

## DICKINSON INDEPENDENT SCHOOL DISTRICT

Tom Mooney

Director of Purchasing

2218 FM 517

Dickinson, Texas 77539

### Notice to Bidders

BID/PROPOSAL NUMBER: 19-04-1057  
OPENING DATE: April 25, 2019  
OPENING TIME: 10:00am  
SUBJECT OF PROPOSAL: Campus Fundraising and Campus Special Events

Proposals are solicited for the merchandise, supplies, equipment, or services set forth herein. Complete and signed Proposal documents must be received at the Dickinson ISD Educational Support Center, Attention: Tom Mooney, 2218 FM 517, Dickinson, Texas 77539 before the opening date and time shown above. Proposals will be opened publicly and names of bidders disclosed.

Proposals must be in a sealed envelope and marked properly with the Proposal Number and date and time of opening. Proposals received later than the specified time, whether delivered or mailed, will be disqualified and returned unopened to the bidder.

The District reserves the right to reject any or all proposals, to accept any proposal deemed advantageous to the District, and to waive any informality in bidding.

If you have questions about the bid specifications contact me by email to [tmooney@dickinsonisd.org](mailto:tmooney@dickinsonisd.org) or by phone at 281-229-6160. Thanks for your interest in this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Mooney", with a stylized flourish at the end.

Tom Mooney

## **General Conditions**

### **Scope of the Proposal:**

- 1.1 Campus fundraising and campus special events.
  - 1.2 This Proposal is in multiple parts: Notice to Bidders, General Conditions, Special Conditions, Proposal Price Sheets, Bid Acknowledgement Form, Non-Collusive Bidding Certificate, Criminal Notification/Felony Conviction Notification, Conflict of Interest Form, W-9 Form, and instructions for filing Form 1295 with the Texas Ethics Commission, and confirmations as per Texas House Bill 89 and Senate Bill 252.
  - 1.3 The District may award a contract for any or all sections of this Proposal.
  - 2.0 The use of the District's specifications is to be considered informative, giving the bidder the information as to the exact quality and value requirements. The bidder shall note in writing any deviations from specifications and shall submit those changed specifications as alternates.
- 
- 3.0 In evaluating qualified bids/proposals the following considerations will be taken into account for award recommendations:
    - 3.0.1 The purchase price.
    - 3.0.2 The reputation of the vendor and of the vendor's goods and services.
    - 3.0.3 The quality of the vendor's goods or services.
    - 3.0.4 The extent to which the goods or services meet the District's needs.
    - 3.0.5 The vendor's past relationship with the District.
    - 3.0.6 The impact on the District to comply with laws and rules relating to historically underutilized businesses (HUBs).
    - 3.0.7 The total long term cost to the district to acquire the vendor's goods or services.
    - 3.0.8 For contracts for goods and services other than those related to telecommunications and information services, building construction and maintenance; whether the vendor or vendor's parent company or majority owner has its principal place of business in Texas, or employs at least 500 people in Texas.
    - 3.0.9 Compatibility of goods/products purchased with those already in the District.
    - 3.0.10 It is not the policy or practice of Dickinson ISD to purchase on the basis of low bid alone.
    - 3.0.11 Any other relevant factor included in the RFP or BID.

- 4.0 Contracts for purchase will be put into effect by means of a purchase order executed by the DISD Business Office after proposals have been awarded. All contracts and agreements between merchants and the District shall adhere to the statutes of the Uniform Commercial Code, official text. The parties agree that the laws of the State of Texas shall govern the rights of the parties and the validity and interpretation of any purchase order contract or service agreement.
- 5.0 Dickinson Independent School District will pay all invoices for accepted merchandise or service no later than 30 days from date of acceptance or delivery as set forth in the specifications for this bid.
- 6.0 All deliveries (if applicable) shall be freight prepaid F.O.B. destination (inside delivery) to the appropriate site in Dickinson ISD. Bids shall include freight and delivery charges. All deliveries are to be made between 8am and 3pm Monday through Friday. Title does not transfer to the District until appropriately received. Bid prices must include all related costs for delivery to the appropriate site or sites in the District. No tailgate deliveries will be accepted. Delivery sites will be noted on purchase orders or separate written instructions.
- 7.0 Quantities required are substantially correct but the District's estimate of anticipated needs is subject to change depending upon budgetary adjustments. The District reserves the right to purchase more or less than the estimated quantities on a unit basis at the unit bid price unless otherwise specified by the bidder.
- 8.0 Pricing on purchases shall remain firm for the duration of the contract or as specified by the bidder.
- 9.0 The District is exempt from all Federal, State, and Local taxes.
- 10.0 Dickinson ISD does not accept faxed or email bids. An original signature on the Bid Acknowledgement Form and the Proposal Price List included in the sealed envelope is the only acceptable form of proposal submittal.
- 11.0 In the event of any claim by any unsuccessful bidder concerning or relating to the issue of "equal or better," or "equal," or "non-specified alternate," the unsuccessful bidder agrees, at his own cost and expense, to defend such claim or claims and agrees to hold Dickinson ISD free and harmless from any loss or damage arising from this transaction.
- 12.0 All proposals shall be deemed conclusive and irrevocable, and no proposal shall be subject to correction or amendment for errors or miscalculations by the bidder.
- 13.0 Bidders are invited to be present at the opening of the proposals on the date and time specified, however are not required to be present.
- 14.0 The District reserves the right to award contracts for any, all, or none of the parts and/or items of the proposal request.

## **Special Conditions**

- 1.0 Campus fundraising and campus special events.
  - 2.0 The District reserves the right to award this proposal for any, all, or none of the parts and/or items of this bid request and to award the proposal in the best interest of the Dickinson ISD.
  - 3.0 The agreement period is May 6, 2019 through May 6, 2020 and will automatically renew each May unless either party gives notice in writing of intent to cancel.
  - 4.0 Any quantities are estimates and could vary. Dickinson ISD reserves the right to purchase additional items as needed at the proposal price unless the bidder indicates that this is not acceptable.
  - 5.0 If at any time the vendor awarded this proposal fails to fulfill or abide by the terms, conditions, or specifications of this proposal, or fails to meet the quality standards of Dickinson ISD for the goods or service, Dickinson ISD reserves the right to cancel the contract and/or re-issue the Request for Proposal.
- 
- 6.0 Bidders must complete, sign, and return all appropriate forms included in this packet.
  - 7.0 Dickinson ISD does not award proposals for low price only. Additional criteria (as per General Conditions) will be used in the best interest of Dickinson ISD.

The  
remainder  
of  
this  
page  
purposefully  
left  
blank.

### Acknowledgment Form

The undersigned bidder's agent hereby proposes and agrees to furnish supplies or service in compliance with the specifications at the prices quoted.

If you cannot comply with any of the items or terms of the Proposal, please state your reasons here: \_\_\_\_\_

---

---

---

---

---

Vendor/Company Name: \_\_\_\_\_

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

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

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

Bidder Representative's Name: \_\_\_\_\_

Signature of Company Official Authorizing Bid/Proposal: \_\_\_\_\_

Printed Name of Company Official: \_\_\_\_\_

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

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

**Dickinson ISD  
Proposal Price Form  
Campus Fundraising and Campus Special Events**

**To Bidders:** This form must be completed and signed as part of the bidder's Proposal. You may attach additional page(s) for an explanation of the total costs of this Proposal.

**Pricing:** Provide itemized cost for this proposal and any other information necessary to fully explain the details of your Bid: If you are offering "catalog pricing" please note that here. If you are offering a discount or special pricing please indicate that as well.

---

---

---

---

---

**Other costs associated with this Proposal:**

---

---

---

---

---

**Total Cost of Proposal:** \_\_\_\_\_

**Signature of Bidder:** \_\_\_\_\_

**Non-Collusive Bidding Certification:**

By submission of this bid or proposal, the Bidder certifies that:

- a. This proposal has been independently arrived at without collusion with any other bidder or with any competitor.
- b. This bid or proposal has not been knowingly disclosed and will not be knowingly disclosed prior to the opening of bids or proposals for this project to any other bidder, competitor, or potential competitor.
- c. No attempt has been or will be made to induce any other person, partnership, or corporation to submit or not to submit a bid or proposal.
- d. The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the bidder as well as to the person signing in its behalf.

ACKNOWLEDGMENT BY SIGNATURE: \_\_\_\_\_

**Felony Conviction Notification:**

The State of Texas Legislative Senate Bill No. 1, Section 44.034, Notification of Criminal History of Contractor, states:

- a. A person or business entity that enters into a contract with a school district must give advance notice to the district if the person, owner, or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony.
- b. A school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by subsection (a)(misrepresented the conduct resulting in the conviction.) The district must compensate the person or business entity for services performed before the termination of the contract.
- c. This section does not apply to a publicly held corporation.

**Please check one of the boxes and sign the form in the appropriate space.**

\_\_\_\_\_ 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 and operated by the following individual(s) who has/have been convicted of a felony.

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

Date(s) of convictions(s): \_\_\_\_\_

ACKNOWLEDGMENT BY SIGNATURE: \_\_\_\_\_

# CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person 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 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 knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

## OFFICE USE ONLY

Date Received

1 Name of person 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 the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

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

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

☐ Yes ☐ No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

☐ Yes ☐ No

D. Describe each employment or business relationship with the local government officer named in this section.

4

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

\_\_\_\_\_  
Date



## Request for Taxpayer Identification Number and Certification

Give form to the  
requester. Do not  
send to the IRS.

Print or type  
See Specific instructions on page 2.

Name (as shown on your income tax return)

Business name, if different from above

Check appropriate box ☐ Individual/Sole proprietor ☐ Corporation ☐ Partnership  
☐ Limited liability company Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ .....  
☐ Other (see instructions) ▶

☐ Exempt  
payee

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

Requester's name and address (optional)

City, state, and ZIP code

UST 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 your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number

or

Employer identification number

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

**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 on page 4.

Sign  
Here

Signature of  
U.S. person ▶

Date ▶

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

## DICKINSON INDEPENDENT SCHOOL DISTRICT

### Certificate of Interested Parties – Form 1295

Dickinson ISD is required to comply with House Bill 1295, which amended the Texas Government Code by adding Section 2252.908, Disclosure of Interested Parties. Section 2252.908 prohibits Dickinson ISD from entering into a contract resulting from this RFP with a business entity unless the business entity submits a Disclosure of Interested Parties – Form 1295 to Dickinson ISD at the time the business entity submits the signed contract. Dickinson ISD is requesting that the business entity include a copy of the submitted Form 1295 along with other documents being provided to Dickinson ISD in the proposal. The Texas Ethics Commission has adopted rules requiring the business entity to file form 1295 electronically with the Texas Ethics Commission.

As a “business entity,” all vendors must electronically complete, print, sign, and submit Form 1295 with their proposals or contracts **even if no interested parties exist**.

Proposers must file Certificate of Interested Parties – Form 1295 with the Texas Ethics Commission using the following online application: [https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.html](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.html).

- Proposers must use the filing application on the Texas Ethics Commission’s website to enter the required information on Form 1295.
- Proposers must print a copy of the completed form, which will include a certification number.
- The Form 1295 must be printed and signed by an agent of the business entity.
- The completed form 1295 with the certification number must be filed with Dickinson ISD by including a copy of the completed form with the proposal response.
- Dickinson ISD must acknowledge receipt of the filed Form 1295 by notifying the Texas Ethics Commission of the receipt of the filed Form 1295 no later than the 30th day after the date the contract binds all parties.
- After Dickinson ISD acknowledges the Form 1295, the Texas Ethics Commission will post the completed Form 1295 to its website within seven (7) business days.

#### Instructions to Vendors:

1. Read these instructions.
2. Texas Ethics Commission website: [www.ethics.state.tx.us](http://www.ethics.state.tx.us) and click on Form 1295 Filing App
3. Register and complete Form 1295 – include the proposal number and RFP name.
4. Print a copy of the submitted Form 1295 with certification number.
5. Include a copy of the completed and signed Form 1295 with the proposal response to Dickinson ISD.

#### Resources:

[https://www.ethics.state.tx.us/whatsnew/FAQ\\_Form1295.html](https://www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html)

<https://www.ethics.state.tx.us/filinginfo/videos/Form1295/FirstLogin-Business/Form1295Login-Business.html>

<https://www.ethics.state.tx.us/filinginfo/videos/Form1295/CreateCertificate/CreateCertificate.html>.

**DICKINSON INDEPENDENT SCHOOL DISTRICT**

**Confirmation for All Bids/RFPs to be Considered**

As required by Texas House Bill 89 and Chapter 2270 of the Texas Government Code, responding vendors must verify that the vendor does not and will not boycott Israel during the term of our agreement. By signing below, a company official of the responding prospective vendor claims and certifies that the vendor does not currently and will not during the term of an agreement with Dickinson ISD boycott Israel.

---

Company official/title	printed name	date
------------------------	--------------	------

As required by Texas Senate Bill 252 and Chapter 2252 Texas Government Code prospective vendors must verify that the vendor does not engage in business with Iran, Sudan, or any foreign terrorist organizations. By signing below, a company official of the responding prospective vendor verifies that the vendor does not engage in business with Iran, Sudan, or any foreign terrorist organizations.

---

Company official/title	printed name	date
------------------------	--------------	------