

**LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) /  
COMMUNITY AND ECONOMIC DEVELOPMENT (CED)**



*Invitation to Bid*

*LRGV Composting and Vermiculture Pilot School Project  
Procurement of Compost Bins*

*No: 2024-06*

**RELEASE DATE:**

***November 06, 2024***

**SUBMISSION DEADLINE:**

***November 20, 2024, by 5pm (CST)***

Lower Rio Grande Valley Development Council / Community & Economic Development  
301 W Railroad St. Weslaco, TX 78596

[WWW.LRGVDC.ORG](http://WWW.LRGVDC.ORG)

# SCHEDULE OF EVENTS

## SOLICITATION SCHEDULE

<i>Release Date of Invitation to Bid:</i> .....	Nov. 06, 2024
<i>Last Day to Submit Written Questions:</i> .....	Nov. 15, 2024
<b><i>Bid Submission Deadline:</i></b> .....	<b>Nov. 20, 2024, by 5:00 P.M. CST</b>
• <i>Official Time Clock is LRGVDC Phone System</i>	
<i>Bid Abstract</i> .....	Nov 21, 2024
<i>Anticipated Submission Review and Evaluation:</i> .....	Nov. 22, 2024 <i>(May be Subject to change)</i>
<i>Board Approval Date:</i> .....	June 26, 2024 <i>(May be Subject to change)</i>
<i>Anticipated Award Date:</i> .....	Nov 22, 2024 <i>(May be Subject to change)</i>

The LRGVDC and CED reserve the right, in its sole discretion, to change the above dates. Notices of changes to items directly impacting the Original ITB or proposal process will be submitted to each Offer of record as having received a Proposal.

## AUTHORIZED AGENCY CONTACT

The following will be the means of contact between the LRGVDC, CED and potential Bid Submitters.

- Submitters may refer questions and inquiries via email only to [lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org). Questions submitted to any member of the LRGVDC & CED email directly will not be considered.
- No phone or in-person inquiries regarding the proposal shall be conducted.
- Questions submitted in writing, via email, will be answered within 3 business days.
- Inquiries, questions, and responses shall be posted as addendums on the LRGVDC website. Submitters should frequently check for any updates.  
<https://www.lrgvdc.org/procurement.html>

## PROPOSAL SUBMISSIONS

Interested parties should submit one *(1) original signed, (5) copies and one (1) electronic file of the Proposal* if submission is via mail carrier or hand delivered. Original documents need to be identified with “Original” lettering on the front page. The electronic file would need to be formatted as a Microsoft Word document or Adobe PDF and saved on a USB flash drive (USB drivers will not be returned and will be considered property of the LRGVDC). Emailed submissions will need to be sent [lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org) and must follow the same formats as stated above. Only one copy will suffice for emailed submissions. Proposals must include all forms and required documentation. *Incomplete submissions will not be considered and deemed disqualified.*

All submissions must be received no later than 5:00 P.M. Central Standard Time, November 20, 2024. The LRGVDC & CED are not responsible for lateness or non-delivery of mail, carrier, email, etc. The date/time stamp at the receptionist area of the LRGVDC shall be the official time of receipt for mailed or hand delivered submissions. For emailed submissions the LRGVDC email exchange server date and time will be the official receipt time. *Proposals received after the deadline will not be considered or returned.*

Proposal contents considered confidential/proprietary by the Submitter, shall be clearly identified and subject to confirmation by the LRGVDC and CED. Should the material not be deemed confidential/proprietary, the Submitter may withdraw the designated materials from consideration prior to review and the evaluation process.

**All Bids shall clearly display name of submitter and project title addressed to the following:**

**Hand Deliver or Mail To:** Attn. Asst. Director of Bus. Operations  
LRGVDC – Procurement Dept. Building D  
301 W Railroad  
Weslaco, Texas 78596

**Emailed:** Attn. Asst. Director of Bus. Operations  
[lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org)

**ITB Title:** 2024-06LRGV Composting and Vermiculture Pilot School Project  
Procurement of Compost Bins

LRGVDC office hours of operation are:.....Monday – Friday / 8:00am to 5:00pm CST

# **INTRODUCTION**

## **LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC)**

The Lower Rio Grande Valley Development Council (LRGVDC) is one of twenty-four (24) state planning regions and association of local governments formed under Texas Law to address issues and planning needs that cross the boundaries of individual local governments. The LRGVDC coordinates planning efforts, provides a regional approach to problem solving through cooperative action and provides direct services, when applicable. The designated geographical service area is the 3,643 square miles of Cameron, Hidalgo, and Willacy Counties. The LRGVDC is comprised of programs in the fields of economic development, public safety, transportation, environmental services and health and human services. Funding to support these programs originates from local, state, and federal sources. LRGVDC is governed by a twenty- seven (27) member Board of Directors of whom two-thirds are required to be elected officials of the designated boundaries.

### **Mission Statement**

To promote and encourage cooperation among local units of government in order to improve the region's health, safety, and general welfare and to plan for future development.

## **COMMUNITY AND ECONOMIC DEVELOPMENT (CED)**

The Community & Economic Development Department is responsible for a wide range of projects. Projects include EDA, Solid Waste, Water Quality, and Community Development Block Grant. The vision for Economic Development is, as a highly desirable place to live, work, and visit, the Lower Rio Grande Valley will ensure regional prosperity and a premier quality of life by sustaining a balanced and resilient international economy, developing an educated, qualified workforce and providing enhanced opportunities for commercial, industrial and entrepreneurial growth.

### **Vision Statement**

The Community Development vision statement is, through effective services, education and preservation efforts, we shall strive for the healthiest environment where urban and rural community growth ensures residents safe and sustainable community development, housing opportunities, appropriate infrastructure development and proactive planning for the conservation of the Region's vital agricultural and natural resources.

## **PURPOSE**

LRGVDC has partnered with Region Once Service Center to implement the LRGV Composting and Vermiculture Pilot School Project. This initiative aims to create or enhance recycling and organics collection, as well as other landfill diversion efforts, in at least four local school districts within the three-county region. For this reason, it is necessary that we acquire hungry bins, because they are used for vermicomposting, which is the process of composting organic waste using worms. The continuous flow through system will allow students/teachers to add organic waste continuously to the top while harvesting nutrient-rich worm castings from the bottom. These bins will create an optimal environment for compost worms to thrive and break down organic waste.

## **PROJECT SCOPE**

The Lower Rio Grande Valley Development Council Community and Economic Development program is seeking vendor bids for flow-through compost bins. Item will be used to facilitate tasks and functions subcontracted as part of the Texas Commission of Environmental Quality (TCEQ) Solid Waste Infrastructure for Recycling Grant (SWIFER) No. 582-25-00036.

### **Composter**

The composter design and specifications will be equivalent or similar to The Hungry Bin composter. Bin should be a vermicompost system and provide continuous flow through and have a minimum of twenty (20) gallon capacity. Design should be tapered and feature durable wheels for easy transportability.

### **Quantity**

The quantity being sought to procure is eighty (80) units however it may increase depending on the final bid price. Bids should be submitted with a quantity of eighty (80) and detail the unit's individual price. *If individual price is not detailed, bid may not be considered.*

### **Warranty**

The Proposer is to include in their bid any warranty on either their part or manufacturer's warranty. Please provide details to what extent will be covered by either the bidder or manufacturer.

### **Shipping**

The Proposer is to include any shipping or freight charged if applicable. If you would like to calculate the charges please use the delivery address below.

### **Delivery**

The Proposer should note the deliver address as listed below. This will be the actual delivery address. Selected Proposal must provide delivery tracking details once they are available.

Deliver to:     Attn: Allen Williams  
                     1900 W Schunior St.  
                     Edinburg, TX 78541

## Payment Terms

The Proposer should be able to accept purchase order and work with Net 30 terms. Credit Card or bank information will be used or released to the bidder as form of payment. If Proposer requires a credit application the LRGVDC Procurement and Finance Departments will work to establish those accounts. Please note the LRGVDC is a tax-free organization, and bids will need to reflect a tax-free bid.

## Purchase Order

A Purchaser Order will be submitted internally, and the awarded vendor will be notified of the Purchase Order number when the award notification is sent. Please be sure to note this number on any invoices related to this ITB.

## Billing

An awarded vendor may send their invoice to the address below. It may also be emailed to [invoices@lrgvdc.org](mailto:invoices@lrgvdc.org). Please make sure to note the Purchase Order and Title of the ITB on the invoice. Failure to do so will result in delays in payment.

Billing Address:       Attn. Finance  
                              301 W Railroad St.  
                              Weslaco, TX 78596

## **INSTRUCTIONS & RESPONSIBILITIES**

The LRGVDC/CED shall pay no costs or other amount incurred by any entity in responding to this ITB. The LRGVDC & CED reserves the right to refuse and reject any and all submitted proposals that are deemed incomplete and/or are missing any required information in response to this ITB. All proposals will become part of the LRGVDC official procurement files and will be available for public inspection.

### **GENERAL INSTRUCTIONS**

- Proposers should carefully read the information contained herein and submit a complete response to all requirements and questions as directed.
- Proposals, which are submitted with conditional clauses, or alterations, or items not called for in the ITB documents, or irregularities of any kind are subject to disqualification by LRGVDC/CED, at its option.
- Each proposal should be prepared simply and economically, providing a straightforward, concise description of the ability to meet the requirements of this ITB. Emphasis should be on completeness, clarity of content, responsiveness to the requirements, and an understanding of LRGVDC/CED's needs.
- LRGVDC & CED make no guarantee that an award will be made as a result of this ITB and reserves the right to accept or reject any or all proposals, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this ITB or resulting Agreement when deemed to be in LRGVDC and CED's best interest. Representations made within the

proposal will be binding on responding submitters. LRGVDC & CED will not be bound to act by any previous communication or proposal submitted by the bidder other than this ITB.

- Failure to comply with the requirements contained in this Invitation to Bid may result in the rejection of the Proposers bid.

## REQUIRED ATTACHMENTS

LRGVDC aspires to achieve as uniform a review process as possible to ensure the maximum degree of comparable balance among proposals received. Therefore, before submitting a proposal, make sure all items indicated below are returned with submitted proposals.

**Proposers shall complete all noted Attachments and submit with the proposal, Attachment Number.**

Attachment Number	Attachment Title
Attachment No. 1	Solicitation Request Acknowledgement Form
Attachment No. 2	DBE Certification Form
Attachment No. 3	Conflict of Interest Questionnaire <i>*note</i>
Attachment No. 4	Suspension and Debarment Certification

*\* NOTE: When completing this Questionnaire, please be certain to answer each and every question; indicate "Not Applicable", if appropriate. Please sign and date.*

## EVALUATION CRITERIA

**Proposals received will be evaluated and ranked according to the following criteria:**

- **Price (60%)**
  - a. Individual Unit Price
  - b. Shipping & Delivery Costs
- **Lead Time (25%)**
  - a. Lead time for delivery of all units.
- **Warranties (15%)**
  - a. Warranties provided by the Proposer
  - b. Warranties provided by the manufacturer.
  - c. An abrogate of both

## Scoring

Submitted proposals will be scored numerically from ‘highest to lowest’ for award consideration by, but not limited to, the program evaluation criteria in the table below. The number of proposals selected for award consideration will be at the sole discretion of LRGVDC.

<b>Evaluation Criteria</b>	<b>Available Points</b>
Price	<b>60</b>
Lead Time	<b>25</b>
Warranties	<b>15</b>
<b>Total Points</b>	<b>100</b>

## Eligibility for Award

In order for a proposer to be eligible to be awarded the proposal must be responsive to the solicitation and the LRGVDC must be able to determine that the proposer is responsible and has the resources and capacity to perform the resulting award satisfactorily. Responsive proposals are those that comply with all material aspects of the solicitation, conform to the solicitation documents, and meet the requirements set forth in this solicitation. Proposals which do not comply with all the terms and conditions of this solicitation will be rejected as non-responsive.

## **General Terms and Conditions**

Any terms and conditions attached to a Response will not be considered unless specifically referred to in the Response. TEX GOVT CODE § 2155.0012

A response to this ITB does not commit or obligate the Lower Rio Grande Valley Development to award a contract nor to pay for any other costs incurred prior to the execution of a formal award.

LRGVDC reserves the right to accept or reject any bid proposal received, as well as cancel the RFP in its entirety at any time during the entire bidding process including the negotiations phase if started, without notice or explanation, which may result due to unforeseen irregularities, low response, or program needs not being met by submitted proposals, and/or extend the RFP by up to two (2) additional weeks from original bid submission date if deemed warranted.

Proposer shall indemnify and hold harmless LRGVDC, its officers, agents, and employees from any injuries or damages received by any person during any operations connected with an awarded contract, by use of any improper material, equipment, or by any act or omission of the Proposer/contractor or his subcontractor, agents, servants, or employees whenever applicable.



If the execution of work to be performed by the Proposer requires hiring of subcontractors, it must clearly state this in the proposal. Subcontractors must be identified and the work they will perform must be defined. The proposal should provide the name, address, and Federal Employer Identification Number (FEIN) of the subcontractor. LRGVDC will not refuse a proposal based upon the use of subcontractors; however, it retains the right to refuse the subcontractors the proposer selected.

Proposer agrees to protect LRGVDC from claims involving infringement of patent or copyrights, if warranted.

Proposer shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any court or administrative bodies or tribunals in any matter affecting the performance of the agreement including, if applicable, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and licensing laws and regulations. When required, the proposer shall furnish the Board with satisfactory proof of its compliance.

Proposer represents and warrants that, in accordance with Section 2155.005 of the Texas Government Code, neither Proposer nor the firm, corporation, partnership, or institution represented by Proposer, or anyone acting for such a firm, corporation or institution has (1) violated any provision of the Texas Free Enterprise and Antitrust Act of 1983, Chapter 15 of the Texas Business and Commerce Code, or the federal antitrust laws, or (2) communicated directly or indirectly the contents of this Proposer to any competitor or any other person engaged in the same line of business as Proposer.

Proposer may not assign the contract or assign, transfer or delegate, in whole or in part, any of its interest in, or rights or obligations under, the contract without the prior written consent of the LRGVDC, and any attempted or purported assignment, transfer or delegation thereof without such consent shall be null and void.

Proposer understands that the LRGVDC will comply with the Texas Public Information Act (Chapter 552 of the Texas Government Code) as interpreted by judicial rulings and opinions of the Attorney General of the State of Texas. Information, documentation, and other material in connection with this Solicitation or any resulting contract may be subject to public disclosure pursuant to the Texas Public Information Act. In accordance with Section 2252.907 of the Texas Government Code, Proposer is required to make any information created or exchanged with the State pursuant to the contract, and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the State.

The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under the contract or indirectly through a subcontract under the contract. The acceptance of funds directly under the contract or indirectly through a subcontract under the contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. Under the direction of the legislative audit committee, an entity that is the subject of an audit or investigation by the state auditor must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

## **Conflict of Interest**

Proposer represents and warrants that the provision of goods and services or other performance under the contract will not constitute an actual or potential conflict of interest or reasonably create an appearance of impropriety. Proposer will disclose in writing to LRGVDC & CED any and all existing or potential conflicts of interest relative to the performance of this RFP.

Any firm who is ultimately selected to provide legal services to the LRGVDC/CED will be prohibited from engaging in or carrying on any legal activity on behalf of any client which is directly adverse to the LRGVDC and CED or their interests, without the specific written consent of the LRGVDC Board of Directors. Waivers will be evaluated on a case-by-case basis. Any firm or attorney engaged to represent the LRGVDC/CED shall have a continuing duty to disclose such information.

Pursuant to Section 2155.003 of the Texas Government Code, Proposer represents and warrants that it has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the solicitation.

## **Suspension and Debarment**

Proposer certifies that it and its principals are not suspended or debarred from doing business with the state or federal government as listed on the State of Texas Debarred Vendor List maintained by the Texas Comptroller of Public Accounts and the System for Award Management (SAM) maintained by the General Services Administration.

Proposer certifies that the offering entity and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state, or local governmental entity. Entities ineligible for federal procurement are listed at <http://www.sam.gov>. TEX GOVT CODE § 2155.077

## **Termination**

The LRGVDC/CED shall have the right to terminate any agreement with or without cause. The decision to terminate shall be at the sole discretion of the LRGVDC/CED.

## **Tax Liability**

**The Proposer certifies that:**

- It has no unpaid federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.
- Is not delinquent in any tax owed the State of Texas under Chapter 171, Tax Code; signing and submitting the statement of qualifications is so certifying to such non- delinquency.

- Proposer agrees that any payments due under the contract shall be applied towards any debt or delinquency that is owed to the State of Texas.

## **DBE / HUB Subcontracting**

LRGVDC shall ensure small, minority, disadvantaged, and women's businesses are considered as sources for acquisitions whenever possible.

The proposer is encouraged to make a good faith effort to consider HUBs when subcontracting. Some methods for locating HUBs include:

- Utilizing the Texas Comptroller of Public Accounts, Texas Smart Buy website <http://www.window.state.tx.us/procurement/cmb1/cmb1hub.html>;
- Utilizing Web sites or other minority/women directory listings maintained by local Chambers of Commerce.
- or advertising subcontract work in local minority publications; and/or contacting the contracting state agency for assistance in locating available HUBs.

## **Right to Appeal**

### **Procedure**

- a) A protest must be submitted to the LRGVDC designated official at [lrgvdc@lrgvdc.org](mailto:lrgvdc@lrgvdc.org) within seven (7) calendar days of the time the basis of the protest became known or should have become known.
- b) The protest must be submitted in writing and identify the protester, the solicitation being protested and specifically identify the basis for protest, providing all pertinent information regarding the solicitation, contract and/or actions of LRGVDC.
- c) A grievance hearing may be held at the request of the protester.

### **All interested parties must be given**

- 1) Written notice of the date, time and place of the hearing.
- 2) An opportunity to present evidence.
- 3) A written decision within 60 days after the hearing; and
- 4) Notice of appeal rights.

*The following documents must be filed with the Lower Rio Grande Valley Development Council Procurement Department and be maintained as part of the permanent procurement record.*

Attachment 1

**LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) /  
COMMUNITY AND ECONOMIC DEVELOPMENT (CED)**

Solicitation Request Acknowledgement Form

**Solicitation Number:** \_\_\_\_\_

**Solicitation Title:** \_\_\_\_\_

The undersigned hereby proposes and agrees to be bound by the requirements, terms and conditions and any and all amendments issued by the LRGVDC and made a part of this ITB as set forth or referenced in this ITB. The undersigned further certifies that he/she is legally authorized to make the statements and representations in its response to this solicitation and that said statements and representations are true and accurate to the best of his/her knowledge. The undersigned understands and agrees that when evaluating bids and making an award decision, the LRGVDC/CED relies on the truth and accuracy of the statements and representations presented in the bid response. Accordingly, the LRGVDC has the right to suspend or debar the undersigned from this process and/or terminate any contract award that may have resulted from this solicitation if the LRGVDC determines that any statements or representations made were not true and accurate. If awarded the undersigned agrees to furnish all products and/or services as described on the scope of services and any negotiations thereafter.

**EXECUTED this** \_\_\_\_\_ **day of** \_\_\_\_\_, **20**\_\_\_\_\_.

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

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

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

Firm: \_\_\_\_\_



Attachment 2

**LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) /  
COMMUNITY AND ECONOMIC DEVELOPMENT (CED)**

Disenfranchised Business Enterprise (DBE) / Historically Underutilized Business (HUB)  
Proposer Identification FORM

**Solicitation Number:** \_\_\_\_\_

**Solicitation Title:** \_\_\_\_\_

*(Reproduce as necessary)*

I HEREBY DECLARE AND AFFIRM THAT I AM THE \_\_\_\_\_ and duly  
(Title – Owner, President, CEO, etc.)  
authorized representative of \_\_\_\_\_ and I hereby declare and affirm  
(Name of Firm)  
that I am a certified DBE and/or HUB.

This firm has current DBE certification from the following agencies and/or state(s):

\_\_\_\_\_  
\_\_\_\_\_

*A copy of the current certification letter notifying the firm that it has been DBE/HUB certified  
must be attached to this form.*

☐ Check if Not Applicable. *(must sign below)*

\_\_\_\_\_  
*(Sign)*

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Printed)*



# CONFLICT OF INTEREST QUESTIONNAIRE

## For vendor doing business with local governmental entity


**FORM CIQ**

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

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

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

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

**OFFICE USE ONLY**

Date Received

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

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

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

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

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

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

☐ Yes

☐ No

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

☐ Yes

☐ No

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

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

**7**

\_\_\_\_\_  
Signature of vendor doing business with the governmental entity

\_\_\_\_\_  
Date

## **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.

**LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) /  
COMMUNITY AND ECONOMIC DEVELOPMENT (CED)**

**SUSPENSION AND DEBARMENT CERTIFICATION**

**Solicitation Number:** \_\_\_\_\_

**Solicitation Title:** \_\_\_\_\_

Federal Law (A-102 Common Rule and OMB Circular A-110) prohibits non-federal entities from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. LRGVDC does not do business with parties that have been suspended or debarred.

Firms receiving individual awards and all sub-recipients must certify that their organization and its principals are not suspended or debarred by a federal agency.

Before an award can be made to your firm, you must certify that your organization and its principals are not suspended or debarred by a federal agency.

I, the undersigned agent for the firm named below, certify that neither this firm nor its principals are suspended or debarred by a federal agency.

**Name of Vendor:** \_\_\_\_\_

**Signature of Authorized Official:** \_\_\_\_\_

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

**Date Signed:** \_\_\_\_\_

