLUSION STATEMENT

“The undersigned affirms that he/she is duly authorized to execute this Proposal, that this company, corporation, firm, partnership or individual has not prepared this Proposal in collusion with any other Proposal, and that the contents of this Proposal as to prices, terms or conditions of said Proposal have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this Proposal.”

Proposal's Name: _____
(Legal/Official Company Name)

Address: _____

City/State/Zip: _____

Telephone #: _____ Fax #: _____

Name of Respondent's Authorized Official: _____
(Type or Print)

Title of Proposal's Authorized Official: _____
(Type or Print)

Signature of Respondent's Authorized Official: _____

Date Signed: _____

EXHIBIT E – REQUIRED FORM
IRS FORM W-9

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)

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.)

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

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

6 City, state, and ZIP code

7 List account number(s) here (optional)

Requester's name and address (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.

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

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).

Cat. No. 10231X

Form **W-9** (Rev. 3-2024)

EXHIBIT E – REQUIRED FORM TEA PRE-SERVICE AFFIDAVIT FOR EDUCATIONAL ENTITIES

PRE-EMPLOYMENT OR PRE-SERVICE AFFIDAVIT FOR EDUCATIONAL ENTITIES

*Pursuant to Texas Education Code (TEC) §22A.055, a person applying for employment with or who will act as a service provider for an educational entity (school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement) **must** submit, using a form adopted by the agency, a pre-employment or pre-service affidavit.*

Section 1 - Penalties for Failure to Disclose Required Information

A person commits an offense, a Class B misdemeanor, if the person fails to disclose information required to be disclosed under TEC §22A.055. Additionally, a determination that an employee or person providing services failed to disclose information required to be disclosed by a person under TEC §22A.055 is grounds for termination of employment or service.

Section 2 – Disclosure of Work History and Consent for Release of Records

Have you previously been employed by or acted as a service provider, or are you currently employed by or currently acting as a service provider for a public or private school?	Yes ☐ No ☐
Do you consent for release of your prior employment records? <i>Pursuant to TEC §22A.055, a person applying for employment with or who will act as a service provider for an educational entity must consent for release of the person's employment records.</i>	Yes ☐ No ☐

Section 3 – Disclosure of Investigation or Placement on the Do Not Hire Registry

Have you ever been terminated, non-renewed, or discharged from a public or private school?	Yes ☐ No ☐
Have you ever resigned, in lieu of being terminated or discharged, from a public or private school?	Yes ☐ No ☐

Have you ever been investigated by a law enforcement or child protective services agency for, or charged with, adjudicated for, or convicted of, an offense involving the following conduct described by TEC §22A.051(a)(2)(A), (B), (C), or (D) ?: • abused or otherwise committed an unlawful act with a student or minor, including by engaging in conduct that involves physical mistreatment or constitutes a threat of violence to a student or minor and that is not justified under Chapter 9, Penal Code, regardless of whether the conduct resulted in bodily injury; • was involved in or solicited a romantic relationship with or solicited or engaged in sexual contact with a student or minor; • engaged in inappropriate communications with a student or minor, as defined by board rule; • failed to maintain appropriate boundaries with a student or minor, as defined by board rule; <i>Adjudication and conviction refer to a conviction, plea of guilty or no contest (nolo contendere), probation, suspension, or deferred adjudication.</i> <i>Charge refers to a formal criminal charge as documented by a primary charging instrument (a complaint, information, or indictment) under the Texas Code of Criminal Procedure.</i>	Yes No ☐ ☐
Have you ever been investigated by a licensing authority or had a license, certificate, or permit denied, suspended, revoked, or subject to another sanction in this state or another state for conduct described by TEC §22A.051(a)(2)(A), (B), (C), or (D), which is described above?	Yes No ☐ ☐
Are you now the subject of an inquiry, disciplinary action, review, or investigation, by any public or private school, by a teacher-licensing agency, by any law enforcement agency, or in the court of Texas or any other state in connection with any alleged misconduct?	Yes No ☐ ☐
Have you ever been listed on the Do Not Hire Registry under TEC §22A.151 by the Texas Education Agency.	Yes No ☐ ☐
If you answered YES to any question in this section, disclose all relevant facts known to you pertaining to the matter, including, if applicable to the action, whether the allegation was determined to be true or false.	

Section 3 – Declaration of Applicant

Name (First, Middle, Last)	Date of Birth
Address (House/Unit # and Street Name)	
Address (City, State, Zip Code)	County
Signature	Date Signed

EXHIBIT E – REQUIRED FORM
CERTIFICATE OF INTERESTED PARTIES – FORM 1295
TO BE COMPLETED ONLINE ONLY

Please go online to: <https://www.ethics.state.tx.us/filinginfo/1295/> to submit the form

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties (Form 1295) to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The Texas Ethics Commission (Commission) is the repository for all submitted and acknowledged forms.

It is important to note that there are **very few instances that a business will not have any interested parties.**

An **interested party** is:

1. a person who has a controlling interest in a business entity with whom a governmental entity or state agency contracts; or
2. an intermediary.

Controlling Interest: An interested party has a controlling interest in the business entity if the interested party meets one or more of the following conditions:

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

No interested parties are needed for publicly traded companies. Those parties are already public knowledge and can be obtained elsewhere.

The selected Respondent will be required to complete Form 1295 prior to contract execution.

FORM 1295**OFFICE USE ONLY**[illegible]☐

Signature of authorized agent of contracting business entity
(Declarant)

ADD ADDITIONAL PAGES AS NECESSARY

THIS FORM MUST BE FILED ELECTRONICALLY ONLY – THIS SAMPLE IS PROVIDED ONLY FOR REFERENCE.