

# ELGIN ISD

## Vendor/Contractor Packet

Please complete, sign, and return the attached required vendor forms before a vendor number can be assigned. All forms require an original (wet) signature; electronic signatures cannot be accepted.

Once completed, please return the forms to your Elgin ISD contact and  
Angela.hatchard@elginisd.net,

Thank you for your cooperation.

**Please Note:** Vendor numbers are assigned only when a vendor has been recommended by an Elgin ISD campus or department.

If you have any questions, please contact  
Angela Hatchard at  
angela.hatchard@elginisd.net.

## ORDERING AND INVOICING

What campus/department is requesting the vendor?

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### Order Information

Please provide the Email Address where Purchase orders are to be sent.

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### Remit Information

Please provide the Company Name to be used for payments. If this is the same address on W9, please enter "Same".

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Please provide the PO/Street address, City, State, and Zip where payments are to be sent.

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Please provide an email address of the remitting contact person

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Please provide the Phone Number where payments are to be sent.

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Please provide a contact email.

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### Invoicing

Please provide the Name and Title of the Invoicing Contact person.

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Please provide the Email Address of the Invoicing Contact person.

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Please provide the Phone Number of the Invoicing Contact person.

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### Cooperative Contract (if applicable)

Name of Cooperative & Contract # 

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Expiration Date 

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**Elgin ISD is now offering payment by ACH direct deposit to all Accounts Payable vendors.** Payments by ACH are deposited directly into your bank account. A notification of the upcoming deposit is sent by email, with the same memo information that would appear on a check stub. If you would like your payment to be made by Electronic Funds Transfer through ACH, please complete Sections 1-3 of the form below, sign in Section 3, and return it to the Accounts Payable department by email at [invoices@elginisd.net](mailto:invoices@elginisd.net), or by mail at 1002 North Ave C, Attn: Business Office – Accts Payable, Elgin, TX 78621. This form is fillable; if you choose to handwrite the information, it must be legible, or it will be returned.

**Accounts Payable Electronic Fund Transfer Agreement (EFT)**  
(PAYMENT BY ACH)

**Section 1- Vendor Information**

|                                                                   |        |
|-------------------------------------------------------------------|--------|
| Name:                                                             |        |
| Address:                                                          |        |
| City/State/Zip:                                                   | Phone: |
| Last 3 digits of Fed ID or SSN (to verify vendor identification): |        |
| <b>Email Address for Notification of Deposit (required):</b>      |        |

**Section 2 – Bank Account Information (contact bank ACH department for correct routing number)**

|                                                         |
|---------------------------------------------------------|
| Financial Institution Name:                             |
| Financial Institution Address:                          |
| Routing Number for ACH:                                 |
| Depositor Account Number:                               |
| Type of Account:      _____ Checking      _____ Savings |

**Section 3 – Authorization**

|                                                                                                                                                                                                                                                                                                  |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| I authorize Elgin ISD to credit my account with the depository named above. If the district should erroneously deposit funds into my account, upon notification by the district, I will authorize the necessary debit entries to correct the error, not to exceed the amount deposited in error. |              |
| <b>This authorization will remain in effect until the district has received written notification from me that it is to be terminated.</b>                                                                                                                                                        |              |
| <b>Physical (Wet) Signature</b>                                                                                                                                                                                                                                                                  | <b>Date:</b> |

**FORM B****FELONY CONVICTION NOTIFICATION**

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

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

This Notice is Not Required of a Publicly-Held Corporation

**CRIMINAL HISTORY REVIEW OF CONTRACTOR EMPLOYEES**

Bidder shall review §22.0834, Texas Education Code, and 19 Texas Administrative Code §§153.1101 and 153.1117 regarding criminal history checks of school contractor employees. The rules define continuing duties related to contracted services, direct contact with students, covered contract employees, and other relevant terms within the statute.

Except as otherwise provided herein, Contractor will obtain and certify in writing, before work begins, and at least annually, that the Contractor has received all criminal history record information that relates to an employee, applicant, agent or Subcontractor of the Contractor or a Subcontractor, if the person has or will have continuing duties related to the contracted services, and the duties are or will be performed on EISD's property where students are regularly present or at another location where students are regularly present. Contractor shall assume all expenses associated with the background checks and shall immediately remove any employee or agent who was convicted of, received probation for, or received deferred adjudication for any felony as outlined below or any misdemeanor involving moral turpitude, from EISD's property or other location where students are regularly present. EISD shall determine what constitutes "moral turpitude" or "a location where students are regularly present."

Contractor or subcontractors may not work on EISD property where students are present when they have been convicted, received probation, or deferred adjudication for the following felony offenses:

1. Any offense against a person who was, at the time the offense occurred, under 18 years of age or enrolled at a public school;
2. Any sex offense;
3. Any crimes against persons involving:
  - a. Controlled substances; or
  - b. Property; or
4. Any other offense EISD believes might compromise the safety of students, employees, or property.

**Please complete the information below:**

I, the undersigned agent for the firm named below, **certify that the information** concerning notification of felony convictions and criminal history checks for the company employees, agents, or subcontractors that will be on EISD campuses have been reviewed by me, and shall be complied with, and the following information furnished is true to the best of my knowledge.

**Vendor's Name:** \_\_\_\_\_

**Authorized Company Official's Name (please print or type):**

\_\_\_\_\_

A. My firm is not owned or operated by anyone who has been convicted of a felony.

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

B. 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(s): \_\_\_\_\_

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

(Name should be the same as on Form A – Affidavit of Non-Collusion)

C. My firm is a publicly held corporation; therefore, this reporting requirement is not applicable.

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

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

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

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

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

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

## OFFICE USE ONLY

Date Received

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

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

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

\_\_\_\_\_  
Name of Officer

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

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

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

7

\_\_\_\_\_  
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:

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- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;  
or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

**Local Government Code § 176.006(a) and (a-1)**

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

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

- (1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

**Request for Taxpayer  
Identification Number and Certification**

Go to [www.irs.gov/FormW9](http://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.<br>See Specific Instructions on page 3. | <b>1</b> 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.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                    |  |
|                                                        | <b>2</b> Business name/disregarded entity name, if different from above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                    |  |
|                                                        | <b>3a</b> Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.<br><br><input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C corporation <input type="checkbox"/> S corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate<br><br><input type="checkbox"/> LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) . . . . .<br><b>Note:</b> 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.<br><br><input type="checkbox"/> Other (see instructions) | <b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):<br><br>Exempt payee code (if any) _____<br><br>Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____<br><br>(Applies to accounts maintained outside the United States.) |  |
|                                                        | <b>3b</b> 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 . . . . . <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                    |  |
|                                                        | <b>5</b> Address (number, street, and apt. or suite no.). See instructions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Requester's name and address (optional)                                                                                                                                                                                                                                                                            |  |
|                                                        | <b>6</b> City, state, and ZIP code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                    |  |
|                                                        | <b>7</b> 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.

|                                       |  |  |  |   |  |  |  |  |  |
|---------------------------------------|--|--|--|---|--|--|--|--|--|
| <b>Social security number</b>         |  |  |  |   |  |  |  |  |  |
|                                       |  |  |  | - |  |  |  |  |  |
| <b>or</b>                             |  |  |  |   |  |  |  |  |  |
| <b>Employer identification number</b> |  |  |  |   |  |  |  |  |  |
|                                       |  |  |  | - |  |  |  |  |  |

**Part II Certification**

Under penalties of perjury, I certify that:

- 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
- 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
- I am a U.S. citizen or other U.S. person (defined below); and
- 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.

|                  |                          |      |
|------------------|--------------------------|------|
| <b>Sign Here</b> | 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](http://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

## SENATE BILL 12 – COMPLIANCE and CERTIFICATION FORM

SB 12, effective September 1, 2025, prohibits Texas public school districts from assigning or allowing Diversity, Equity and Inclusion (DEI) duties in many forms.

### **Key definitions & prohibitions include:**

- “Diversity, Equity, and Inclusion duties” means things like influencing hiring/employment decisions based on race, sex, color, or ethnicity (unless required by law); promoting differential treatment or special benefits on those bases; developing or implementing policies, procedures, trainings, programs, or activities that reference race, color, ethnicity, gender identity, or sexual orientation (unless needed for compliance with state/federal law); inducing or requiring DEI statements; or giving preference based on DEI statements.
- A school district may not assign DEI duties to any person, and must prohibit any employee, **contractor**, or volunteer from engaging in DEI duties on behalf of the district, except as required by state or federal law.

While SB 12 is mostly prohibitory (i.e., it says what school districts, employees, **contractors** must not do), it also includes several requirements for policies, procedures, and reporting. Here are the relevant obligations (especially for **service providers**, **contractors**, employees, and the school districts with which they contract):

1. Policy and Procedure on Discipline for Violations
  - School districts must adopt a written policy and procedure for disciplining (including termination) any employee or **contractor** who intentionally or knowingly engages in or assigns DEI duties.
  - The district must provide both a **physical and electronic copy** of that policy and procedure to each district employee or **contractor**.
  - The policy must include due process and opportunity to appeal disciplinary actions, including termination, in the same way other disciplinary actions are handled.
2. Prohibition on Contractors / Volunteers from Engaging in DEI Duties
  - Contractors and volunteers are explicitly covered: not only employees. If a contractor or volunteer performs DEI duties for the district, that is prohibited (unless required by state or federal law).
3. Reporting Violations in “Social Transitioning” Cases
  - “Social transitioning” is defined in the bill (use of pronouns, name, or gender expression different from assigned sex at birth).
  - If there is a suspected violation of the policy that prohibits assisting students in social transitioning, a parent or employee may report it to the school board.
  - If the school board determines that a district employee has assisted a student with social transitioning in violation of the policy, the board must **immediately report** (to the commissioner of education) the violation.
4. Grievance Reporting
  - Districts must adopt a grievance procedure for violations of the new rights or duties under SB 12. This includes complaints/grievances from parents regarding violations by districts or district employees/**contractors**.
  - The district must annually submit a report to the agency (TEA) on grievances filed during the preceding year, including for each grievance how it was resolved and any corrective action taken.

THIS PAGE MUST BE COMPLETED AND RETURNED IN YOUR RESPONSE

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**What Contractors / Service Providers Should Watch For / Do:**

Given the law's scope:

- Review contracts to ensure that **contractors** are **not asked or expected** to perform DEI duties that are now prohibited (unless the duty is mandated by state or federal law).
- Ensure **contractors** are given the policy and procedure on disciplinary actions, including termination, if they intentionally/knowingly violate the prohibition.
- Be aware that **contractors** (like employees) may be subject to discipline or termination under the district's policy if they engage in DEI duties.
- Understand the definitions in the law so you can identify what counts as a DEI duty (e.g., providing DEI training, creating programs referencing race/gender identity/sexual orientation).

**Acknowledgement of Applicant:**

The applicant below acknowledges advisement of the prohibitions under SB 12 regarding DEI duties and has received a physical and electronic copy of the Elgin ISD's policy and procedure for disciplining (including termination) any employee or **contractor** who intentionally or knowingly engages in or assigns DEI duties.

Specifically, the undersigned agrees and/or acknowledges that (initial each box to indicate agreement and/or acknowledgement):

☐

Contractor is aware of Texas Senate Bill 12, effective September 1, 2025, including definitions and prohibitions on DEI-duties;

☐

Contractor and its employees, subcontractors, volunteers will not perform any DEI duties as defined in SB 12, except as required by state or federal law;

☐

Contractor has reviewed Elgin ISD's SB12 policy and procedure, and agrees to comply with all requirements, including disciplinary provisions;

☐

Contractor will immediately notify Elgin ISD in writing if asked to provide services/materials/programs/training/statements that may violate SB 12, and;

☐

Contractor affirms that all representations made herein are correct and intentional or knowing false certification may result in contract termination or other remedies.

\_\_\_\_\_  
Name (First, Middle, Last)

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Address (House/Unit # and Street Name)

\_\_\_\_\_  
Address (City, State, Zip Code)

\_\_\_\_\_  
County

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

**THIS PAGE MUST BE COMPLETED AND RETURNED IN YOUR RESPONSE**

## ACKNOWLEDGEMENTS

### Terms & Conditions

Have you read and understood the Standard Terms & Conditions and do you further agree to abide and accept said Terms & Conditions? Terms and Conditions is posted on the Elgin ISD Website at <https://resources.finalsite.net/images/v1770044649/elgiEISDnet/t1atebtrnrmiaq96p9snz/terms-conditions-purchasing-02022026.pdf>

☐ I agree      ☐ No I do not Agree

### Certificate of Interested Parties (CIP Form 1295)- Awarded Vendor

Pursuant HB 1295 (2015), the addition of section 2252.908 of the Government Code, all awarded vendors must fill out electronically, with the Texas Ethics Commission's online filing application [https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm). The law states that a governmental entity or state 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 has adopted rules requiring the business to file Form 1295 electronically with the Commission. <https://prd.tecprd.ethicsefile.com/TECCertInt/pages/login/certLogin.jsf>

This form must then be signed and attached to the Response Attachments, prior to any business transaction.

If your company is publicly traded you do not need to complete this form.

Please note the following helpful hints and instructions in completing the form

Box 1: Please enter the business entity filing form, city, state, and country of the business entity's place of business

Box 2: Please enter Elgin ISD

Box 3: Please use Elgin ISD's. solicitation (bid) number as the identification number being requested and the contract name (if applicable) or a description of goods or services.

Box 6: Please complete and sign, then attach the completed 1295 form with the bid response. Please acknowledge that you have read and understood that the district cannot do business with your company without the submittal of this form. If your company is "Publicly Traded" you do not need to complete this form.

☐ I agree

☐ I do not agree

### Notification of Criminal History/Felony Conviction Notice

Texas Education Code, Chapter 44, Subchapter B, Section 44.034, Notification of Criminal History, reads as follows: (a) A person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony. (b) 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. (c) This section does not apply to a publicly held corporation. Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

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

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

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

[Texas Education Code, Chapter 44, Subchapter B, Section 44.034](#)

## **Criminal Background Checks/Searches**

[Texas Education Code 22.0834 and 22.08341](#) states that a contractor that provides services to a school district or charter school must be fingerprinted before beginning work, if the contractor 1) will have continuing duties related to the contracted services, and 2) will have the opportunity for direct contact with students. Additionally, the law requires that a contractor certified to a school district or charter school that it has received all criminal history information for its employees who provide services for the school. Pursuant to 22.08341(c), the requirement does not apply to a contractor that performs construction, alteration, or repair of an instructional facility if the Contractor uses separate sanitary facilities, installs a barrier fence, and has a policy that employees may not interact with students or enter areas used by students. Schools may fingerprint a contractor and/or Contractor's employees using the Local Education Entity (LEE) Fast Pass option. The Contractor shall agree to have individuals printed with the LEE pass, and also create subscriptions in the DPS FACT Clearinghouse under the authority of TGC 411.097/Public Law 92-544. The Contractor, however, will not be able to view the results through the DPS Clearinghouse. The Contractor shall bear the burden and cost of the Contractor obtaining a national, fingerprint-based criminal history check. A contractor or sub-contractor may not work on District property or any location the District deems a place where students are regularly present when: A) They have been convicted of a felony or misdemeanor involving moral turpitude, as defined by Texas law. B) They have charges pending, they have been convicted, received probation, or deferred adjudication of any of the following: 1. Any offense against a child 2. Any sex offense 3. Any felony offense involving controlled substances 4. Any felony offense against property 5. Any other offense the District, in its sole discretion, believes might compromise the safety of student, staff, property, or reputation of the District by the employment of the Contractor. A vendor's violation of this section shall constitute substantial failure.

- ☐ Yes - I agree to comply with the rules of the State of Texas and requirements of Elgin ISD regarding fingerprinting requirements of contractors.
- ☐ No - I Do not agree

## **Conflict of Interest**

### [Conflict of Interest Questionnaire \(Form CIQ\)](#)

It is the vendor's responsibility to notify the school district if there is a conflict of interest. By law, this questionnaire must be filed with the records administrator of the local government not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See [Local Government Code, Chapter 176](#). A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. (Ref H.B. 23).

- ☐ No conflicts of interest    ☐ Yes, Form CIQ will be filed

## **No Boycott Israel**

For contracts with companies that have 10 or more full-time employees and when the contract has a value of \$100,000 or more, Vendor certifies that it (and any of its affiliates or parent company), does not, and will not, boycott Israel during the term of any contractual arrangement with Elgin ISD. For purposes of any contractual arrangement with Elgin ISD, boycott Israel - means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or an Israeli controlled territory, but does not include an action made for ordinary business purposes.

- ☐ We do not and will not boycott Israel    ☐ We cannot agree to NOT boycott Israel

[Texas Government Code, Chapter 2271](#)

[Federal Executive Order 12549 and 12689](#)

**This section intentionally left blank**

### **Certificate Regarding Debarment Suspension**

Non-Federal entities are prohibited from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include the procurement of goods or services equal to or in excess of \$100,000. Contractors receiving individual awards of \$100,000 or more and all sub-recipients must certify that the organizations and their principals are not suspended or debarred. Debarment and Suspension ([Executive Orders 12549 and 12689](#))-A contract award (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM) in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension". SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. By submitting this offer and signing this certificate, you (the Vendor): (1) Certifies that no suspension or debarment is in place, which would preclude receiving a federally funded contract under the Federal OMB, A-102, common rule.

☐ Company has not been debarred or suspended

☐ Company has been debarred or suspended

### **Transactions with an Abortion Provider or Affiliate**

The Vendor certifies that it is not an abortion provider nor an affiliate of such a provider as noted in [Texas Senate Bill 22, codified in Texas Government Code Chapter 2273](#), and effective September 1, 2019. If this provision is violated by Vendor, the Agreement and/or taxpayer resource transaction is voidable by Elgin ISD and Vendor agrees to defend and indemnify Elgin ISD against any action brought by the Office of the Attorney General for a violation of Section 2272.003.

☐ I agree

☐ I do not agree

### **Prohibition of Contracts Engaged in Business with Iran, Sudan, Or Foreign Terrorist Organizations**

Authorized representation, being an adult over the age of eighteen (18) years of age, pursuant to [Texas Government Code, Chapter 2252, Section 2252.152 and Section 2252.153](#), the Vendor certifies that it is not a company identified by the Texas Comptroller as a company known to have contracts with or provide supplies or services to a foreign terrorist organization.

☐ I agree

☐ I do not agree

### **Central Texas Purchasing Alliance (CTPA)**

Interlocal Agreement - Cooperative

Elgin ISD is a member of the [Central Texas Purchasing Alliance \(CTPA\)](#), an alliance of school districts in the central Texas area that share information, services, and contractual opportunities. In support of this collaborative effort, a response of YES to CTPA indicates that the Respondent is interested in extending services to other CTPA member districts. However, there is no obligation on either party to participate unless both parties agree. Services would be provided under the same contract pricing and purchasing terms established by this request. A negative reply by the Respondent will not adversely affect consideration of the Respondent's response. The information will be provided to CTPA member listing and in the event that this request and subsequent contract may be used by the CTPA districts. If a member district chooses to utilize a contract established by this request and subsequent contract, contracts will be awarded individually by those districts.

☐ I agree

☐ I do not agree

**This section intentionally left blank**

### **SB 943 - Summary**

[Senate Bill 943](#), effective as of January 1, 2020, amends the Government Code to make government contracting information public and require its disclosure. The bill sets out certain exceptions to and exemptions from disclosure, including for proprietary information and trade secrets. The bill, among other provisions, requires a governmental body that receives a request for contracting information that is in the custody or possession of the contracted entity and not maintained by the governmental body to ask that the entity provide the information to the governmental body. The bill authorizes a governmental body to terminate a contract for an entity's noncompliance with the bill's provisions.

- ☐ I acknowledge and will comply with requirement
- ☐ I am aware, but unable to comply with requirement

### **Firearm Entity Or Firearm Trade Association**

If the Vendor is not a sole proprietorship, has ten (10) or more employees, and the value of the Vendor's contract with the Owner has a value of \$100,000 or more, the Vendor warrants and represents that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, as defined by Texas Government Code Ann. Chapter 2274, and will not during the term of any contract with the Owner unless excepted from that law.

- ☐ Yes – I agree
- ☐ No – I do not agree

### **Energy Company Boycott**

As required by Texas Government Code Ann. Chapter 2274, if vendor has ten (10) or more employees, is not a sole proprietorship, and if the value of vendor's bid or proposal has a value of \$100,000 or more, vendor certifies by submitting vendor's bid or proposal that it does not boycott energy companies and will not during the term of any contract with the District, unless excepted by that law.

- ☐ Yes – I agree
- ☐ No – I do not agree.

### **Confidential And Proprietary Information - Texas Public Information Act**

Elgin ISD is a governmental entity subject to the Texas Public Information Act (Texas Government Code 552). As such, Elgin ISD is required to comply with any requests made for public information under this act. Public information is defined as information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business. Proposals submitted to Elgin ISD as a result of this solicitation may be subject to release as public information after contracts are executed or the procurement is terminated. If a vendor believes that its response, or parts of its response, may be exempted from disclosure under Texas law, the vendor must specify page-by-page and line-by-line the parts of the response that it believes are exempt. In addition, the vendor must specify which exception(s) to the Texas Public Information Act are applicable and provide detailed reasons to substantiate the exception(s). Vague or general claims to confidentiality will not be accepted. Elgin ISD assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by vendors.

- ☐ Yes – I agree
- ☐ No – I do not agree.

**This section intentionally left blank**

## **Identification Badge(S)**

Vendor's employees, agents, consultants, and subcontractors, subject to the criminal history record review requirement, shall be identified by a photographic identification badge. If the Vendor is the person or owner, or operator of the business entity, that individual may not self-certify regarding the criminal history record information and its review and must submit original evidence acceptable to the District with this Agreement showing compliance. All costs associated with criminal history record review requirements and badging are done so at the vendor's and their employees' expense. Pursuant to Elgin ISD's Board Policy CJA (LOCAL) Purchasing and Acquisition: All contracts must comply with the requirements for criminal background checks. All vendors must give advance notice to the District if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony. The District may terminate any resulting agreement if the District determines that the person or business entity failed to provide notice as required by this paragraph or misrepresented the conduct resulting in the conviction. The above requirement is required for all suppliers who will provide a service to Elgin ISD and will be on District property. Awarded Suppliers who do not have direct contact with students must have background checks and badges, and must be done through the supplier's company or the District's third-party provider. Vendors who have direct contact with students must meet the laws and requirements of the State of Texas. Direct contact is defined as the potential for any interaction with a student, either in person or virtually.

☐ Yes – I agree

☐ No – I do not agree.

## **Required Contract Provisions For Non-Federal Entity Contracts Under Federal Awards – Appendix II To 2 Cfr Part 200 (EDGAR Certification)**

The certifications and provisions in the attached document are required and apply when Elgin ISD expends federal funds for any contract resulting from this procurement process. Pursuant to 2 C.F.R. § 200.326, all contracts, including small purchases, awarded by the District and the District's subcontractors shall contain the procurement provisions of Appendix II to Part 200, as applicable.

The attached EDGAR Certification documents include the following required contract provisions for non-federal entity contracts under federal awards:

- Appendix II to 2 CFR Part 200
- Termination for cause and for convenience by the grantee or subgrantee, including the manner by which it will be affected and the basis for settlement. (All contracts in excess of \$10,000)
- Equal Employment Opportunity
- Davis-Bacon Act, as amended (40 U.S.C. 3141-3148)
- Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708)
- Rights to Inventions Made Under a Contract or Agreement
- Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 12251-1387)
- Debarment and Suspension (Executive Orders 12549 and 12689)
- Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)
- Solid Waste Disposal Act
- Domestic Preferences for Procurement – 2 CFR 200.322
- Ban on Foreign Telecommunications – 2 CFR 200.216
- Record Retention Requirements for Contracts Involving Federal Funds – 2 CFR 200.334
- Certification of Compliance with Buy America Provisions
- Certification of Access to Records – 2 CFR 200.337
- Certification of Applicability to Subcontractors – 2 CFR 200.318
- Certification of Equal Employment Statement
- Certification of Compliance with EPA Regulations Applicable to Grants, Subgrants, Cooperative Agreements, and Contracts in excess of \$250,000 of Federal Funds
- Certification of Compliance with Never Contract with the Enemy 2 CFR 200.215
- Whistleblower Protections – 2 CFR 200.217
- Fair Labor Standards Act – 2 CFR 200-318 (h)

- Certification of Compliance with the Energy and Conservation Act (42 U.S.C. 6321 et seq; 49 CFR Part 18)

By selecting "Agree" below, the vendor acknowledges that the vendor has read the attached EDGAR Certification documents and agrees to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances. It is further acknowledged that the vendor certifies compliance with all provisions, laws, acts, regulations, etc., as noted in the attached EDGAR Certification documents.

Does the Vendor agree?

☐ Yes – I agree

☐ No – I do not agree.

#### **REPRESENTATION AND CERTIFICATION**

By agreeing to these acknowledgements, the Vendor certifies that he/she is a responsible authorized representative of the

company and certifies the accuracy of the following statements. Represents that to the best of its knowledge

it is not indebted to the District. Indebtedness to the District shall be a basis for non-award and/or cancellation and/or termination of any award.

☐ Yes – I agree

☐ No – I do not agree.

#### **AGREEMENT TO COMPLY**

**The vendor agrees to comply with all federal, state, and local laws, rules, regulations, and ordinances, as applicable. It is further acknowledged that the vendor certifies compliance with all provisions, laws, acts, regulations, etc. as specifically noted above.**

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

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

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

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

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

Date: \_\_\_\_\_