



# Work Order Signature Document

ezIQC Buy Board Contract No.: 520-16 Area C - SKE

☐

New Work Order

☒

Modify an Existing Work Order

Work Order Number.: 046490.03

Work Order Date: 07/03/2017

Work Order Title: City of Deer Park - Emergency Repair

Owner Name: City fo Deer Park

Contractor Name: SKE Construction, LLC

Contact: Brent Costlow

Contact: Morgan Early

Phone: 281-838-9969

Phone: 281-585-4100

## Work to be Performed

Work to be performed as per the Final Detailed Scope of Work Attached and as per the terms and conditions of ezIQC Buy Board Contract No 520-16 Area C - SKE.

### Brief Work Order Description:

Emergency water and sewer rehabilitation along Ivy Ave.

### Time of Performance

Estimated Start Date:

Estimated Completion Date:

### Liquidated Damages

Will apply:

☐

Will not apply:

☒

Work Order Firm Fixed Price: \$48,202.31

Owner Purchase Order Number:

## Approvals

Owner

Date

Contractor

Date

*Shelly A. Elmore* 07/05/17



## Detailed Scope of Work

To: Morgan Early  
SKE Construction, LLC  
15812 Drifting Rose Dr  
Cypress, TX 77429  
281-585-4100

From: Brent Costlow  
City of Deer Park  
701 E San Augustine  
Deer Park, TX 77573  
281-838-9969

Date Printed: July 03, 2017

Work Order Number: 046490.03

Work Order Title: City of Deer Park - Emergency Repair

Brief Scope: Emergency water and sewer rehabilitation along Ivy Ave.

☐

Preliminary

☐

Revised

☒

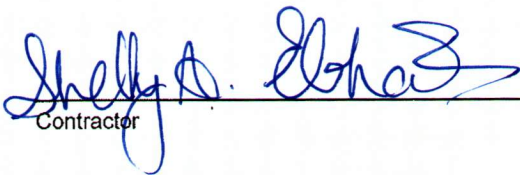
Final

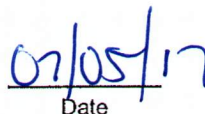
The following items detail the scope of work as discussed at the site. All requirements necessary to accomplish the items set forth below shall be considered part of this scope of work.

Emergency water and sewer rehabilitation along Ivy Ave in Deer Park, Texas to solve existing pitch and flow issues. Replacing existing 6" & 8" Cast Iron sanitary sewer lines by both open cut and pipe bursting methods. Includes reconnection to existing mains and manholes as well as new installation of 2 4' fiberglass manholes with ring and cover. Install new 6" watermain to replace failing line, to include two hot taps and gate valves for isolation purposes.

Work will be begin immediately following approval of PO to meet street repair deadlines as agreed.

Subject to the terms and conditions of JOC Contract 520-16 Area C - SKE.

  
Contractor

  
Date

Owner

Date

## Contractor's Price Proposal - Summary

Date: July 03, 2017

Re: IQC Master Contract #: 520-16 Area C - SKE  
Work Order #: 046490.03  
Owner PO #:  
Title: City of Deer Park - Emergency Repair  
Contractor: SKE Construction, LLC  
Proposal Value: \$48,202.31

Aggregate	\$9,144.60
Equipment	\$7,014.64
Fees	\$2,000.00
Labor	\$3,757.50
Mob	\$773.91
Restoration	\$1,630.10
Section - 33	\$4,500.00
Sewer	\$9,957.60
Water	\$9,423.96
Proposal Total	\$48,202.31

This total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding.

The Percentage of NPP on this Proposal: 9.34%

## Contractor's Price Proposal - Detail

Date: July 03, 2017

Re: IQC Master Contract #: 520-16 Area C - SKE  
 Work Order #: 046490.03  
 Owner PO #:  
 Title: City of Deer Park - Emergency Repair  
 Contractor: SKE Construction, LLC  
 Proposal Value: \$48,202.31

Sect.	Item	Mod.	UOM	Description	Line Total
Labor	Equip.	Material	(Excludes)		
<b>Aggregate</b>					
1	03 31 13 00 0035		CY	Up To 6", By Direct Chute, Place 3,000 PSI Concrete Slab On Grade	\$1,611.60
			Installation	Quantity 12.00 x Unit Price 134.30 x Factor 1.0000 = Total 1,611.60	
				For Manholes	
2	31 32 13 19 0003		TON	Cement Stabilized Base Material	\$7,533.00
			Installation	Quantity 60.00 x Unit Price 125.55 x Factor 1.0000 = Total 7,533.00	
				Backfill in Roadway and Manholes	
<b>Subtotal for Aggregate</b>					<b>\$9,144.60</b>
<b>Equipment</b>					
3	01 22 23 00 0385		WK	11,000 LB Mini-Excavator With Full-Time Operator (Bobcat 337)	\$7,014.64
			Installation	Quantity 2.00 x Unit Price 3,507.32 x Factor 1.0000 = Total 7,014.64	
<b>Subtotal for Equipment</b>					<b>\$7,014.64</b>
<b>Fees</b>					
4	01 22 16 00 0002		EA	Reimbursable Fees Reimbursable Fees will be paid to the contractor for eligible costs. The base cost of the Reimbursable Fee is \$1.00. Insert the appropriate quantity to adjust the base cost to the actual Reimbursable Fee (e.g. quantity of 125 = \$125.00 Reimbursable Fee). If there are multiple Reimbursable Fees, list each one separately and add a comment in the "note" block to identify the Reimbursable Fee (e.g. sidewalk closure, road cut, various permits, extended warrantee, expedited shipping costs, etc.). A copy of each receipt shall be submitted with the Price Proposal.	\$2,000.00
			Installation	Quantity 2,000.00 x Unit Price 1.00 x Factor 1.0000 = Total 2,000.00	
<b>Subtotal for Fees</b>					<b>\$2,000.00</b>
<b>Labor</b>					
5	01 22 20 00 0015		HR	Laborer For tasks not included in the Construction Task Catalog® and as directed by owner only.	\$1,488.50
			Installation	Quantity 50.00 x Unit Price 29.77 x Factor 1.0000 = Total 1,488.50	
6	01 22 20 00 0036		HR	Truck Driver, Light For tasks not included in the Construction Task Catalog® and as directed by owner only.	\$2,269.00
			Installation	Quantity 50.00 x Unit Price 45.38 x Factor 1.0000 = Total 2,269.00	
<b>Subtotal for Labor</b>					<b>\$3,757.50</b>
<b>Mob</b>					

## Contractor's Price Proposal - Detail Continues..

Work Order Number: 046490.03  
 Work Order Title: City of Deer Park - Emergency Repair

<b>Mob</b>									
7	01 71 13 00 0002	EA	Equipment Delivery, Pickup, Mobilization And Demobilization Using A Rollback Flatbed TruckIncludes delivery of equipment, off loading on site, rigging, dismantling, loading and transporting away. For equipment such as trenchers, skid-steer loaders (bobcats), industrial warehouse forklifts, sweepers, scissor platform lifts, telescoping and articulating boom manlifts with up to 40' boom lengths, etc.						\$300.00
		Installation	Quantity		Unit Price		Factor		Total
			2.00	x	150.00	x	1.0000	=	300.00
8	02 32 13 00 0002	EA	Mobilization Of Drilling Crew						\$473.91
		Installation	Quantity		Unit Price		Factor		Total
			1.00	x	473.91	x	1.0000	=	473.91
<b>Subtotal for Mob</b>									<b>\$773.91</b>
<b>Restoration</b>									
9	31 23 16 13 0045	LF	Backfill 6" Wide, 36" Deep Trench, With Compaction						\$28.60
		Installation	Quantity		Unit Price		Factor		Total
			65.00	x	0.44	x	1.0000	=	28.60
		Open Cut							
10	32 92 23 00 0065	MSF	Up To 1,000 SF, St. Augustine Sod, Installed On Level Ground						\$1,601.50
		Installation	Quantity		Unit Price		Factor		Total
			2.00	x	800.75	x	1.0000	=	1,601.50
<b>Subtotal for Restoration</b>									<b>\$1,630.10</b>
<b>Section - 33</b>									
11	33 00 00 00 0000	EA	23.5" x 8' Fiberglass Man Hole Open Bottom						\$4,500.00
		NPP Installation	Quantity		Unit Price		Factor		Total
			3.00	x	1,500.00	x	1.0000	=	4,500.00
<b>Subtotal for Section - 33</b>									<b>\$4,500.00</b>
<b>Sewer</b>									
12	33 05 23 13 0055	LF	6" Polyethylene Pipe Pull In Place By Boring MachineIncludes pipe welding.						\$789.60
		Installation	Quantity		Unit Price		Factor		Total
			120.00	x	6.58	x	1.0000	=	789.60
13	33 05 23 13 0056	LF	8" Polyethylene Pipe Pull In Place By Boring MachineIncludes pipe welding.						\$557.05
		Installation	Quantity		Unit Price		Factor		Total
			65.00	x	8.57	x	1.0000	=	557.05
14	33 11 13 23 0430	LF	6" DR 21, Butt Fusion Joint High Density Polyethylene (HDPE) Pressure Pipe						\$1,466.40
		Installation	Quantity		Unit Price		Factor		Total
			120.00	x	12.22	x	1.0000	=	1,466.40
		Drill							
15	33 11 13 23 0430 0041	MOD	For DR 11 (160 PSI), Add						\$439.20
		Installation	Quantity		Unit Price		Factor		Total
			120.00	x	3.66	x	1.0000	=	439.20
16	33 11 13 23 0431	LF	8" DR 21, Butt Fusion Joint High Density Polyethylene (HDPE) Pressure Pipe						\$3,059.55
		Installation	Quantity		Unit Price		Factor		Total
			195.00	x	15.69	x	1.0000	=	3,059.55

# Contractor's Price Proposal - Detail Continues..

Work Order Number: 046490.03  
 Work Order Title: City of Deer Park - Emergency Repair

Sewer									
17	33	11	13	23	0431	0038	MOD	For DR 17 (100 PSI), Add	\$329.55
							Installation	Quantity 195.00 x Unit Price 1.69 x Factor 1.0000 = Total 329.55	
18	33	31	00	00	0106		EA	8" Clean Out Tees With Plug, Polyvinyl Chloride (PVC) Sewer And Drain	\$438.32
							Installation	Quantity 2.00 x Unit Price 219.16 x Factor 1.0000 = Total 438.32	
19	33	31	00	00	0107		EA	10" Clean Out Tees With Plug, Polyvinyl Chloride (PVC) Sewer And Drain	\$648.24
							Installation	Quantity 2.00 x Unit Price 324.12 x Factor 1.0000 = Total 648.24	
20	33	39	13	00	0072		EA	8" Elastomeric Polyvinyl Chloride (PVC) Flexible Manhole Adapter And Grout	\$83.21
							Installation	Quantity 1.00 x Unit Price 83.21 x Factor 1.0000 = Total 83.21	
21	33	39	13	00	0073		EA	10" Elastomeric Polyvinyl Chloride (PVC) Flexible Manhole Adapter And Grout	\$100.64
							Installation	Quantity 1.00 x Unit Price 100.64 x Factor 1.0000 = Total 100.64	
22	33	39	13	00	0076		EA	Seal Gap Between Pipe And Structure With Brick And Grout	\$318.00
							Installation	Quantity 3.00 x Unit Price 106.00 x Factor 1.0000 = Total 318.00	
23	33	39	13	00	0079		EA	Double Channel Concrete Invert For Manholes	\$556.40
							Installation	Quantity 2.00 x Unit Price 278.20 x Factor 1.0000 = Total 556.40	
24	33	39	13	00	0147		EA	24" Diameter x 200 LB Regular Cast Iron Manhole Cover With Frame, City Type	\$1,171.44
							Installation	Quantity 2.00 x Unit Price 585.72 x Factor 1.0000 = Total 1,171.44	
Subtotal for Sewer									\$9,957.60
Water									
25	33	01	30	71	0011		EA	Initial Set-up Pipe Bursting Equipment	\$3,189.96
							Installation	Quantity 1.00 x Unit Price 3,189.96 x Factor 1.0000 = Total 3,189.96	
26	33	01	30	71	0028		LF	6" Diameter, Static Head Pipe Bursting	\$1,041.60
							Installation	Quantity 60.00 x Unit Price 17.36 x Factor 1.0000 = Total 1,041.60	
27	33	01	30	71	0028	0325	MOD	For >50 To 75, Add	\$150.60
							Installation	Quantity 60.00 x Unit Price 2.51 x Factor 1.0000 = Total 150.60	
28	33	11	13	13	0503		EA	6" Mechanical Joint Gland, Gasket, T-Head Bolts And NutsIncludes six (6) 3/4" diameter plain finish Boltss with nut.	\$159.30
							Installation	Quantity 6.00 x Unit Price 26.55 x Factor 1.0000 = Total 159.30	
29	33	11	13	13	0544		EA	6" Mechanical Joint Restraints For Ductile Iron Pipe (Megalug 1100)	\$1,523.10
							Installation	Quantity 6.00 x Unit Price 253.85 x Factor 1.0000 = Total 1,523.10	
30	33	11	13	23	0430		LF	6" DR 21, Butt Fusion Joint High Density Polyethylene (HDPE) Pressure Pipe	\$733.20
							Installation	Quantity 60.00 x Unit Price 12.22 x Factor 1.0000 = Total 733.20	

# Contractor's Price Proposal - Detail Continues..

Work Order Number: 046490.03  
 Work Order Title: City of Deer Park - Emergency Repair

Water									
31	33	11	13	23	0430	0038	MOD	For DR 17 (100 PSI), Add	\$60.00
							Installation	Quantity 60.00 x Unit Price 1.00 x Factor 1.0000 = Total 60.00	
32	33	11	13	53	0252		EA	6" Ductile Iron Body, Omni Coupling System (Smith-Blair 441)	\$508.68
							Installation	Quantity 2.00 x Unit Price 254.34 x Factor 1.0000 = Total 508.68	
33	33	12	16	00	0040		EA	Valve Box Upper And Lower Section	\$138.64
							Installation	Quantity 2.00 x Unit Price 69.32 x Factor 1.0000 = Total 138.64	
34	33	12	16	00	0041		EA	Valve Box Cover "Water"	\$22.40
							Installation	Quantity 2.00 x Unit Price 11.20 x Factor 1.0000 = Total 22.40	
35	33	12	16	00	0307		EA	6" Resilient Wedge Gate Valve, Mechanical Joint	\$1,481.74
							Installation	Quantity 2.00 x Unit Price 740.87 x Factor 1.0000 = Total 1,481.74	
36	33	13	00	00	0002		EA	Setting Up And Removing Equipment For Water Main Disinfection/Sterilization, Gas Chlorination Method	\$388.34
							Installation	Quantity 1.00 x Unit Price 388.34 x Factor 1.0000 = Total 388.34	
37	33	13	00	00	0005		LF	6" Diameter Pipe Water Main Disinfection/Sterilization	\$26.40
							Installation	Quantity 120.00 x Unit Price 0.22 x Factor 1.0000 = Total 26.40	
Subtotal for Water									\$9,423.96
Proposal Total									\$48,202.31

This total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding.

The Percentage of NPP on this Proposal: 9.34%

## Subcontractor Listing

---

**Date:** July 03, 2017

**Re:** IQC Master Contract #: 520-16 Area C - SKE  
Work Order #: 046490.03  
Owner PO #:  
Title: City of Deer Park - Emergency Repair  
Contractor: SKE Construction, LLC  
Proposal Value: \$48,202.31

Name of Contractor	Duties	Amount	%
No Subcontractors have been selected for this Work Order		\$0.00	0.00

## CONTRACT

STATE OF TEXAS  
COUNTY OF HARRIS

§  
§

KNOW ALL MEN BY THESE PRESENTS:

That this Contract made and entered into this \_\_\_\_ day of \_\_\_\_, by and between  
**THE CITY OF DEER PARK, TEXAS** (the "City") and **SKE CONSTRUCTION, LLC**  
**LLC** located at **PO Box 1111, Cypress Tx 77410** (the "Contractor").

**WITNESSETH:** That for and in consideration of the payments and agreements hereinafter mentioned to be made and performed by the City, the Contractor hereby agrees with the City to commence and complete the construction of certain improvements at the prices set forth in the Contractor's Proposal for the City Job No \_\_\_\_\_ the same being designated as **IVY STRETT UTILITIES RELOCATION PROJECT**

The Contractor shall perform all work shown on the Plans and described in the Specifications and shall meet all requirements of the Agreement as defined herein. The General and Special Conditions of the Agreement, and such Orders and Agreements for Extra Work as may subsequently be entered by the above named parties to the Agreement.

The Contractor shall not offer, confer or agree to confer any benefit or gift to any City employee.

The Contractor hereby agrees to commence work under this Contract within seven (7) days after issuance by the City of the written Authorization To Proceed. Under no circumstances shall the work commence prior to the Contractor's receipt of the City's issued, written Authorization To Proceed. Computation of Contract Time will begin upon actual commencement of Work by the Contractor during the seven (7) calendar day period referenced above, or upon the eighth (8th) calendar day (assuming the eighth day is a day upon which Work may lawfully and Contractually be performed), *whichever occurs first*. All work specified in these Contract Documents shall be completed within 120 calendar days.

It is agreed and understood by the City and the Contractor that the provisions of Chapter 252, Local Government Code apply to this contract. The terms of the aforementioned state law are incorporated herein by reference. Contractor and City Agree that as a public body, City is authorized by such state law to negotiate change orders up to and including the amount of \$50,000.00 acting by and through its duly designated administrative officer. It is agreed and understood that any change orders which increase the work of the contract in excess of 25% of the bid contract price, must be subject of a supplemental agreement approved by the City Council of the City, or its designee, as in case of original contracts. The work of the contract may be decreased over 25% with the consent of the Contractor.

The City agrees to pay the Contractor in current funds, and to make payments on account, for the performance of the work in accordance with the Contract, at the prices set forth in the Contractor's Proposal, subject to additions and deductions, all as provided in the General Conditions of the Agreement.

The following documents, together with this Contract, comprise the Agreement, and they are as fully a part thereof as if herein repeated in full:

1. The Bid Proposal
2. The Contract
3. The Payment Bond
4. The Performance Bond

5. The General Conditions of the Contract
6. The Special Conditions of the Contract
7. The Construction Specifications
8. The Standard Drawings
9. The Plans
10. Addenda
11. Change Orders

In witness thereof of the Parties of these presents have executed this Agreement in the Year and day of first above written.

OWNER:

CITY OF DEER PARK, TEXAS, a Texas municipal  
corporation

By \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

CONTRACTOR:

SKE CONSTRUCTION LLC

By Shelly D. Clark

Title PRESIDENT/CEO

Date 07/05/2017

Contractor hereby acknowledges and understands that this Contract is subject to Section 151.311 of the Texas Tax Code, as amended. The following amount of money represents that part of the total contract price representative of the value of tangible personal property which is to be incorporated into the project realty, or which is otherwise exempt from taxation under Section 151.311 of said Code: \$ \_\_\_\_\_

## CONFLICT OF INTEREST QUESTIONNAIRE

In accordance with H.B. 914 the City of Deer Park is required to file the enclosed form (CIQ), Conflict of Interest Questionnaire with the City Secretary's office with any vendor that the City will contract with for purchases and services of any kind.

In order to comply with this State Requirement the City is requesting that your company as a potential contracted vendor with the City of Deer Park complete this form and submit it with your bid documents. This form will be considered part of the bid package. Failure to complete and submit this form with your bid could delay the award of your bid should you meet all other requirements.

**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.

SKE Construction, LLC

**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.

N/A

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?

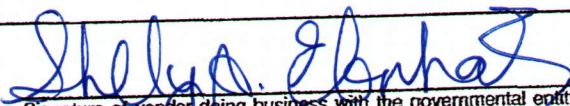
☐ Yes

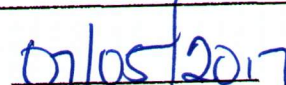
☒ No

**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.

N/A

**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.

# H.B. 1295

## Certificate of Interested Parties

### Procedure

#### ***The Texas Ethics Commission states:***

"In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016."

***The key issue is that the disclosure form must be submitted by the business entity before the signed contract is submitted in order for the contract to be valid.*** The Texas Ethics Commission requires each contract covered by law to have an ID # generated by the City in order to track the contract. Once the City generates an ID # this will be given to the business entity to file with the Ethics Commission.

#### **WHO IS REQUIRED TO FILE FORM 1295?**

Any vendor or business entity that falls into one of these categories must file FORM 1295 with the Texas Ethics Commission.

- A) On projects over \$50,000: Once the lowest bidder has been determined the City will provide them with a project identification number to be submitted on Form 1295. The procedure, listed below, must be completed before Council approves the contract/agreement.
- B) All purchases requiring Council approval: Vendor will be required to submit Form 1295 following the procedure below.

#### **FORM 1295 PROCEDURE**

1. Business entities must log on to the Texas Ethics Commission web page at <https://www.ethics.state.tx.us> on the left hand side of the screen choose "File Reports Electronically", then choose "Form 1295 Certificates of Interested Parties Filing".
2. Once the business entity generates the Disclosure Form on the Texas Ethics Commission website, the business entity will print the Form and Certification of Filing. The authorized agent of the vendor must sign the printed copy of the form and have the signature notarized.
3. The signed and notarized Form 1295 must be submitted to the City prior to the City Council meeting, at which time the contract or agreement will be considered for approval. The City must acknowledge the receipt of the filed Form 1295 no later than the 30<sup>th</sup> day after the date the contract binds all parties to the contract. Once a Form 1295 is acknowledged, it will be posted to the Texas Ethics Commission website within 7 days.

## CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY  
CERTIFICATION OF FILING**

**Certificate Number:**  
2017-232043

Date Filed:  
07/05/2017

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

SKE Construction, LLC  
Cypress, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Deer Park, Texas

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

046490.03

## Emergency Water & Sewer Rehab along Ivy Ave

[illegible]

5 Check only if there is NO Interested Party.

☒

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said SHELLY A. EBERHART, this the 5<sup>TH</sup> day of JULY 20 17, to certify which, witness my hand and seal of office.

Signature of officer administering oath

MORGAN R. EARLE  
Printed name of officer administering oath

