Request For Qualifications (RFQ)

RFQ # 2017-002 *"Botines Webb County Fire Station #3"*

Due: May 16, 2017 at 10 am or before

NOTICE is hereby given that the COUNTY OF WEBB intends to enter into a single contract with a Design Build Firm for the design and construction of a new building pursuant to the Texas Government Code, Chapter 2269.301 (Sub-Chapter G., Building using Design Build Method) for the design and construction of a single story fire station facility with an estimated square footage of 4,500 in order to better serve the Citizens of Webb County and the residents of Los Botines Community.

The accompanying RFQ with its terms, conditions, attachments and all other forms in this RFQ package are due by or before 10 a.m. (Central Time) on Tuesday, May 16, 2017. ***RFQ received after the due date and time will not be accepted***. All RFQ meeting the required deadline will be read publicly at the following location in accordance with Webb County Purchasing Policies and Procedures:

Please Mail or Hand Deliver RFQ Proposals to:
Webb County Clerk's Office
1110 Victoria Street, 2nd Floor, Suite 201
Laredo, Texas 78040

Copies of the RFQ package are available on our website:
http://www.webbcountytx.gov/PurchasingAgent/PublicNoticeRFQ/

Please submit (1) original RFQ package and (8) copies in a sealed envelope clearly marked on the outer front lower left corner as follows:

RFQ 2017-002 "Botines Webb County Fire Station No. 3".

Webb County reserves the right to reject any and all RFQ proposals, to waive informalities in the RFQ process, or to terminate the RFQ process at any time, if deemed in the best interest for Webb County.

THIS FORM MUST BE INCLUDED WITH RFQ PACKAGE; PLEASE CHECK OFF EACH ITEM INCLUDED WITH RFQ PACKAGE AND SIGN BELOW TO COMFIRM SUBMITTAL OF EACH REQUIRED ITEM.

RFQ # 2017-002
"Botines Webb County Fire Station No. 3"

☐Public Notice

☐Proposer Information

☐References

☐General Terms & Conditions

☐Conflict of Interest form (Form CIQ)

☐Certification regarding Debarment (Form H2048)

☐Certification regarding Federal lobbying (Form 2049)

☐Proof of No Delinquent Tax Owed to Webb County

☐Exhibit "A" (Tract 38A, 4.00 AC)

_____ _____

Authorized Signature of Proposer **Date**

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1. Introduction

The County of Webb is currently seeking Request for Qualifications from interested Design Build Firms for the design and construction of the Botines Webb County Fire Station No. 3; pursuant to the Texas Government Code, Chapter 2269.301 (Sub-Chapter G., Building using Design Build Method). Webb County will enter into a single contract with a design build firm. Design Build Firm must be a sole proprietorship, partnership, corporation, or other legal entity or team that includes an architect or engineer and a construction contractor.

2. Scope of Services

Design and construct a single story fire station, approximately 4,500 square feet with the capacity to store up to four (4) emergency response vehicles with two (2) apparatus bays and a dormitory for up to ten (10) fire fighters. To include but not limited to a day room, training room, fitness room and bay support / maintenance areas. Scope of Services is subject to change and will be negotiated with selected qualified firm to determine what design options are feasible for Webb County based on project budget.

3. Project Location

A four (4) acre tract of land, out of Tract 38 out of Simeon Park, Phase II, recorded in Volume 32, Pages 88-89, Plat Records, Webb County, Texas, situated in Survey 1713, E.B. Ragsdale, Abstract 525 and Survey 737, R.T.CO. (See Exhibit "A", Los Botines Area - HWY 83, Webb County/Laredo, Texas).

4. Proposal Preparation Cost

The County will not reimburse any proposer for any costs involved in the preparation and submission of proposals, amendments or other relevant documents associated with the RFQ.

5. Term of Agreement

To be Determined after selection and award of the successful proposer as approved by the Webb County Commissioners Court.

6. Instructions to Proposers

Statement of Qualifications shall be organized in a manner requested in the RFQ. Submittals shall contain all pertinent information requested and will be evaluated based on adherence to the following:

a) General Requirements
- Cover letter
- Firm name, address, and telephone number
- Point of contact: name and telephone number
- Proof of Architecture/Engineering Licensure

b) Capacity to perform required services
- Areas of expertise addressed by the team members presented in submittal

c) Qualifications
- Company overview

- Resumes for proposal project manager and staff from each participating Firm

d) Experience
- Provide information documenting relevant experience from public and private sector projects within the past five years. Past projects shall list the following as a minimum:
    a. Client and client's point of contact information
    b. Firm's role in project
    c. Past projects - design fee, construction cost and change order amounts
    d. Project staff and their role

e) Methodology
- Summary of suggested approach and methodology shall include:
- Clearly defined scope of work
- Proposed distribution of tasks among team members
- Organizational chart, including all team members

7. Disqualification

Reasons for disqualification include, but are not limited to:
- Failure to provide any information requested in this document.

8. Conflict of Interest

Webb County requires that its consultants and sub consultants be able to work solely in Webb County's interest, without conflicting financial or personal incentives. Webb County reserves the right to disqualify any prime provider or sub providers, or to place contractual limits on work or on personnel, if there is a conflict of interest that might affect or might be seen to affect the prime provider's or sub providers' duty to act solely in the interest of Webb County.

A conflict of interest may involve conflicting incentives with regard to the firm as a whole, or any employee. The conflict may arise between the provider's work under a contract entered as a result of this solicitation and a relationship involving Webb County, a construction contractor, another engineering firm, a materials testing firm, a third party affected by the project, a sub provider for any other consultant or contractor, or any other entity with an interest in a project on which work is performed under a contract entered as a result of this solicitation.

9. Texas Ethics Commission Requirement Notification:

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties 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 law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency

before the contract may be signed or (2) has a value of at least $1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

A signed and notarized Form 1295 shall be tendered to Webb County by providers selected to receive a contract prior to contract execution. Webb County will not evaluate the information provided, or respond to any questions on how to interpret the Texas Ethics Commission's rules.

For additional information, please reference the Texas Ethics Commission webpage at: https://www.ethics.state.tx.us/tec/1295-Info.htm

10. General Conditions

Interested Firms shall familiarize themselves with conditions relating to the scope, specifications, and restrictions regarding the execution of work to be performed under the contract. It is the firm's responsibility to obtain any additional information it deems necessary to submit in its RFQ proposal, as well as in the performance of the contract. Information contained in this document should not be considered all-inclusive.

All questions or clarification regarding this RFQ proposal request must be submitted to in writing to the Webb County Purchasing Agent via email to Mr. Jose Angel Lopez III, CTPM at joel@webbcountytx.gov

Each question, along with the County's response will be provided in writing to all prospective providers and included as an addendum to RFQ document. Any verbal communication regarding this request for qualifications will be considered non-binding on either party.

11. RFQ Evaluation

The evaluation committee may conduct the following tasks but is not an all-inclusive list of tasks that may be conducted by committee:

- Review all RFQs received for compliance with RFQ terms and conditions.
- Prepare a comparative summary of proposals.
- Conduct reference checks.
- Request clarification from Proposers.
- Conduct public interviews during a regularly scheduled Commissioners Court meeting.

RFQ will be evaluated as follows:

▪ Experience of Design Build Firm	30 points
▪ Planned Approach	25 points
▪ Past Performance/similar projects	35 points
▪ References	10 points

A committee under this RFQ may consist of Key County Officials. The Webb County Commissioners Court would make a final selection through a majority vote of the Court. **The County of Webb reserves the right to reject any and all proposals or to select the proposal that is in the best interest of Webb County.**

12. RFQ PROPOSAL SCHEDULE

Activity	Time	Date	Responsible Party
Public Notice/newspaper	n/a	Apr. 30th, May 7th	Webb Co. Purchasing Dept.
Public Notice on website	n/a	Until award is completed	Webb Co. Purchasing Dept.
Questions Due to County	No later than 5pm	May 8th	Proposer/Contractor
Posting of answers	By noon	May 9th	Webb Co. Purchasing Dept.
Sealed Proposals due	10 am	May 16th	Proposer/Contractor
Evaluation of Proposals	TBD	TBD	Webb Co Committee
Award of Contract	TBD	TBD	Governing Body
Finalization of contract doc	TBD	TBD	Webb County/Proposer
Commencement of service	TBD	TBD	Webb County/Proposer

Footnote: *County reserves the right to adjust time and dates on above projected schedule if it's in the best interest for Webb County.*

13. Special Accommodations:

To request special accommodations pursuant to the Americans with Disabilities Act (ADA), please notify the contact shown below, a minimum of 48 hours prior to a scheduled meeting.

Ms. Debra Cadena, Purchasing Buyer at (956) 523-4125 or email at decadena@webbcountytx.gov

RFQ # 2017-002

"Botines Webb County Fire Station No. 3"

ATTACHMENTS

Proposer Information

Name of Company: _____

Address: _____

City and State _____

Phone: _____

Email Address: _____

Signature of Person Authorized to Sign:

_____
Signature

_____
Print Name

_____
Title

Indicate status as to "Partnership", "Corporation", "Land Owner", etc.

_____

_____
(Date)

Note:
All submissions relative to these RFQ shall become the property of Webb County and are nonreturnable.

If any further information is required please call the Webb County Assistant Purchasing Agent, Mr. Cesar Guerra, Jr. at (956) 523-4133 or email at ceguerra@webbcountytx.gov

References

Name of Local / State government or private company	Address	Phone	Name of Contact	Contract Active, if not when did it expire

COUNTY OF WEBB

General Terms and Conditions for Request for Qualifications/bids

1. GENERAL CONDITIONS:

Proposers/Bidders are required to submit their proposals upon the following expressed conditions:

(A) Proposers/bidders shall thoroughly examine the scope of work and layouts, instructions and all other contract documents.

(B) Proposers/bidders shall make all investigations necessary to thoroughly inform themselves regarding plant and facilities for delivery of materials and equipment as required by the bid conditions. No plea of ignorance by the bidder of conditions that exist or that may hereafter exist as a result of failure to fulfill in every detail the requirements of the contract documents of the County or the compensation of the vendor.

(C) Proposers/bidders are advised that all County contracts are subject to all legal requirements provided by Local, State, and Federal statutes & regulations.

2. PREPARATION OF BIDS/PROPOSALS:

Proposals/bids will be prepared in accordance with the following:

(A) Unit prices shall be shown and where there is an error in extension of prices, the unit price shall govern. If applicable.

(B) Alternate bids/proposals will not be considered unless specifically requested within the proposal package.

(C) Proposed Period of Performance (POP) must be shown and shall include Sundays and holidays or as specified in RFQ document.

(D) Bidders/Proposers will not include Federal taxes or State of Texas limited sales excise and use taxes in bid/proposal prices since the County of Webb is exempt from payment of such taxes. An exemption certificate will be signed where applicable upon request.

3. DESCRIPTION OF SUPPLIES:

Any catalog or manufacturer's reference used in describing an item is merely descriptive, and not restrictive, unless otherwise noted, and is used only to indicate type and quality of material. Bidders are required to state exactly what they intend to furnish otherwise they shall be required to furnish the items as specified.

4. SUBMISSION OF BIDS/PROPOSALS:

(A) Bids/Proposals and changes thereto shall be enclosed in sealed envelopes addressed to the Webb County Clerk. The name and address of the Proposer/bidder, the date of the proposal opening and the material or service bid shall be placed on the outside of the sealed envelope.

(B) Bids/Proposals must be submitted in the forms furnished. Electronic bids/proposals will not be considered. Bids/Proposals, however, may be modified by written notice provided such notice is received at the County Clerk's Office before the time and date set for the proposal opening.

(C) Samples, when required, must be submitted within the time specified, at no expense to the County of Webb. If not destroyed or used up during testing, samples will be returned upon request at the proposer expense. If applicable.

5. REJECTION OF BIDS/PROPOSALS:

(A) The Purchasing Agent may reject a bid/proposal if it is deemed to be non responsive and/or provided by not responsible bidder/proposer.

(B) No bid/ proposal submitted herein shall be considered if the proposer owes any delinquent taxes to the County of Webb at the time proposals are opened. In the event that the successful proposer herein subsequently becomes delinquent in the payment of his or its County taxes, such fact shall constitute grounds for cancellation of the contract.

(C) No bid/proposal submitted herein shall be considered unless the bidder/proposer warrants that upon execution of a contract with the County of Webb, the bidder/ proposer will not engage in employment practices which have the effect of discriminating against employees or prospective employees because of race, color, sex, creed, disability, or national origin and will submit such report as the County may thereafter require to assure compliance.

(D) The County may, however, reject all proposals/bids whenever it is deemed in the best interest of the County to do so, and may reject any part of a proposal or bid. County may also waive any minor informalities or irregularities in any proposal or bid.

6. WITHDRAWAL OF BIDS/PROPOSALS:

Bids/Proposals may not be withdrawn after the closing time and date.

7. LATE BIDS/PROPOSALS OR MODIFICATIONS:

Bids/Proposals and modifications received after the time set for the proposal submission will not be considered.

8. CLARIFICATION OR OBJECTION TO PROPOSAL SPECIFICATIONS:

If any person contemplating submitting a proposal for this contract is in doubt as to the true meaning of the specifications, or other bid/proposal documents or any part thereof, the bidder/proposer may submit to the Purchasing Agent on or before five days prior to scheduled opening a request for clarification. All such requests for information shall be made in writing and the person submitting the request will be responsible for its prompt delivery. Any interpretation of Webb County proposal package specification instructions, if made, will be made only by Addendum duly issued. A copy of such Addendum will be posted on the web-site and email to the vendors list that have received email copy of package. The County will not be responsible for any other explanation or interpretation made or given prior to the award of the contract. Any objections to the specifications and requirements as set forth in this proposal must be filed in writing with the Purchasing Agent on or before five days prior to the scheduled opening.

Where there is a question that will not lead to an addendum, the questions will be made in writing to the Purchasing Department. The answer will be in writing posted on the website for everyone to receive the same response.

9. DELINQUENT TAXES:

All vendors seeking to do business with Webb County must owe no delinquent taxes to the County. Attestation of owing no delinquent taxes will be required. If a vendor owes taxes to Webb County, those taxes should be paid before submitting a proposal.

10. AWARD OF CONTRACT:

(A) The contract will be awarded to the best qualified according to the bid/proposal criteria and a written award letter will be issue.
   (1) Award of a bid/proposal requires formal approval by the Commissioners Court.
   (2) Bid/Proposal contract must also be approved by the Commissioners Court.
   (3) The written notice to proceed will be for construction contracts provided after all contract documents are signed.

(B) Prices must be quoted F.O.B. Webb County with all transportation charges prepaid, unless otherwise specified in the Invitation for Bids/Proposals.

(B) Period of Performance will commence with written Notice to Proceed.

11. BID BOND

A bid bond in the amount of 5% of the Bid/Proposal issued by an acceptable surety company shall be submitted with each bid. A certified check or Bank Draft payable to the Webb County may be submitted in lieu of the Bid Bond. All such bonds, cashier checks shall be drawn payable to Webb County, if required by RFQ/Bid document.

12. PERFORMANCE AND PAYMENT BOND

A Performance Bond is require for **construction work** if the contract is in excess of $100,000; and a Payment Bond is require if the **construction contract** is in excess of $25,000. The requirement is for all prime contractors which enter into a formal contract with the State, any department, board, agency, municipality, county, school district or any division or subdivision. The failure of the successful bidder/proposer to execute the agreement and supply the required bonds within ten (10) days **after** the award or within such extended period as Webb County may grant, shall constitute a default and Webb County may, at its option either award the contract to next lowest responsible bidder, or re-advertise for bids/proposals. In either case, Webb County may charge against the bidder the difference between the amount of the bid, and the amount for which a contract is subsequently executed irrespective of whether this difference exceeds the amount of the bid bond. If a more favorable bid is received through re-advertisement, the defaulting bidder shall have no claim against Webb County for a refund. If applicable.

13. WORKERS' COMPENSATION INSURANCE COVERAGE:

The Workers' Compensation Commission has adopted Rule 110.110 effective with all bids advertised after September 1, 1994. The TWCC has stated that it is aware that a statutory requirement for workers' compensation insurance coverage is not being met. Therefore, Rule110.110 requires that all bidders be covered under workers' compensation insurance to achieve compliance from both contractor(s) and governmental entities. **Attachment A** is provided in accordance with the requirements on governmental entities. Please read carefully and prepare your bid in full compliance to TWCC Rule 110.110. Failure to provide the required certificates upon submission of a bid could result in your bid being declared non-responsive. If applicable and unless stated differently under RFQ package.

14. REFERENCES:

Webb County requires proposer to supply with this proposal, a list of at least five (5) references where like services have been supplied by their firm. Include name of firm, address, telephone number and name of representative.

15. STATEMENTS:

No oral statement of any person shall modify or otherwise change, or affect the terms conditions, plans and/or specifications stated in the bid/proposal packages.

16. ETHICS:

The proposer shall not accept or offer gifts or anything of value nor enter into any business arrangement with any employee, of the Webb County Purchasing Department.

17. PROPRIETARY INFORMATION:

All materials submitted to the County become public property and are subject to the Texas Open Records Act upon receipt. If a proposer does not desire proprietary information in the proposal to be disclosed, each page must be identified and marked proprietary a time of submittal. The County will, to the extent allowed by law, endeavor to protect such information from disclosure. The final decision as to what information must be disclosed, however, lies with the Texas Attorney General. Failure to identify proprietary information will result in all unmarked sections being deemed non-proprietary and available upon public request.

Webb County

Conflict of Interest Disclosure

Effective January 1, 2006, Chapter 176 if the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filled with the records administrator of Webb County no later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. 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. The questionnaire may be viewed and printed by following the link before:

By submitting a response to this request, the vendor represents that it is in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

The Webb County Officials who come within Chapter 176 of the Local Government Code relating to filing of Conflict of Interest Questionnaire (Form CIQ) include:

1. Webb County Judge Tano Tijerina
2. Commissioner Jesse Gonzalez
3. Commissioner Rosaura "Wawi" Tijerina
4. Commissioner John Galo
5. Commissioner Jaime Canales
6. Judge Joe Lopez, 49th Judicial District Court
7. Judge Becky Palomo, 341st Judicial District Court
8. Judge Oscar Hale 406th Judicial District Court

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

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

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

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

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

OFFICE USE ONLY

Date Received

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

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

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

_____

Name of Officer

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

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

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

7

_____ _____

Signature of vendor doing business with the governmental entity Date

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

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

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

(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;

(B) a transaction conducted at a price and subject to terms available to the public; or

(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

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

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

***

(2) the vendor:

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

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

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

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

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

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

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

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

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

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

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

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

(1) the date that the vendor:

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

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

(2) the date the vendor becomes aware:

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

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

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

Texas Department of
Agriculture

Form H2048
January 2008

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

PART A.

Federal Executive Orders 12549 and 12689 require the Texas Department of Agriculture (TDA) to screen each covered potential contractor to determine whether each has a right to obtain a contract in accordance with federal regulations on debarment, suspension, ineligibility, and voluntary exclusion. Each covered contractor must also screen each of its covered subcontractors.

In this certification "contractor" refers to both contractor and subcontractor; "contract" refers to both contract and subcontract.

By signing and submitting this certification the potential contractor accepts the following terms:

1. The certification herein below is a material representation of fact upon which reliance was placed when this contract was entered into. If it is later determined that the potential contractor knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Department of Health and Human Services, United States Department of Agriculture or other federal department or agency, or the TDA may pursue available remedies, including suspension and/or debarment.
2. The potential contractor will provide immediate written notice to the person to whom this certification is submitted if at any time the potential contractor learns that the certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
3. The words "covered contract", "debarred", "suspended", "ineligible", "participant", "person", "principal", "proposal", and "voluntarily excluded", as used in this certification have meanings based upon materials in the Definitions and Coverage sections of federal rules implementing Executive Order 12549. Usage is as defined in the attachment.
4. The potential contractor agrees by submitting this certification that, should the proposed covered contract be entered into, it will not knowingly enter into any subcontract with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Department of Health and Human Services, United States Department of Agriculture or other federal department or agency, and/or the TDA, as applicable.

Do you have or do you anticipate having subcontractors under this proposed contract?

☐ Yes

☐ No

5. The potential contractor further agrees by submitting this certification that it will include this certification titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion for Covered Contracts" without modification, in all covered subcontracts and in solicitations for all covered subcontracts.
6. A contractor may rely upon a certification of a potential subcontractor that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered contract, unless it knows that the certification is erroneous. A contractor must, at a minimum, obtain certifications from its covered subcontractors upon each subcontract's initiation and upon each renewal.
7. Nothing contained in all the foregoing will be construed to require establishment of a system of records in order to render in good faith the certification required by this certification document. The knowledge and information of a contractor is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
8. Except for contracts authorized under paragraph 4 of these terms, if a contractor in a covered contract knowingly enters into a covered subcontract with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, Department of Health and Human Services, United States Department of Agriculture, or other federal department or agency, as applicable, and/or the TDA may pursue available remedies, including suspension and/or debarment.

PART B. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION FOR COVERED CONTRACTS

Indicate in the appropriate box which statement applies to the covered potential contractor:

☐ The potential contractor certifies, by submission of this certification, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded form participation in this contract by any federal department or agency or by the State of Texas.

☐ The potential contractor is unable to certify to one or more of the terms in this certification. In this instance, the potential contractor must attach an explanation for each of the above terms to which he is unable to make certification. Attach the explanation(s) to this certification.

Name of Contractor	**Vendor ID No. or Social Security No.**	**Program No.**

_____ _____
Signature of Authorized Representative Date

_____
Printed/Typed Name and Title of Authorized Representative

CERTIFICATION REGARDING FEDERAL LOBBYING
(Certification for Contracts, Grants, Loans, and Cooperative Agreements)

PART A. PREAMBLE

Federal legislation, Section 319 of Public Law 101-121 generally prohibits entities from using federally appropriated funds to lobby the executive or legislative branches of the federal government. Section 319 specifically requires disclosure of certain lobbying activities. A federal government-wide rule, "New Restrictions on Lobbying", published in the Federal Register, February 26, 1990, requires certification and disclosure in specific instances.

PART B. CERTIFICATION

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

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

1. No federally appropriated funds have peen paid or will be paid, by or 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 any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federally 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 these federally funded contract, subcontract, subgrant, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions. (If needed, contact the Texas Department of Agriculture to obtain a copy of Standard Form-LLL.)

3. The undersigned shall require that the language of this certification be included in the award documents for all covered subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all covered subrecipients will certify and disclose accordingly.

Do you have or do you anticipate having covered subawards under this transaction?
☐ Yes
☐ No

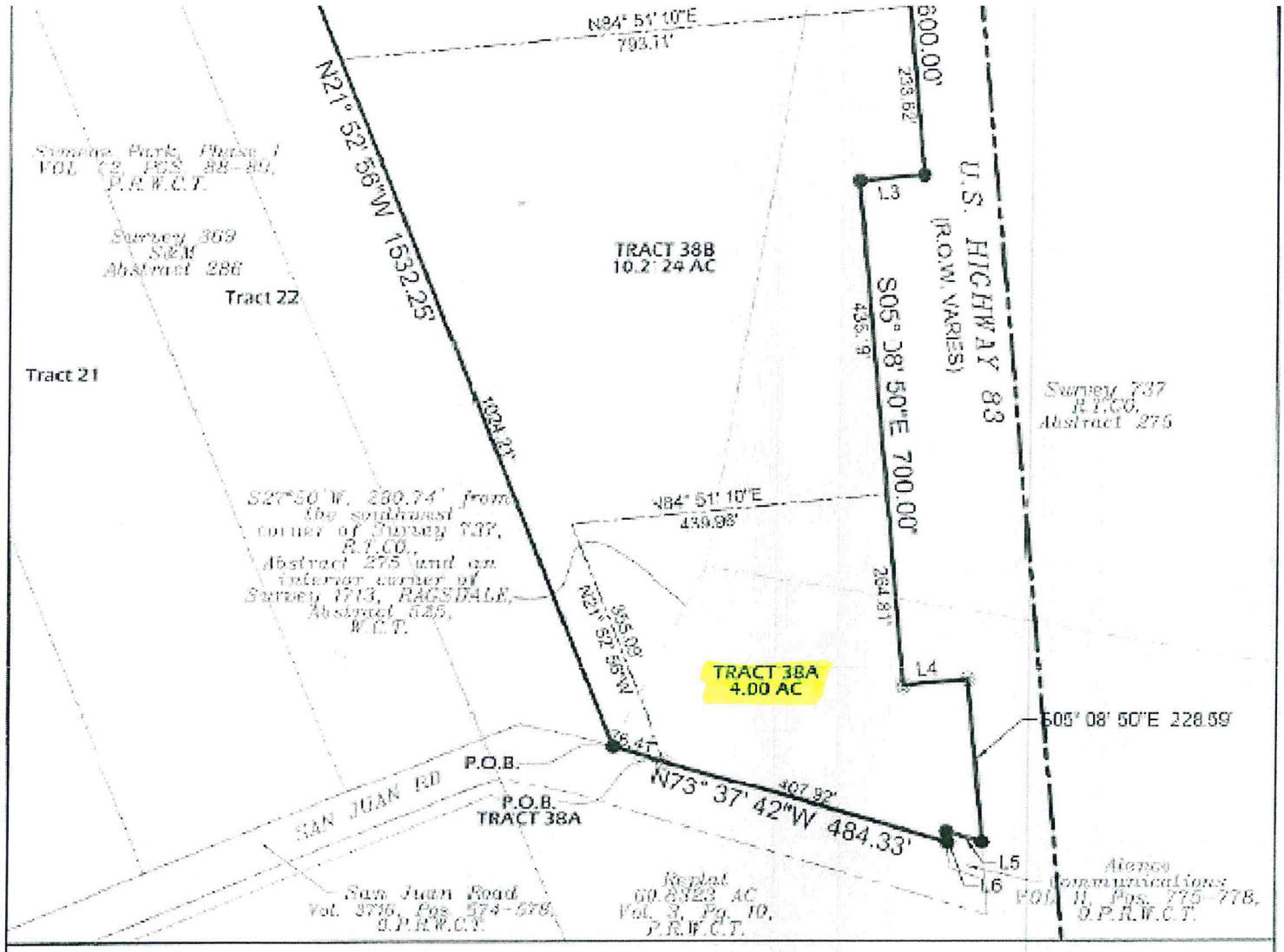
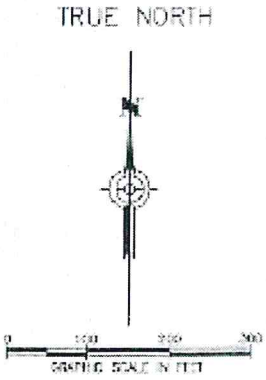
Name of Contractor/Potential Contractor	Vendor ID No. or Social Security No.	Program No.

Name of Authorized Representative	Title

Signature – Authorized Representative

Date

Exhibit "A"



RE-PLAT
OF
TRACT 23 AND 38 PLAT OF SIMEON PARK
WEBB COUNTY, TEXAS. VOL 32 PAGES 88-89
P.R.W.C.T. FEBRUARY 12, 2015
INTO
TRACTS 23A, 38A AND 38B OF
PLAT OF SIMEON PARK,
WEBB COUNTY, TEXAS