



REQUEST FOR COMPETITIVE SEALED PROPOSALS

NeuroPsychiatric Center (NPC) SITE RENOVATION

Project Number: FY22-207

PROPOSAL DUE DATE:

**Wednesday, April 6, 2022
10:00 A.M. CST**

**The Harris Center for Mental Health and IDD
Purchasing Department
9401 Southwest Freeway
Houston, TX 77074**

INVITATION

The Harris Center for Mental Health and IDD is accepting Proposals from Contractors for the following construction project.

The Harris Center for Mental Health and IDD NeuroPsychiatric Center (NPC) NPC Site Renovation

The Harris Center for Mental Health and IDD invites your company to submit a Proposal. If you are interested in submitting a Proposal, please adhere to the ***General Instructions and Requirements*** as outlined in the enclosed Request for Competitive Sealed Proposal.

Contractors shall pay particular attention to all **INSTRUCTIONS, REQUIREMENTS and DEADLINES** indicated in the attached documents and should govern themselves accordingly.

In accepting Proposals, The Harris Center reserves the right to reject any / all Proposals, to waive formalities and reasonable irregularities in submitted documents, and to waive any requirements in order to take the action, which it deems to be in the best interest of The Harris Center, and is not obligated to accept the lowest proposal.

At the time and place established for receipt of the Proposals, The Harris Center will only release the names and monetary values of the proposals Contractors that have responded to this solicitation. No other information will be released until after The Harris Center's Evaluation Team has evaluated the Proposals, and an award has been made and approved by Executive Staff and The Harris Center's Board of Trustees.

We greatly appreciate your efforts and look forward to reviewing your submission.

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THIS PROPOSAL PACKAGE CONTAINS THE FOLLOWING SECTIONS:

1. Company Overview
2. Timeline of Events and Deadlines
3. Scope of Work, Submittal Instructions, and Deadlines
4. Evaluation Criteria
5. General Terms and Conditions and Sample Contract
6. The Harris Center's Required Submission Forms

SECTION 1

COMPANY OVERVIEW

Background and Objectives

It shall be the Mission of The Harris Center for Mental Health and IDD, to transform the lives of people with behavioral health and IDD needs.

It shall be the Vision of The Harris Center for Mental Health and IDD, to empower people with behavioral health and IDD needs to improve their lives through an accessible, integrated and comprehensive recovery oriented system of care.

The Eight Values of the Harris Center for Mental Health and IDD are collaboration, compassion, excellence, integrity, leadership, quality, responsiveness and safety.

The Harris Center is the state-designated Local Mental Health Authority and Local Intellectual and Developmental Disability (IDD) Authority serving Harris County, Texas. As the largest behavioral and developmental disability care center in Texas, The Harris Center provided care to over 79,000 people in fiscal year 2019 and has an annual budget of over \$275 million.

As part of its mission to transform the lives of people with behavioral health and IDD needs in the third largest county in the United States, The Harris Center provides a full continuum of services at 86 different sites across Harris County. In addition, services are provided in more than 42 different languages as well as sign language in order to better serve what is one of the most diverse and multi-cultural communities in the nation.

By utilizing the unique expertise of its more than 2,300 employees, The Harris Center is committed to meeting the behavioral health and IDD needs of Harris County residents and giving them hope to live to their fullest potential.

The Harris Center is now a Certified Community Behavioral Health Clinic (CCBHC). This accomplishment helps pursue our goal to become the most innovative health system in the country. Being a CCBHC enables The Harris Center to better provide a comprehensive range of mental health and substance use disorder services to vulnerable individuals.

As a key goal of our Agency's Strategic Plan to continuously improve our care quality, we worked tirelessly to achieve Certification by the Commission On Accreditation Of Rehabilitation Facilities (CARF). This accreditation is official recognition that an organization is guided by internationally recognized service standards and best practices. The Harris Center received a 3-year accreditation from CARF International for all the programs surveyed.

The Harris Center for Mental Health and IDD invites qualified companies herein after referred to as "Contractor", "Proponent" or "Supplier" to submit proposals for the **NeuroPsychiatric Center (NPC) Site Renovation Project**.

SECTION 2
TIMELINE OF EVENTS AND DEADLINES

Release of CSP to Prospective Contractors:	Monday, March 7, 2022
Non-Mandatory Pre-Proposal Meeting:	Wednesday, March 16, 2022 at 10:00 a.m. https://call.lifesizecloud.com/13509797
Site Visit	Friday, March 18, 2022 Contacts: karen.hurst@theharriscenter.org edgar.barron@mstrategicpartners.com
Deadline for Questions:	Monday, March 21, 2022 by 5:00 p.m.
Deadline to Respond to Questions:	Thursday, March 24, 2022 by 5:00 p.m.
Proposal Due Date:	Wednesday, April 6, 2022 by 10:00 a.m.
Proposal Opening:	Wednesday, April 6, 2022 Opening will be held immediately following receipt of Proposals at 10:00 A.M. CST, 9401 Southwest Freeway, Houston, Texas 77074
Anticipated Award Date:	Upon recommendation and Board approval

*All times listed in the CSP are Central Standard Time (CST)

SECTION 3

SCOPE OF WORK, INSTRUCTIONS, AND DEADLINES

1. SCOPE OF WORK

This is a request for competitive sealed proposals pursuant to Chapter 2269 of the Texas Government Code. The Harris Center for Mental Health & IDD (“The Harris Center”) seeks proposals from qualified construction firms for renovation of The Harris Center’s NPC Site, including renovations on the first and second floor of Ben Taub General Hospital, located at 1504 Ben Taub Loop, Houston, Texas 77030 (“Project”). Sealed proposals, subject to the terms and conditions as more fully explained herein, for evaluation of services must be received by the due date specified in Section 2.

The Architect of record for the Project is:

PDG Architects
10000 Richmond Ave, Suite 100
Houston, TX 77042

The Plans and Specifications for the Project, including the Project Manual, are available at https://www.dropbox.com/sh/ua6dc826i2qgmg9/AAApr9T52hpfy_QDrIXuK-Kra?dl=0

The selected contractor must be able to perform the tasks outlined in the Project Manual.

2. PRE-PROPOSAL CONFERENCE

A virtual pre-proposal conference will be held in accordance with the timeline stated in herein and can be accessed via the following link: <https://call.lifesizecloud.com/13509797>

3. SITE VISIT

Site visits will occur by appointment only in accordance with the timeline stated herein. To schedule a site visit, please contact the following:
Karen Hurst at karen.hurst@theharriscenter.org and
Edgar Barron at edgar.barron@mstrategicpartners.com

4. SUBMISSION INSTRUCTIONS

The Competitive Sealed Proposal (CSP), subject to all conditions and specifications attached hereto, **must be signed in INK** by a person or officer of the company submitting the CSP that is authorized to enter into contractual agreements on behalf of the. ***Proposals received unsigned may be deemed non-responsive and therefore not be accepted.***

Deadline to submit **“Final Proposal”** is **Wednesday, April 6, 2022 at 10:00 a.m. CST**. The original response, signed in ink, five (5) additional photocopies and an electronic copy (saved as one complete pdf on a USB flash drive) should be submitted in a SEALED ENVELOPE and delivered to the attention of:

The Harris Center for Mental Health and
IDD
Purchasing Department
Attn: Sharon Brauner, Purchasing Manager
9401 Southwest Freeway, Houston, Texas 77074
**“9401 SOUTHWEST FREEWAY - NPC Site Renovation-
DO NOT OPEN UNTIL APRIL 6, 2022.”**

The Harris Center reserves the right to not accept responses to this CSP after the stated deadline.

Respondents may mail or personally deliver their Proposal to the Purchasing Office of The Harris Center at the above address. The Harris Center will not be responsible for any Proposal(s) that is (are) lost in the mail or not delivered to the Purchasing Department by the stated deadline for any reason. Electronic submissions will not be accepted.

Responses shall include all documentation as requested in this Request for Competitive Sealed Proposal.

5. PROPOSAL OPENING

A public opening will be held immediately following receipt of responses to this Request for Competitive Sealed Proposals on **Wednesday, April 6, 2022 at 10:00 AM CST, at 9401 Southwest Freeway, Houston, Texas, 77074.**

6. QUESTIONS

The Harris Center will not answer verbal questions regarding the requirements specified in this solicitation. Questions concerning this CSP must be submitted in writing via fax or email to:

Sharon Brauner, C.P.M., A.P.P., Purchasing Manager

Ofc: (713) 970-7279

Fax: (713) 970-7682

E-mail: Sharon.brauner@theharriscenter.org

Nina Cook, MBA, CTPM, Director of Purchasing

Ofc: (713) 970-7287

Email: nina.cook@theharriscenter.org

All response(s) to questions will be consolidated into a single, written correspondence by The Harris Center and provided to proposers by the deadline stated herein.

7. PROPOSAL CONTENT

The Proposal must contain the following sections in the order presented below. Proposals that do not include these sections may be considered non-responsive and as such may not be considered.

Tab 1: Firm Overview

1. Firm Information:

- Name of Firm
 - Address of Principal Office
 - Phone Number
 - Form of Business Organization (corporation, partnership, individual, etc.)
 - Year founded
 - Primary Individual to Contact
2. Number of years your organization has been in business in the current capacity
 3. Number of years your organization has been in business under its present name (also include a list of other/former names that your organization has operated under)
 4. If your organization is a corporation, answer the following: Date of incorporation, State of incorporation, President's name, Vice President's name; Secretary's name, Treasurer's name
 5. If your organization is a partnership answer the following: date of organization, type of partnership, name(s) of general partners
 6. If your organization is individually owned, answer the following: date of organization, name of owner
 7. If the form of your organization is other than those listed above, describe it and name the principals
 8. Whether your company principally works in the Houston or the surrounding area
 9. The dollar value of work done in Houston or the surrounding area, within a 50-mile radius of Houston, for the preceding three-year period
 10. The percentage of your work that is with governmental entities

11. The percentage of your work for the past 10 years that has been for repeat clients (please breakdown between commercial and public entity clients)
12. Describe your firm's project execution process including schedule management, quality control, compliance with local and state regulatory agencies and punch list completion.
13. Describe your firms warranty program, in particular staffing, reporting, follow-up procedures, etc.

Tab 2: Experience

1. A description of past construction, renovation, and/or addition projects that Proposer has completed for government entities that are similar in size, type, and complexity as the project detailed herein (include the name of the entity, nature of the project/function of the building, size (SF), location, original contract cost, final contract cost, delivery method used, date of notice to proceed, contractual completion date, actual completion date, and what type of project—new, addition, renovation)
 - Provide a list of any work that your firm may have completed for The Harris Center during the past 3 years, including a detailed description of the work effort, performance and define if the work was completed as a contractor directly with The Harris Center or as a subcontractor under an engagement.
 - List the categories of work that your organization normally performs with its own forces. Please include information on the work your firm would sub-contract
 - List any subcontractors in which your organization has some ownership and list the categories of work those subcontractors normally perform.
 - Claims and suits (If the answer to any of the questions below is yes, please attach details).
 - Has your organization ever failed to complete any work awarded?
 - Are there any judgements, claims, arbitration proceedings or suits, pending or outstanding against your organization or its officers?
 - Has your organization filed any lawsuits or requested arbitration with regard to construction contracts within the last five years?
 - Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract? (If the answer is yes, please attach details.)
2. Description of your work in the last five years that is of similar scope and complexity to this project
3. Description of your work in the last five years within active and operating healthcare facilities.

Tab 3: Financial Information

1. Provide a copy of the most recent financial statement, preferably audited, including your organization's latest balance sheet and income statement showing the following items:

- Current assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory, and prepaid expenses).
 - Noncurrent assets (e.g., net fixed assets, other assets).
 - Current liabilities (e.g., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries and accrued payroll taxes).
 - Noncurrent liabilities (e.g., notes payable).
 - Capital accounts and retained earnings (e.g., capital, capital stock, authorized and outstanding shares par value, earned surplus, and retained earnings).
2. Name and address of firm preparing attached financial statement and date thereof.
 3. Is the attached financial statement for the identical organization named under item 1 above? If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsidiary).
 4. Will the organization whose financial statement is attached act as guarantor of the contract for construction?
 5. Provide name, address and phone number of your financial institution.
 6. Surety: Name of bonding company and name and address of agent.
 7. A fully executed Bid Bond in the amount of 5% of the proposal issued and sealed by your surety or its authorized attorney-in-fact.

Tab 4: Personnel

1. Given the scope and schedule of the project(s), identify the specific Project Manager, Job Superintendent, Estimator and Field Operations personnel who would work on the project(s).
2. Provide a resume and references for each individual. Prior to contracting with a construction management firm, The Harris Center will have the right to interview the Project Manager and Job Superintendent that will be assigned to each project. The Project Manager and Job Superintendent will be required to remain on the project through final completion.

Tab 5: Price Proposal

1. The proposer shall furnish all resources and services necessary to provide services of the type and kind required for the project that is the subject of this solicitation. All pricing information, including any alternate pricing proposals that may be acceptable for some projects, must be included in the proposal. The proposal form should also be accompanied by a completed AIA G703, a copy of which is attached with the proposal form.
2. This information should match the lump sum included in the attached Sealed Proposal Form. The proposer shall also ensure that the Owner's Contingency in amount of \$400,000 is included in the proposal amount in the Sealed Proposal Form.
3. The Harris Center recognizes that recent events surrounding the supply chain and labor disruption resulting the Covid-19 pandemic are unprecedented and that the Proposer's base proposal and contract time may not fully anticipate all such potential cost or schedule impacts. The Harris Center therefore agrees to include within the Base Bid a Cost Escalation Allowance in the amount of \$100,000, to fund equitable adjustments necessitated by the following Covid-19 pandemic impacts: (1) material or equipment supply chain disruptions and related cost escalations; (2) labor shortages; (3) government orders that impact the Work; or (4) fulfillment of contractual or legal obligations regarding job-site safety. If such events occur, the awarded

contractor shall be entitled to an allowance expenditure authorization, and all amounts sought shall be substantiated and documented in the manner required by the Contract Documents for changes to the Contract Sum or Contract Time. Proposer and its subcontractors agree to exercise due diligence with respect to the selection and management of laborers, material supplies and supply chains in an effort to mitigate the risk of disruption and cost impacts to The Harris Center. Any resulting contract shall include such language related to such Cost Escalation Allowance.

Tab 6: References

1. Provide six (6) references from other government entities or other relevant references listing recently completed engagements for the services of the type and kind required in this solicitation. For each reference, include the name of the representative of the owner and a representative of the architect, along with the name of their organization, phone number, and email address).

Tab 7: Deviations from Contract/Exceptions to Solicitation

1. Attached to this solicitation is a sample contract that The Harris Center intends to use as the awarded contract.
 - If an offeror proposes changes to any provision in this solicitation document and/or the attached contract or if the offeror desires additional provisions to be included in the final contract, the offeror must detail the requested changes in this section.
 - Note in this section the item number and specific details of the change and/or exceptions.
 - Deviations/Exceptions to the exhibits and forms attached to this solicitation will not be considered.

SECTION 2
EVALUATION CRITERIA

1. EVALUATION CRITERIA

Pursuant to Texas Government Code Section 2269.055 the following factors are used by The Harris Center to evaluate which proposal provides the best value to The Harris Center:

Factor	Weight
Price Proposal (Tab 5)	30
Experience and Reputation of the Proposer, including project execution and warranty program (Tabs 1, 2 and 6)	20
Demonstrated Qualifications of Personnel and Team (Tab 4)	20
Quality and extent to which the goods and services meet The Harris Center's needs (Tabs 1-7)	15
Whether the offeror's financial capability is appropriate to the size and scope of the project (Tab 3)	15
Total	100

The Harris Center's evaluation of proposals will be based on all available information, including submitted proposals, subsequent interviews (if necessary), reports, discussions, and reference checks.

SECTION 3
GENERAL TERMS AND CONDITIONS

1. The Harris Center reserves the right to accept or reject all or any part of any Proposal, waive minor formalities, and to be the sole judge of quality and suitability.
2. This solicitation does not in any way obligate The Harris Center to award a contract or pay any expense or cost incurred in the review and submission of proposals responding to this solicitation.
3. The Harris Center may choose to award a contract based on the original submission, including interviews, if applicable, or move to negotiations. Because The Harris Center may choose not to enter into negotiations, all proposers are to assume the original submission may be considered a final proposal.
4. All documentation submitted by proposer shall be deemed the property of The Harris Center. No documentation or certification will be returned to any proposer.
5. The Harris Center will provide any and all building plans, surveys, drawings or data in its possession relevant to the Project.
6. A copy of all required licenses, proof of insurance, and documentation shall be provided to The Harris Center prior to any work commencing on the Project.
7. **PRE-JOB SUBMITTALS**
 - a. Evidence of Workers' Compensation and Automobile Insurance coverage.
 - b. Evidence of Liability Insurance coverage.
 - c. Performance and Payments Bonds.
 - d. Signed Contract between The Harris Center and the Contractor.
 - e. Company removal and installation procedures.
 - f. Company safety procedures.
8. Contractor hereby agrees to file any and all required state and federal notifications for this project.
9. Contractor agrees that upon award, a full contract for construction services will be executed by Contractor and The Harris Center on the AIA form A101 and A201, as amended by The Harris Center, or another suitable contract form selected by The Harris Center. A copy of the contract The Harris Center intends to utilize is attached hereto.
10. Where exceptions are taken to the solicitation or the contract, The Harris Center shall determine the acceptability of the of the proposed exceptions. The Harris Center is under no obligation to accept any exceptions. Exceptions may be considered in evaluating responses.
11. **Texas Public Information Act**

All information contained in proposal packet is subject to the Texas Public Information Act (the Act), located in the Texas Government Code, Chapter 552. Any member of the public, including the news media and competitors, may submit an open records request for the information contained in the proposal packet. Subject to the Act, Proposers may protect trade secret and confidential information from public release. All information the proposer believes to be confidential, a trade secret or proprietary information must clearly mark such information in boldface type and include the word “CONFIDENTIAL”, “PROPRIETARY” or “TRADE SECRET” at the top of every applicable page. Proposers should consult with their legal counsel regarding disclosure issues and take the appropriate precautions to safeguard trade secrets, proprietary information or other confidential documents.

Offerors are cautioned that once a response to a solicitation is opened, all information contained therein will be available to the PUBLIC unless the information is excepted from the requirements of Government Code Section 552 pertaining to Open Records.

The Harris Center for Mental Health and IDD cannot guarantee that it will not be compelled to disclose all or part of any proposal/RFP, since the information deemed to be confidential by the Proposer may not be considered confidential under Texas law or pursuant to a court order. In the event The Harris Center receives a request for portions or all of a proposal/RFP packet marked “confidential”, “trade secret” or “proprietary”, then The Harris Center will forward the request to the office of the Texas Attorney General. The Harris Center will notify the proposer whose proposal is subject to the request. The Harris Center for Mental Health & IDD will assume no obligation for asserting legal arguments on behalf of the Proposer. Proposers are solely responsible for submitting a brief and the documents in issue to the Texas Attorney General. At all times, The Harris Center will comply with the provisions of the Texas Public Information Act as required by State law. The Harris Center must comply with the decision of the Attorney General, including decisions to release information marked “CONFIDENTIAL”, “TRADE SECRET” or “PROPRIETARY”.

12. Historically Under-Utilized Business (HUB)

The Harris Center encourages participation of Historically Underutilized Businesses (HUB’s) in contracts for constructions, services (including professional and consulting services), and commodities. Please submit proof of Historically Underutilized Business “HUB” state certificate.

If your firm is not certified, please submit the attached HUB Subcontracting Plan – Historically Underutilized Business, if you intend to subcontract services. If not, write “none” on HUB Subcontracting Plan – Historically Underutilized Business, and submit it.

13. Minority / Women and / or Disadvantaged Business

The Harris Center encourages participation of Minority/Women and/or Disadvantaged Businesses (M/W/DBE’S) in contracts for constructions, services, (including

professional and consulting services), and commodities. Please submit proof of City of Houston M/W/DBE certificate.

If your firm is not certified, please submit HUB Subcontracting Plan – Historically Underutilized Business, if you intend to subcontract services. If not, write “none” on attached form (HUB Subcontracting Plan – Historically Underutilized Business) and submit it.

14. Non-Discrimination Policy Statement

The Harris Center for Mental Health and IDD does not discriminate against any individual or Contractor with respect to his/her compensation, terms, conditions, or award of contract because of race, color, religion, sex, national origin, age, disability, political affiliation, or limit segregate, or classify candidates for award of contract in any way which would deprive or tend to deprive any individual or company of business opportunities or otherwise adversely affect status as a Contractor because of race, color, religion, sex, national origin, age, disability, or political affiliation.

15. Immigration Reform and Control Act

The successful Contractor shall provide appropriate identification and employment eligibility documents and complete a W-9 form to meet requirements of the Immigration Reform and Control Act of 1986.

16. Offer and Acceptance Period

All Proposals must be an irrevocable offer valid for one hundred twenty (120) days after the CSP opening date.

17. Notice “Not to Participate” Form

We ask that the prospective contractor(s)/Contractor(s) who respond to this Request for Competitive Sealed Proposal invitation whether they can or cannot provide products, supplies and/or service(s) outline in this CSP complete the “Not to Participate” form. Contractors who respond to this CSP invitation will remain on our mailing list. Contractors making no response may be removed from our mailing list for future projects.

18. CSP Guarantee/Award Procedure

It is anticipated that a recommendation for award for this CSP will be made no more than ninety (90) days after the **CSP DUE DATE**. All interested parties are required to guarantee their CSP response as an **irrevocable offer valid for One Hundred Twenty (120) days after the CSP due date**. The Harris Center for Mental Health and IDD in its sole and absolute discretion shall have the right to award for any or all items/services listed in each CSP, shall have the right to reject any and all CSPs as it

deems to be in its best interests, to waive formalities and reasonable irregularities in submitted documents, shall not be bound to accept the lowest CSP and shall be allowed to accept the total CSP of any one Contractor.

19. **Form W-9**

Contractors are to complete W-9 Form and Submit with their Proposal documents.

FORM W-9, Rev. October 2018, REQUEST FOR TAXPAYER
IDENTIFICATION NUMBER AND CERTIFICATION

Contractors are to complete this form and submit with their Proposal documents. Go to attached link for W-9.

<https://www.irs.gov/pub/irs-pdf/fw9.pdf>

20. **Modification or Withdrawal of Proposals**

Any Proposal may be modified or withdrawn prior to the deadline, provided such modification or withdrawal is submitted prior to the deadline. Any modification received after the deadline may be deemed late and may not be considered.

21. **Conflict of Interest.** Chapter 176 of the Texas Local Government Code requires that any person, who enters or seeks to enter in to a contract for the sale or purchase of property, goods or services with a local government entity and who has an employment or other business relationship with a local government officer or family member of the officer, as described by Texas Local Government Code Section 176.006, shall file a completed conflict of interest questionnaire with The Harris Center within seven (7) business days after the later of: The date the person begins discussions or negotiations to enter in to a contract, including submission of a bid or proposal, or the date the person becomes aware of facts that require the statement to be filed.

A Conflict of Interest Questionnaire is attached hereto and must be submitted with all proposals.

22. **Certificate of Interested Parties.**

House Bill 1295 Certificate of Interested Parties as of January 1, 2016.

Any and all resultant contracts of this CSP will require the contractor to complete the Texas Ethics Commission requirements under the State of Texas House Bill # 1295 Certificate of Interested Parties. This requirement is not arbitrary and is MANDATORY for The Harris Center to contract with a provider. Therefore, The Harris Center requires that all proposals include a completed form.

By signing this document, the Proposer agrees that he/she understands the above terms and conditions.

Company Name: _____

Typed Name of Company Representative: _____

Signature of Company Representative: _____

SAMPLE CONTRACT

[Prevailing Wages]

SECTION 4
REQUIRED FORMS

The following attached forms must be included in order for the Proposal to be considered:

1. Sealed Proposal Form
2. Conflict of Interest Questionnaire (CIQ)
3. Certificate of Interested Parties – Form 1295
4. W-9
5. Not to Participate Form (if applicable)
6. HUB Subcontracting Plan
7. Signature Page
8. Schedule of Values
9. Deviations Form (if applicable)

SEALED PROPOSAL FORM

[CSP form]

CONFLICT OF INTEREST QUIESTIONNAIRE (CIQ)

CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity		FORM CIQ
<p>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</p> <p>This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).</p> <p>By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.</p> <p>A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>	OFFICE USE ONLY <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>	
1 Name of vendor who has a business relationship with local governmental entity. <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div>		
2 <input type="checkbox"/> 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. <div style="border: 1px solid black; height: 30px; margin-top: 5px; text-align: center;">Name of Officer</div>		
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. <div style="margin-left: 40px;"> <p>A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?</p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <p>B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?</p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>		
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 <input type="checkbox"/> Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).		
7 <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%; border-top: 1px solid black; text-align: center;">Signature of vendor doing business with the governmental entity</div> <div style="width: 45%; border-top: 1px solid black; text-align: center;">Date</div> </div>		

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

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

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

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

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

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

- (2) the vendor:

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

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

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

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

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

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

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

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

- (1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.

CERTIFICATE OF INTERESTED PARTIES – FORM 1295

Form 1295 must be filled out electronically with the Texas Ethics Commission's online filing application and included with the proposal. Section 2252.908 of the Texas Government Code prohibits The Harris Center from entering into a contract resulting from this CSP with a business entity unless the business entity submits a Disclosure of Interested Parties – Form 1295 to The Harris Center. Effective January 1, 2018, the Form 1295 requirement does not apply to: (1) a contract with a publicly traded business entity or wholly owned subsidiary of the same; (2) an electric utility; or (3) a gas utility.

The Texas Ethics Commission has adopted rules requiring the business entity to file Form 1295 electronically with the Texas Ethics Commission. The following definitions apply:

- (1) **“Business Entity”** means an entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation. TEX. GOV'T CODE § 2252.908(1).
- (2) **“Interested Party”** means a person: a) who has a controlling interest in a business entity with whom The Harris Center contracts; or b) who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity. TEX. GOV'T CODE § 2252.908(3).
- (3) **“Controlling interest”** means: a) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent; b) membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or c) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers. Subsection (c) does not apply to an officer of a publicly held business entity or its wholly owned subsidiaries. TEX. ETHICS COMM. RULE 46.3(c).
- (4) **“Intermediary”** means a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who: a) receives compensation from the business entity for the person's participation; b) communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and c) is not an employee of the business entity. TEX. ETHICS COMM. RULE 46.3(e).

As a “business entity,” all vendors must:

- (1) **Complete Form 1295 electronically** with the Texas Ethics Commission using the online filing application, which can be found at:
https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm All vendors must complete Form 1295 **even if no interested parties exist.**
- (2) **Print a copy of the completed form.** Make sure that the form has a computer-generated certification number in the “Office Use Only” box.
- (3) **Have an authorized agent of the business entity sign the form.**

Submit the completed Form 1295 by including the form with your proposal.

NOTICE “NOT TO PARTICIPATE” FORM

Dear Supplier

Please check the appropriate box below, complete the remainder of this form and return it **PRIOR** to the scheduled Date and Time:

- ☐ Our company cannot provide the products, supplies and/or services listed in this request. Please **MOVE** our name and address to the following category(ies) so that we may CSP at a later date:

Category(ies): _____

- ☐ We have chosen **NOT** to submit a CSP at this time, but would like to remain on your list for this CSP category. We did not submit a CSP because:

Reason(s): _____

- ☐ Please **REMOVE** our name from all The Harris Center lists until further notice.

Reason(s): _____

Company Name: _____

Representative: _____

Please Print

Address: _____ Phone () _____

E-mail: _____ Fax () _____

PLEASE RETURN THIS FORM ONLY TO:

The Harris Center for Mental Health and IDD

Purchasing Department

Notice “Not to Participate”- NPC Site Renovation CSP

9401 Southwest Freeway

Houston, Texas 77074

Authorized Signature: _____

Title: _____ Date: _____

SUPPLIERS WHO RESPOND TO THIS INVITATION WITH A COMPLETED FORM WILL REMAIN ON OUR MAILING LIST. SUPPLIERS MAKING NO RESPONSE MAY BE REMOVED FROM THAT LISTING.

Thank you for your time and assistance.

FORM W-9, Rev. October 2018, REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION

**Form W-9, Pages 1 – 6
Attached**

Suppliers are to complete this form and submit with their CSP documents. Go to attached link for W-9, if Solicitation was emailed.

<http://www.irs.gov/pub/irs-pdf/fw9.pdf>

HUB SUBCONTRACTING PLAN HISTORICALLY UNDERUTILIZED BUSINESS

(HUB-LOI IS USED BY POTENTIAL CONTRACTOR/CONTRACTOR TO IDENTIFY
SUBCONTRACTORS SELECTED FOR WORK ON THE CONTRACT)

Contractor _____ Contractor Identification Number: _____

Address: _____

Phone: ____ - ____ - ____ Proposal Number: _____ Contract Amount: _____

Description of commodities/specifications: _____

Duration of Contract: _____

Name of Subcontractor/Supplier: _____

Address: _____

Phone: ____ - ____ - ____ Is the subcontractor a certified HUB? ____ Yes ____ No

If yes, enter the GSC Certificate (VID) number: _____

Dollar amount of contract with subcontractor/supplier: \$ _____

Percentage amount of contract with subcontractor/supplier: % _____

Description of materials/services performed under agreement with the subcontractor
for amount indicated above:

PLEASE SUBMIT A SEPARATE FORM FOR EACH SUBCONTRACTOR/SUPPLIER

SIGNATURE PAGE

THE HARRIS CENTER FOR MENTAL HEALTH AND IDD IN ITS SOLE AND ABSOLUTE DISCRETION SHALL HAVE THE RIGHT TO AWARD CONTRACTS FOR ANY OR ALL MATERIALS LISTED IN EACH RFP/PROPOSAL, SHALL HAVE THE RIGHT TO REJECT ANY AND ALL PROPOSALS, AND SHALL NOT BE BOUND TO ACCEPT THE LOWEST RFP/PROPOSAL AND SHALL BE ALLOWED TO ACCEPT THE TOTAL RFP/PROPOSAL OF ANY ONE CONTRACTOR.

THIS SUBMISSION IS GUARANTEED AS AN IRREVOCABLE OFFER VALID FOR ONE HUNDRED TWENTY (120) DAYS AFTER THE RFP/PROPOSAL OPENING DATE.

Authorized Signature

Contractor's Name

Typed or Printed Name

Number and Street Address

Title

City, State, Zip Code

() _____
Telephone Number

() _____
Fax Number

Email Address

DEVIATION FORM

Commitment Statement

As a prospective contractor and representative Agent of _____
(Company Name) I hereby state my commitment to comply with all the Contract terms, conditions
or specifications contained in the RFP and proposed Contract.

**THIS COMMITMENT STATEMENT MUST BE SIGNED BY THE PROSPECTIVE CONTRACTOR
WHETHER THERE ARE DEVIATIONS LIST OR NOT, AND SUBMITTED WITH THIS
RESPONSE**

DEVIATION	
SPEC # Section # Or Page #	

_____	_____	_____
Company Name	Authorized Signature	Date