

**SAN ANGELO INDEPENDENT SCHOOL DISTRICT**  
**Child Nutrition Department**  
**Michelle Helms, Director**  
**305 Baker, San Angelo, Texas 76903-7030**  
**Phone (325) 659-3615 Fax (325) 658-4353**

**Bakery Products**  
**Request for Proposal #20-3**

March 27, 2019

Dear Bidder:

The San Angelo Independent School District will receive a sealed Request for Proposal on Bakery Products for the 2019-20 school year. The first day of school will be Wednesday, August 21, 2019.

This will be an all or none proposal. Awarded company must be able to provide all products and delivery services.

All awards may be renewed for up to three additional twelve (12) month periods by written agreement between the District and the bidder.

All proposals will be received until **11:00 a.m., Tuesday, April 16, 2019**. Any proposal received after that time and date will be returned unopened and not considered. Bidders are invited to be present at the opening. Please mail or deliver all proposals to:

**Child Nutrition Department**  
**Attn: Brenda Fulks**  
**San Angelo Independent School District**  
**305 Baker Street**  
**San Angelo, Texas 76903-7030**

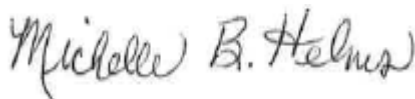
Please mark your envelope as follows: **Sealed Proposal - BAKERY PRODUCTS RFP #20-3, OPEN 11:00 A.M., April 16, 2019**. A label has been provided for your convenience. All bids must be submitted on the "Bid Sheet" provided.

The District reserves the right to reject any proposal and/or all proposals, to make awards as they may appear to be advantageous to the district and to waive all formalities in bidding.

Proposals received without proper signature will not be accepted.

Your proposal will be appreciated.

Sincerely,



Michelle Helms  
Child Nutrition Director

Sincerely,



Brenda Fulks  
Child Nutrition Coordinator

## Signature Page

The undersigned affirms that they are duly authorized to execute this contract, that this company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other Bidder, and that the contents of this bid as to prices, terms or conditions of said bid 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 bid.

Company \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone\_ (\_\_\_\_\_) \_\_\_\_\_ 1-800-\_\_\_\_\_

Fax \_ (\_\_\_\_\_) \_\_\_\_\_

Bidder (Signature) \_\_\_\_\_ Date \_\_\_\_\_

Bidder (Print Name) \_\_\_\_\_

Position with Company \_\_\_\_\_

E-mail Address of Bidder \_\_\_\_\_

Signature of Company

Official Authorizing this Bid \_\_\_\_\_

Company Official (Print Name) \_\_\_\_\_

Official Position \_\_\_\_\_

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

**THIS DOCUMENT MUST BE COMPLETED, SIGNED AND RETURNED IN SEALED PROPOSAL PACKAGE**



**\*\*\*\*\* IMPORTANT SUBMITTAL INFORMATION \*\*\*\*\***

Please duplicate the appropriate label and affix to the outside of your sealed bid envelope or sample case/envelope. Vendor's name and return address should be printed on the sealed bid envelope or sample case/envelope.

Do not include any samples in the sealed bid envelope.

**FOR SAMPLES**

<b>S A M P L E S</b>	San Angelo ISD Child Nutrition Department 305 Baker Street San Angelo, TX 76903	<b>S A M P L E S</b>
	<b>Attn: Brenda Fulks, CN Coordinator</b>	
	<u>Bid: Bakery Products RFP #20-3</u> <u>Samples IF Requested Due:</u>	
	<b>*Labels must accompany all samples.*</b>	

**FOR SEALED BIDS**

<b>S E A L E D  B I D</b>	San Angelo ISD Child Nutrition Department 305 Baker Street San Angelo, TX 76903	<b>S E A L E D  B I D</b>
	<b>Attn: Brenda Fulks, CN Coordinator</b>	
	<u>Bid: Bakery Products RFP #20-3</u> <u>Bid Deadline: OPEN 11:00 AM, April 16, 2019</u>	

**It is your responsibility to meet the submittal requirements.  
We recommend that you verify the label data with the  
title page; the latter prevails.**

**SAN ANGELO INDEPENDENT SCHOOL DISTRICT**  
**Child Nutrition Department**  
**Michelle Helms, Director**  
**305 Baker, San Angelo, Texas 76903-7030**  
**Phone (325) 659-3615 Fax (325) 658-4353**

**BAKERY PRODUCTS**  
**Bid #20-3**  
**Forms Checklist**

- ☐ Page 2 – Signature page
- ☐ Page 4 – Check List
- ☐ Page 10 - 16 – Vendor Acknowledgment Forms and Certifications
- ☐ Page 18 – Disclosure of Lobbying Activities – Signature box
- ☐ Page 19 – Conflict of Interest Questionnaire
- ☐ Page 21 & 22 – Conflict Disclosure Statement
- ☐ Page 23 – W-9
- ☐ Page 24 – 2017 Texas House Bill 89 Verification
- ☐ Page 25 – No Bid Notification
- ☐ Page 26 – Notarized Statement
- ☐ Page 27 – 29 – Bid Forms & Questionnaire
- ☐ Nutritional Labels and Ingredient Labels attached for **ALL** products bid
- ☐ Product Analysis/Product Formulation Statement attached for **ALL** Whole Grain products bid

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Company

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Signature

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Printed Name

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Date

**Mandatory Forms For Bid Acceptance Failure To Complete, Sign & Return Will  
Result In Rejection Of Bid**

## General Conditions for Bakery Products

1. **APPLICABILITY** – These conditions are applicable and form a part of the contract documents for each purchase order and a part of the terms of each purchase order for items included in the specifications and bid forms issued herein.
2. **PROPOSALS SHALL BE SUBMITTED ON THESE FORMS** – Failure to supply all required forms in this packet will prevent the proposal from being considered for award. Deviations to the General Conditions and/or Specifications shall be conspicuously noted in writing by the bidder and shall be included with the proposal.
3. **ALTERNATE BID** – If necessary, shall be written on a separate sheet and attached to the bid form provided. Each alternate must be clearly marked and variance from specifications noted. Samples must be supplied for consideration.
4. **RIGHT TO REMEDY** – Failure to notify SAISD Child Nutrition Office of deviations in schedules or quantities will allow SAISD the option to purchase product from another source. If a company defaults on any item, the item will be awarded to the next lowest bidder meeting specifications. Any increases in prices that are incurred by SAISD to secure these products may be charged to the defaulting company that received the original bid award.
5. **VENDORS, WHO DO NOT BID**, are requested to complete and return the No Bid Notification form found in this packet if they wish to receive future bids. Failure to do so may result in their being deleted from our vendor list.
6. **CONTRACTS** (except those of \$10,000 or less) awarded by School Food Authorities shall include a provision to the effect that the State agency or School Food Authority, the Department, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to the program for the purpose of making audits, examination, excerpts, and transcriptions.
7. **TAX EXEMPT** – No charge will be allowed for Federal, State, or City taxes for which the Board of Education is exempt. All prices shall be net and shall not include the amount of any such tax. Exemption certificate, if required, will be furnished on forms provided by the vendor.
8. **FAX PROPOSALS** or EMAILED BIDS will not be accepted.
9. **FELONY CONVICTION NOTICE** must be completed and returned with this proposal.
10. **HUB** - All Small Business and Minority Firms, Women's Business Enterprises, and Labor Surplus Area firms are especially invited to submit Proposals.
11. **QUESTIONS** concerning this proposal shall be addressed to Michelle Helms, Child Nutrition Director, San Angelo Independent School District.

### **Additional General Conditions for Bakery Products**

12. **PERIOD** – This proposal begins on August 1, 2019 and continues thru July 31, 2020. Prices submitted must remain **firm for the entire bid period**.

All awards may be renewed for up to three additional twelve (12) month periods by written agreement between the District and the bidder.

Sealed proposals received after the time and date specified, regardless of cause, will not be considered.

Such late bids will be returned to the bidder upon the submission of a written request.

PLEASE complete all blanks for each item number.

Proposals must be submitted in a sealed envelope, plainly marked with the company's name, product, opening date and time. Proposals received without proper signature will not be accepted.

The District reserves the right to waive formalities and irregularities and to accept or reject each item separate or as a whole.

13. **PRICES** – shall be net, including transportation and delivery charges fully prepaid by the vendor, F.O.B. school site. All prices must be typed or written in ink. Proposals written in pencil will not be accepted.

14. **ADDITIONAL PRODUCTS** – During the course of the contract, SAISD may choose to add new products and/or change products being purchased. The additional bread items will be purchased as a % discount from list price.

The District reserves the right to negotiate discounts for which large quantities are being produced during the contract term.

15. **EVALUATION OF PROPOSALS** - It is not the policy of San Angelo I.S.D. to purchase on the basis of low bids alone. The Following criteria will be used to award the proposal based on the best value for the District

Best Value Points Assignment – The evaluation criteria below indicates the points that are assigned for each section. The District will determine the score for each section on a scale starting with zero (0), with the best score being the assigned number with:

1. Purchase Price - 45 points
2. Reputation of the vendor & vendor's goods and services - 10 points
3. Quality of vendor's goods and services - 10 points
4. Extent to which the goods/services meet the District's specifications, nutritionals, and needs - 20 points
5. Vendor's past relationship with the District - 10 points
6. HUB – 1 points
7. Long term cost to the district to acquire the goods - Zero points
8. Any other relevant factors listed in the request for proposal - 4 points

This bid will be awarded on an all or none basis.

16. **TIE BID** – In the case of a tie bid between a local company (in San Angelo) and an out-of-town company, the item will be awarded to the local company.

**17. ORDER AND DELIVERY CONDITIONS:**

- a. Orders for the items included in this bid will be placed with your company by our office. Orders will be based on usage.
- b. All quantities are Estimates **ONLY** they are subject to change.
- c. SAISD is estimating 2019-20 usage:

	<u>Elementary</u>	<u>Secondary</u>
Hamburger Buns	63 times	198 times
Sliced Bread	9 times	72 times
- d. All bread shall be delivered to each school on Monday (or Tuesday, if Monday is a holiday) and Thursday before lunch service at the school. Products are to be delivered according to the delivery schedule set by the Child Nutrition Department.
- e. The supplier must deliver promptly on the following school day any products omitted on the regular delivery day or to replace unacceptable products.
- f. Bread for the first day of school will be delivered between **August 12<sup>th</sup> and August 20<sup>th</sup>**. A detailed schedule will be given after this proposal is awarded. *Delivery dates are subject to change due to menu changes.*
- g. All bread is to be delivered on clean bread racks. All products must be properly sealed.
- h. Individual weekly statements for each location shall be sent. The statements shall reflect items delivered in that calendar week. Please send to:

San Angelo Independent School District  
Child Nutrition Department  
305 Baker  
San Angelo, Texas 76903

**18. SPECIFICATIONS**

- a. Bakery products must be fresh upon delivery.
- b. Whole Grain Products – Foods that qualify as whole grain-rich for the school meal programs are foods that contain 100-percent whole grain or contain a blend of whole-grain meal and/or flour and enriched meal and/or flour of which at least 50-percent is whole grain. Whole grain-rich products must contain at least 50-percent whole-grains and the remaining grain, if any, must be enriched.

**19. NUTRITIONAL LABELS AND INGREDIENT LABELS** – and a signed Product Analysis/ Product Formulation Statement must be attached for all products submitted on this Proposal.

**20. SUPPLIERS** are expected to carry sufficient inventories to cover the needs of the District. Unopened product is to be credited by the vendor after any school holiday period if it no longer has an acceptable code date. Unopened product must be collected and credited prior to summer vacation. Credit for such bread shall be designated on a separate Credit Invoice.

**21. IF A SCHOOL** must serve lunches or breakfasts without bread through the fault of the company awarded the bid, that company must provide the reimbursement for those meals at the current USDA or DHS reimbursement rate.

22. **THE SUCCESSFUL BIDDER** will furnish code information and a list showing delivery routes, days and route men's names. The agreed upon written procedures for placing and changing orders, replacement of bad products, and hot shot service will be required.
23. **NONPERFORMANCE OF CONTRACT** – The District reserves the right to cancel the entire contract with a ten (10) day notice in the event:
- a. any item is not delivered according to the specifications and/or bid price
  - b. delivery is not made within the specified time period.
  - c. product quality is not acceptable.
24. **QUANTITIES REQUIRED** are substantially correct. The District reserves the right to purchase additional quantities above that stated at the same unit price unless otherwise specified by the bidder.
25. **QUALITY** of products will be tested for acceptability as per bid specifications. Selection will be based on testing. The decision of the Child Nutrition Department regarding the quality and acceptability will be final.

All products must be dated as to the date processed so it may be easily understood.

Out-dated items and items not meeting specifications will be refused and returned to the vendor at the vendor's expense.

26. **SAMPLES IF REQUESTED** - shall be delivered or mailed by the bidder to the attention of Brenda Fulks, Child Nutrition Coordinator, 305 Baker, San Angelo, Texas 76903. Each sample shall be clearly tagged to show the bidder's name, address, bid title, and bid item for which the sample is proposed. A label has been provided for you on page 3 of this bid packet. Samples are to be sent at NO CHARGE.

**All samples must include Nutrition Labels, Ingredient Labels and a signed Product Analysis/Product Formulation Statement. Samples will not be considered without these documents.**

27. **TESTING** – All products will be tested upon delivery for wholesomeness, quality, grade, texture, appearance, and flavor. The vendor will be notified by the Child Nutrition Department if any portion of the specified shipment does not meet specification for quality and/or wholesomeness.

It will then be the responsibility of the vendor to pick up the entire shipment. The San Angelo I.S.D. reserves the right to purchase the specified product elsewhere and charge the increase in price, and cost of handling, if any, to the contractor.

28. **CONTRACTS FOR PURCHASE** will be put into effect by a purchase order(s) executed by the Child Nutrition Director after bids have been awarded. This bid will be submitted to the School Board on **May 20, 2019**. Purchase Orders will be mailed thereafter.



**29. BUY AMERICAN PROVISION** – Schools and RCCIs participating in the NSLP and SBP are required by law to use nonprofit SNP funds, to the maximum extent practicable, to buy domestic commodities or products for meals served under the NSLP and SBP. A “domestic commodity or product” is defined as one that is either produced in the U.S. or is processed in the U.S. *substantially* using agricultural commodities that are produced in the U.S. The term “substantially” means that over 51 percent of the final processed product consists of agricultural commodities that were grown domestically. Therefore, when nonprofit SNP funds are used to acquire foods, schools and institutions must ensure that the items are in compliance with this requirement. Additional requirements for preference for agricultural products from Texas are applicable to the use of nonprofit school Child Nutrition funds, in accordance with Section 44.042, Texas Education Code.

**30. EQUAL EMPLOYMENT OPPORTUNITY** –

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

## VENDOR ACKNOWLEDGMENT FORM

### BIDDER PREFERENCE CERTIFICATION

Please answer the following questions and return them with this Bid:

Is your principal place of business in Texas? (Circle One)    Yes    No

If no, in which state is your principal place of business?

If your principal place of business is not Texas, does your state favor resident Bidders in your state by some dollar increment or percentage? (Circle one)    Yes    No

If yes, what is that dollar increment or percentage?

For information regarding this series of questions, see Article 601g of the Texas Civil Statutes.

### FELONY CONVICTION NOTIFICATION

State of Texas Legislative Senate Bill No.1, Section 44.034, Notification of criminal History, Subsection (a), states, "a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony."

Subsection (b) states "a school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notices 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**

Check One:

- ☐ 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:

Name of Felon(s): \_\_\_\_\_

Details of Conviction(s): \_\_\_\_\_

### CERTIFICATION REGARDING TEXAS FAMILY CODE

As per Section 14.52 of the Texas Family Code, added by S.B. 84, Acts, 73<sup>rd</sup> Legislature, R.S. (1993), all bidders must complete and submit with the bid the following required affidavit:

I, the undersigned authorized bidder, do hereby acknowledge that *NO* sole proprietor, partner, majority shareholder of a corporation, or an owner of 10% or more of an other business entity is 30 days or more delinquent in paying child support under a court order or a written repayment agreement. I understand that under this code, a sole proprietorship, partnership, corporation, or other entity in which a sole proprietor, partner, majority shareholder of a corporation, or an owner of 10% or more of another entity is 30 days or more delinquent in paying child support under a court order or a written repayment agreement is *NOT* eligible to bid or receive a state contract.

I, the undersigned agent for the firm named below, certify that the information concerning notifications and certifications listed above has been reviewed by me and the information furnished is true to the best of my knowledge.

\_\_\_\_\_  
Organization Name

\_\_\_\_\_  
Printed Name of Authorized Representative

\_\_\_\_\_  
Address

\_\_\_\_\_  
Title of Authorized Representative

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## VENDOR ACKNOWLEDGMENT FORM

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### APPLICABLE TO GRANTS, SUBGRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS EXCEEDING \$100,000 IN FEDERAL FUNDS

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Submissions of the certification is a prerequisite for making or entering into this transaction and is imposed by section 1352, Title 31, U.S. Code. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more the \$100,000 for each such failure.

The undersigned certifies, to the best of his/her knowledge and belief, that:

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

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### COMPLIANCE CERTIFICATION TO EPA REGULATIONS APPLICABLE TO GRANTS, SUBGRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS EXCEEDING \$100,000 IN FEDERAL FUNDS

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I, the vendor, am in compliance with all applicable standards, orders or regulation issued pursuant to the Clean Air Act of 1970, as amended (42 U.S.C. 1857 (h)), Section 508 of the Clean Water Act, as amended (33 U.S.C. 1368), Executive Order 117389 and Environmental Protection Agency Regulation, 40 CFR Part 15 as required under OMB Circular A-102, Attachment O, Paragraph 12 (1) regarding reporting violations to the grantor agency and to the United States Environmental Protection Agency Assistant Administrator for the Enforcement.

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Name/Address of Organization

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Name/Title of Submitting Official

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Signature

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Date

## Vendor Certifications

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**Davis-Bacon Act, as amended (40 U.S.C. 3141-3148).** When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 31463148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or sub recipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

Pursuant to Federal Rule above, when federal funds are expended by SAISD during the term of an award for all contracts and sub grants for construction or repair, the vendor will be in compliance with all applicable Davis-Bacon Act provisions.

**Does vendor agree? YES \_\_\_\_\_ Initials of Authorized Representative of vendor**

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

Pursuant to the Federal Rule above, when federal funds are expended by San Angelo ISD, the vendor certifies that during the term of an award for all contracts by San Angelo ISD, resulting from this procurement process, the vendor will be in compliance with all applicable provisions of the Contract Work Hours and Safety Standards Act.

**Does vendor agree? YES \_\_\_\_\_ Initials of Authorized Representative of vendor**

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

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

**Does vendor agree? YES \_\_\_\_\_ Initials of Authorized Representative of vendor**

## Vendor Certifications

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

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

**Does vendor agree? YES \_\_\_\_\_ Initials of Authorized Representative of vendor**

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

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

**Does vendor agree? YES \_\_\_\_\_ Initials of Authorized Representative of vendor**

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**EMPLOYMENT VERIFICATION (FAR 22.18)** As applicable, and as a condition for the award of any Federal contract at \$150,000 or greater, Vendor certifies that vendor is enrolled in, and is currently participating in, E-Verify or any other equivalent electronic verification of work authorization program operated by the U.S. Department of Homeland Security and does not knowingly employ any person who is an unauthorized alien in conjunction with the contracted services. A breach in compliance with immigration laws and regulations shall be deemed a material breach of the contract and may be subject to penalties up to and including termination of the contract.

**Does vendor agree? YES \_\_\_\_\_ Initials of Authorized Representative of vendor**

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### **RECORD RETENTION REQUIREMENTS FOR CONTRACTS PAID FOR WITH FEDERAL FUNDS – (2 CFR § 200.333)**

When federal funds are expended by San Angelo ISD, for any contract resulting from this procurement process, the vendor certifies that it will comply with the record retention requirements detailed in 2 CFR § 200.333. The vendor further certifies that vendor will retain all records as required by 2 CFR § 200.333 for a period of three years after grantees or sub grantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

**Does vendor agree? YES \_\_\_\_\_ Initials of Authorized Representative of vendor**

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## Vendor Certifications

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

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

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

**Does vendor agree? YES\_\_\_\_\_Initials of Authorized Representative of vendor**

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### **CERTIFICATION OF COMPLIANCE WITH EPA REGULATIONS**

#### **APPLICABLE TO GRANTS, SUB GRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS**

**IN EXCESS OF \$100,000 OF FEDERAL FUNDS** When federal funds are expended by San Angelo ISD, for any contract resulting from this procurement process in excess of \$100,000, the vendor certifies that the vendor is in compliance with all applicable standards, orders, regulations, and/or requirements issued pursuant to the Clean Air Act of 1970, as amended (42 U.S.C. 1857(h)), Section 508 of the Clean Water Act, as amended (33 U.S.C. 1368), Executive Order 117389 and Environmental Protection Agency Regulation, 40 CFR Part 15.

**Does vendor agree? YES\_\_\_\_\_Initials of Authorized Representative of vendor**

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**CERTIFICATION OF COMPLIANCE WITH THE ENERGY POLICY AND CONSERVATION ACT** When federal funds are expended by San Angelo ISD, for any contract resulting from this procurement process, the vendor certifies that the vendor will be in compliance with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871).

**Does vendor agree? YES\_\_\_\_\_Initials of Authorized Representative of vendor**

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## Vendor Certifications

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**CERTIFICATION OF COMPLIANCE WITH BUY AMERICAN PROVISIONS** Vendor certifies that vendor is in compliance with all applicable provisions of the Buy American Act. Purchases made in accordance with the Buy American Act must still follow the applicable procurement rules calling for free and open competition.

Does vendor agree? YES \_\_\_\_\_ Initials of Authorized Representative of vendor

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**HISTORICALLY UNDERUTILIZED BUSINESS (HUB) CERTIFICATION** Proposing companies that have been certified as Historically Underutilized Business (HUB) entities are encouraged to indicate their HUB status when responding to this Proposal Invitation. The electronic catalogs will indicate HUB certifications for vendors that properly indicate and document their HUB certification on this form. **Please attach a copy of HUB certification.**

\_\_\_\_\_ I certify that my company has been certified as a Historically Underutilized Business (HUB) in the following categories: (Please check all that apply)

\_\_\_\_\_ **Minority Owned Business**

\_\_\_\_\_ **Small Business**

\_\_\_\_\_ **Women Owned Business**

\_\_\_\_\_ My Company has **NOT** been certified as a Historically Underutilized Business (HUB).

Company Name \_\_\_\_\_

Signature of Authorized Company Official \_\_\_\_\_

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Texas Department of  
Agriculture

February 2017  
H2048

**CERTIFICATION  
REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY  
EXCLUSION FOR COVERED CONTRACTS**

Name of Business (Contractor)	Vendor ID No. or Social Security No.
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(1) The prospective contractor certifies to the best of its knowledge and belief that it and its principals:

(a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective contractor is unable to certify to any of the statements in this certification, such prospective contractor shall attach an explanation to this proposal.

\_\_\_\_\_  
Signature of Contractor Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed/Typed Name of  
Contractor Representative

\_\_\_\_\_  
Printed/Typed Title of  
Contractor Representative



## Procurement

### Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether sub awardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and / or has been secured to influence the outcome of a covered Federal Action.
2. Identify the status of the covered Federal Action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal Action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or sub award recipient. Identify the tier of the sub awardee, e.g., the first sub awardee of the prime is the 1<sup>st</sup> tier. Sub awards include but are not limited to subcontracts, sub grants, and contract awards under grants.
5. If the organization filing the report in item 4 checks "Sub awardee," then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal Agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Proposal (IFB) number; grant announcement number; the contract, grant, or loan award number; the application Proposal control number assigned by the Federal agency). Include prefixes, e.g. "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award / loan commitment for the prime entity identified in item 4 or 5.
- 10.(a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box (es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box (es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

## Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

(See reverse for public burden disclosure)

Approved by OMB  
0348-0046

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For material change only:</b> Year _____ quarter _____ Date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier_____, if Known:  <b>Congressional District, if known:</b>		<b>5. If Reporting Entity in No. 4 is Subawardee,</b> Enter Name and Address of Prime:  <b>Congressional District, if known:</b>
<b>6. Federal Department/Agency:</b>		<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: _____
<b>8. Federal Action Number, if known:</b>		<b>9. Award Amount, if known:</b> \$ _____
<b>10. a. Name and Address of Lobbying Entity</b> (if individual, last name, first name, MI):		<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):
(Attach Continuation Sheet(s) SF-LLL-A, if necessary)		
<b>11. Amount of payment (check all that apply):</b> \$_____ <input type="checkbox"/> Actual <input type="checkbox"/> Planned		<b>13. Type of Payment (check all that apply):</b> <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. Other, specify: _____
<b>12. Form of Payment (check all that apply):</b> <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
<b>14. Brief Description of Services Performed or to be Performs and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11:</b>  (Attach Continuation Sheet(s) SF-LLL-A, if necessary)		
<b>15. Continuation Sheet(s) SF-LLL-A attached:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b>		<b>Signature:</b> _____ <b>Print Name:</b> _____ <b>Title:</b> _____ <b>Telephone No.:</b> _____ <b>Date:</b> _____
Federal Use Only:		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

**THIS DOCUMENT MUST BE COMPLETED, SIGNED AND RETURNED IN SEALED PROPOSAL PACKAGE**

<b>CONFLICT OF INTEREST QUESTIONNAIRE</b> <b>For vendor doing business with local governmental entity</b>		<b>FORM CIQ</b>
<p><b>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</b></p> <p>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).</p> <p>By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.</p> <p>A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>	<b>OFFICE USE ONLY</b>  <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>	
<div style="border: 1px solid black; padding: 2px;"> <b>1 Name of vendor who has a business relationship with local governmental entity.</b> </div>		
<div style="border: 1px solid black; padding: 2px;"> <b>2</b> <input type="checkbox"/> <b>Check this box if you are filing an update to a previously filed questionnaire.</b> (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.)         </div>		
<div style="border: 1px solid black; padding: 2px;"> <b>3 Name of local government officer about whom the information is being disclosed.</b>   <div style="text-align: center; margin-top: 20px;"> <hr style="width: 30%; border: 0; border-top: 1px solid black;"/>           Name of Officer         </div> </div>		
<div style="border: 1px solid black; padding: 2px;"> <b>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.</b>           <div style="margin-left: 40px;"> <p>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?</p> <div style="display: flex; justify-content: center; gap: 50px; margin-top: 10px;"> <span><input type="checkbox"/> Yes</span> <span><input type="checkbox"/> No</span> </div> <p>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?</p> <div style="display: flex; justify-content: center; gap: 50px; margin-top: 10px;"> <span><input type="checkbox"/> Yes</span> <span><input type="checkbox"/> No</span> </div> </div> </div>		
<div style="border: 1px solid black; padding: 2px;"> <b>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.</b> </div>		
<div style="border: 1px solid black; padding: 2px;"> <b>6</b> <input type="checkbox"/> 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).         </div>		
<div style="border: 1px solid black; padding: 2px;"> <b>7</b>   <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <hr style="width: 80%; border: 0; border-top: 1px solid black;"/>           Signature of vendor doing business with the governmental entity         </div> <div style="width: 35%;"> <hr style="width: 80%; border: 0; border-top: 1px solid black;"/>           Date         </div> </div> </div>		

## **CONFLICT OF INTEREST QUESTIONNAIRE**

### **For vendor doing business with local governmental entity**

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

**Local Government Code § 176.001(1-a):** "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

**Local Government Code § 176.003(a)(2)(A) and (B):**

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

\*\*\*

(2) the vendor:

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

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

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

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

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

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

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

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

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

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

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

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

(1) the date that the vendor:

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

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

(2) the date the vendor becomes aware:

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

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

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

<b>LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT</b>		<b>FORM CIS</b>
<p>(Instructions for completing and filing this form are provided on the next page.)</p>		
<p>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</p> <p>This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.</p>		<b>OFFICE USE ONLY</b>
<b>1 Name of Local Government Officer</b>	<div style="border: 1px solid black; height: 100px; width: 100%;"></div>	
<b>2 Office Held</b>	<div style="border: 1px solid black; height: 100px; width: 100%;"></div>	
<b>3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code</b>		
<b>4 Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.</b>		
<b>5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).</b>		
<p>Date Gift Accepted _____ Description of Gift _____</p> <p>Date Gift Accepted _____ Description of Gift _____</p> <p>Date Gift Accepted _____ Description of Gift _____</p> <p style="text-align: center;">(attach additional forms as necessary)</p>		
<b>6 AFFIDAVIT</b>		
<p>I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.</p>		
<p>_____</p> <p>Signature of Local Government Officer</p>		
<p>AFFIX NOTARY STAMP / SEAL ABOVE</p>		
<p>Sworn to and subscribed before me, by the said _____, this the _____ day</p> <p>of _____, 20 _____, to certify which, witness my hand and seal of office.</p>		
<p>_____ Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath</p>		

## LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

### INSTRUCTIONS FOR COMPLETING THIS FORM

*The following numbers correspond to the numbered boxes on the other side.*

- 1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.
- 2. Office Held.** Enter the name of the office held by the local government officer filing this statement.
- 3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, if the vendor: a) has an 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), Local Government Code; b) has given to the local government officer or a family member of the officer one or more gifts as described by Section 176.003(a)(2)(B), Local Government Code; or c) has a family relationship with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 4. Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship the vendor has with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code, and each family relationship the vendor has with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.
- 6. Affidavit.** Signature of local government officer.

**Local Government Code § 176.001(2-a):** "Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code.

**Local Government Code § 176.003(a)(2)(A):**

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

\*\*\*

- (2) the vendor:

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

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

<b>Form W-9</b> (Rev. October 2018) Department of the Treasury Internal Revenue Service	<b>Request for Taxpayer Identification Number and Certification</b>  ▶ Go to <a href="http://www.irs.gov/FormW9">www.irs.gov/FormW9</a> for instructions and the latest information.	<b>Give Form to the requester. Do not send to the IRS.</b>
<b>Print or type. See Specific instructions on page 3.</b>	<b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	<b>2</b> Business name/disregarded entity name, if different from above	
	<b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.	
	<input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____	
	<b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.	
	<input type="checkbox"/> Other (see instructions) ▶ _____	
<b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):		
Exempt payee code (if any) _____		
Exemption from FATCA reporting code (if any) _____		
(Applies to accounts maintained outside the U.S.)		
<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. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>									
- -									

**or**

<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 ▶
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**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).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Cat. No. 10231X

Form **W-9** (Rev. 10-2018)

**San Angelo Independent School District**

2017 Texas House Bill 89 Verification

I, \_\_\_\_\_, the undersigned representative of

\_\_\_\_\_  
(hereafter referred to as company) do hereby depose and verify that the aforementioned company, under the provisions of Subtitle F, Title 10, Government Code Chapter 2270 and Chapter, 2252 Subchapter F of the Texas Government Code:

1. Does not boycott Israel currently; and
2. Will not boycott Israel during the term of patronage by SAISD
3. Does not engaged in business with Iran, Sudan, or Foreign Terrorist Organizations.

*Pursuant to Section 2270.001, Texas Government Code:*

1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or In an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and
2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership liability partnership or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.

*Pursuant to Section 2252.152-2252.153, Texas Government Code:*

*Sec. 2252.152. CONTRACTS WITH COMPANIES ENGAGED IN BUSINESS WITH IRAN, SUDAN, OR FOREIGN TERRORIST ORGANIZATION PROHIBITED. A governmental entity may not enter into a governmental contract with a company that is identified on a list prepared and maintained under Section 806.051, 807.051, or [2252.153](#).*

*Sec. 2252.153. LISTED COMPAN/ES. The comptroller shall prepare and maintain, and make available to each governmental entity, a list of companies known to have contracts with or provide supplies or services to a foreign terrorist organization.*

*Sec. 2252.154. EXCEPTION. Notwithstanding any other law, a company that the United States government affirmatively declares to be excluded from its federal sanctions regime relating to Sudan. its federal sanctions regime relating to Iran, or any federal sanctions regime relating to a foreign terrorist organization is not subject to contract prohibition under this subchapter.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**NO BID NOTIFICATION**

VENDOR NAME \_\_\_\_\_ AGENT'S NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ BID NUMBER \_\_\_\_\_

\_\_\_\_\_  
DESCRIPTION \_\_\_\_\_

The San Angelo Independent School District is interested in receiving competitive pricing on all items bid. We also desire to keep your firm as a bidder and supplier of materials and equipment. Therefore, it is important for us to determine why you are not bidding on this item. We will analyze your input carefully and try to determine if future changes are needed in our specifications and/or procedures.

I did not bid for the following reason: (PLEASE CHECK ONE OF THE LISTED REASONS)

- \_\_\_\_\_ Do not supply the requested product
- \_\_\_\_\_ Quantities offered are too small or too large to be supplied by my company.  
(please circle one of the underlined)
- \_\_\_\_\_ Specifications are "too tight" or written around a particular product.  
(Please elaborate on this item) \_\_\_\_\_  
\_\_\_\_\_
- \_\_\_\_\_ Cannot bid against manufacturer or jobber on this item.  
(please circle one of the underlined)
- \_\_\_\_\_ Time frame for bidding was too short for my organization.
- \_\_\_\_\_ Not awarded a contract by SAISD when you felt you were low bidder.
- \_\_\_\_\_ Other... \_\_\_\_\_  
\_\_\_\_\_

Please indicate your choice for remaining on San Angelo ISD's bid list.

\_\_\_\_\_ I wish to remain on bid list.

\_\_\_\_\_ I do not wish to remain on bid list.

\_\_\_\_\_  
VENDOR'S SIGNATURE

\_\_\_\_\_  
DATE

**NOTARIZED STATEMENT VALIDATING PROPOSAL CONTENTS  
NON COLLUSION STATEMENT**

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*Vendor* shall not prepare this Proposal in collusion with any other *Vendors* and the contents of this Proposal as to prices, terms or conditions may not be communicated by this organization nor by an employee or agent of this organization to any other *Vendor* or to any other persons engaged in this type of business activity prior to the official Proposal due date. However, the authorized agent or officer signing this Proposal is not and has not been, for six months, directly or indirectly concerned in any agreement to control the conditions and/ or prices of services proposed, or has not influenced any person to propose or not purpose thereon.

I have read the complete Proposal for **Bakery Products RFP #20-3** and verify the accuracy of all information contained in the Proposal.

Authorized Vendor Officer

---

Signature

---

Typed name

---

Date

NOTARY PUBLIC

---

Name

---

Date

My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

COMPANY \_\_\_\_\_

**THIS DOCUMENT MUST BE COMPLETED, SIGNED AND RETURNED IN SEALED PROPOSAL PACKAGE**

**SAN ANGELO INDEPENDENT SCHOOL DISTRICT**  
**Child Nutrition Department**  
**Michelle Helms, Director**  
**305 Baker, San Angelo, Texas 76903-7030**  
**Phone (325) 659-3615 Fax (325) 658-4353**

**Bakery Products**  
**Request for Proposal #20-3**

Item	Estimated Quantity	Item Description							
1	3400 Loaf	<b>Sandwich Bread, 24 oz., 24 slice loaf</b> Sliced, minimum of 4" square, extra thin Serving Size: 28g Total Weight of Creditable Grain ingredients per serving: 16g Total Weight of Whole Grain ingredients per serving: 8g Must provide a Minimum of 1 oz. Grain Equivalence							
			# of slices per loaf (excluding heals)	Product Code	Package Count	Weight in Ounces Loaf/Pkg	Baked Weight Each Serving	Each Price	Package Price
		100% Whole Grain							
Item	Estimated Quantity	Item Description							
2	330,000 Ea.	<b>Hamburger Buns, 4", 12CT, 26oz</b> Sliced and wrapped, Bulk, Plain Serving Size: 61g Total Weight of Creditable Grain ingredients per serving: 32g Total Weight of Whole Grain ingredients per serving: 18g Must provide a Minimum of 2 oz. Grain Equivalence							
				Product Code	Package Count	Weight in Ounces Loaf/Pkg	Baked Weight Each Serving	Each Price	Package Price
		100% Whole Grain							

Company \_\_\_\_\_

**THIS DOCUMENT MUST BE COMPLETED, SIGNED AND RETURNED IN SEALED PROPOSAL PACKAGE**

Item	Estimated Quantity	Item Description							
3		<b>Concession products: These products will not be used in awarding this bid</b> <b>NOT Whole Grain – Whole Grain will NOT be accepted.</b>							
		Serving Size: <b>Hamburger:</b> 50g or 1.8oz ea <b>Hot Dog:</b> 38g or 1.4oz ea							
		<b>Approved Product:</b> Bimbo							
		Product Code	Package Count	Weight in Ounces Loaf/Pkg	Baked Weight Each Serving	Each Price	Package Price		
		<b>White Enriched</b>							
	2,500	a.	<b>Hamburger Buns</b> , 4", sliced and wrapped, bulk 12 ct. Plain						
	5,000	b.	<b>Hot Dog Buns</b> , 6" std. size, sliced and wrapped, 16 ct.						

Company \_\_\_\_\_

**THIS DOCUMENT MUST BE COMPLETED, SIGNED AND RETURNED IN SEALED PROPOSAL PACKAGE**

#### **New Products (Catalog bid): Adding or Deleting Items on Bid**

**Due to Texas Public School Nutrition Policy, SAISD reserves the right to add, delete or change any item on the bid with written (e-mail) notice to the awarded vendor if the product doesn't meet the Federal or State Guidelines.**

Also, if at the determination of the SAISD Child Nutrition Director, that a better product benefits the SAISD Child Nutrition Department customers; then we reserve the right to provide these newer products to our customers over the duration of this contract bid period.

New products shall be added to the vendor's order guide with a written notice (e-mail); and shall be discounted from the manufactures' list price at the predetermined % stated in the blank below. Manufactures pricing shall be verified with the local food broker or the manufacture itself. The vendor is required to have a manufacturer REP send a statement of unit cost of the new product to determine the actual price charged to SAISD Child Nutrition Department.

New Products: Discount \_\_\_\_\_% (example: put 7 in space if 7% discount from manufactures' list price)

#### **Bid Questionnaire**

1. Will you be able to make all delivers on Mondays and Thursdays?

☐ Yes ☐ No

Individual schools lunch serving times will be excluded from delivery times.

Preference will be given to bidders who can meet the above schedule.

If no, attach or state your delivery schedule below. Day and Time

2. Will you be able to make delivery corrections within 24 hours?

☐ Yes ☐ No

**All samples IF requested - must include Nutrition Labels, Ingredient Labels and a signed Product**

**Analysis/ Product Formulation Statement.**

Bids received without proper signature will not be accepted.

Please complete and return pages listed on the Forms Checklist on Page 4.

Company \_\_\_\_\_

**THIS DOCUMENT MUST BE COMPLETED, SIGNED AND RETURNED IN SEALED PROPOSAL PACKAGE**