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| HCD Logo Color | CITY OF HOUSTON, TEXAS **NOTICE OF REQUEST FOR PROPOSAL (RFP)**  **SOLICITATION NO.: T24061** | **HCDD RETAIL DIVISION**  ***“PARTNERING TO BETTER SERVE HOUSTON”*** |

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### Part 1: CDBG - Public Services Program Checklist

Agency Name: Amount of funds requested:

*The following documents, in compliance with City, State and Federal regulations, must be submitted with all applications. Please use this checklist as a guide to completing your proposal. Place a check mark by the items included in the proposal. If you feel the item does not apply to your proposal, please indicate with "N/A." Additional justification must be provided within the documentation.*

One original and 4 copies of Parts 1 through 16

PART 1: Title Page

PART 2: CDBG – Public Services Program Checklist

PART 3: Proposal Content and Program Narrative

Introduction

Problem Statement/Demonstration of Need

Description of Program and Services

Program Objectives and Plans

Organizational Capacity and Capability

\_\_Anti-Discrimination Policy

\_\_Cash-Flow Reserve

Demonstration of Funding Need

Results and Evaluations

Consolidated Plan Consistency

PART 4: Detailed Project Budget

PART 5: Authorized Signatures

PART 6: Certification of Nonprofit Eligibility

PART 7: Accounting System

PART 8: Security Policy

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PART 10: Board of Directors Roster

PART 11: Leveraging Funds

PART 12: Activity Plan and Project Implementation Schedule

PART 13: Certification Regarding Location of Facilities and Shelters

PART 14: Required Supportive Documentation

### Part 2: Title Page

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| Applicant (Offeror) Name and Address | Contact Person |
| Phone Number | Title and Number of RFP |
| Contact Email Address | Website Address |
| Type of Project | Amount Requested |
| Name & Title of Certifying Representative *Note: "Certifying Representative" means the individual who may legally submit proposals for the agency and enter into agreements with The City of Houston, i.e. the Chairman of the Board of a social service agency. You may identify a different "contact person.”*  Name: Title: | |

I hereby certify that all information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate to the best of my knowledge.

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| Signature of Certifying Representative | Date |
| Signature of Preparer | Date |

Notarized by:

**Part 3: Proposal Content and Program Narrative**

***1. INTRODUCTION***

Briefly state your organization's mission. List the services and programs that your organization currently offers, the number of individuals served by your agency, and include the geographic area it serves.

1. ***PROBLEM STATEMENT/DEMONSTRATION OF NEED***

Provide a description of the need the proposal is intended to address and describe the extent of the need and its impact on the target population and the community. Include the number of persons affected and the characteristics of the affected population.

1. ***DESCRIPTION OF PROGRAM AND SERVICES***

Provide a general description of the proposed project, including but not limited to type of project or program for which CDBG – Public Service funds will be used, the population targeted as recipients of the services to be provided, and the estimated number of clients to be served by the project in a one year period.

1. ***PROGRAM OBJECTIVES AND PLANS***

DELIVERY - Describe your service delivery plans, including your hours of operation, intake system, outreach and referral procedures, number of clients you expect to serve, and other major program features. Include a brief description of how your service delivery plans will comply with the Fair Housing Act and relevant regulations including how you will provide meaningful access to persons with limited English proficiency.

POLICY - Describe the policies and procedures for termination of services to clients (see 574.310(e)) or graduation from program and/or subsequent referrals that reflect a continuum of care. Describe the organizations plan or ability to maintain this program when CDBG – Public Service funds are decreased or eliminated.

COLLABORATION - Describe how other services that your organization or other agencies provide in conjunction with the housing assistance/service described in your proposal. Please provide a list of collaborations that directly relate to ongoing services that support or enhance care for your target population. Describe the services provided through the collaboration. Include letters pledging support of the collaborations listed signed by the Executive Director/CEO of the collaborating agency. Letters will need to be on the collaborating agency’s letterhead and not older than 12-months. These letters can be included as an appendix.

1. ***ORGANIZATION CAPACITY AND CAPABILITY***

Describe your organization’s qualifications for performing the proposed work. Describe the agencies past experience in administering programs to primarily low to moderate-income.

Document your organizations’ accomplishments and/or qualifications to administer the proposed CDBG – Public Service program; including resumes, job descriptions describing the experience, education, certifications and qualifications of the individuals who will implement the proposed project. Include your agency organizational chart of current and program related personnel.

List your organizational Board Members, their places of employment, and a description of the Board’s rule and duties.

**Document your organizations’ anti-discriminatory policy for consumers. Include hard copy.**

**Document organizations’ three-month (3) cash flow reserve. Provide documentation (i.e. Line of Credit, bank statement)**

***6. DEMONSTRATION OF FUNDING NEED AND COST REASONABLENESS***

Describe other revenue sources for the organization. Describe why CDBG – Public Service funds are critical to the implementation of the proposal, including a discussion of other funds that have been researched and applied for, and the ability of CDBG – Public Services to leverage other funds.

Include how your Agency determined the costs of the program are reasonable and reflect relevant industry standards. Cost explanation should include, industry standard, cost incurred per person, per unit and the justification for the level of funding requested in this proposal.

***7. RESULTS AND EVALUATION***

Describe how the project will address the problem statement/demonstration of need described above. Include anticipated results, previous results if the program is ongoing. What proportion of the identified need will be addressed by the project and what measurable results will be achieved?

Describe the organization’s project evaluation plan, assessment parameters, measures of success, and feedback mechanisms for correcting plan deviations. The evaluation plan should include an assessment of the outcomes for the CDBG – Public Service project (as listed under #3 above), tracking, and follow up services. The evaluation plan should measure the agency’s progress in achieving the performance goal.

***8. CONSOLIDATED PLAN CONSISTENCY***

Describe how the proposed service will be integrated and/or reduce the gap or barriers in the City of Houston’s Housing and Community development Consolidated Plan.

*The HCDD Consolidated Plan can be found at* [*www.houstontx.gov*](http://www.houstontx.gov)

**Part 4: Detailed Project Budget**

Please use the budget titled CDBG Budget Application RFP 2015-16 to complete your project budget. Note that all information, including **Other Sources of Funds** must be filled out completely. If CDBG – Public Service funding is the only funding source for the organization, please note that on the budget documentation. Failure to complete ALL components of the Budget Summary will eliminate the application from consideration. This is a zero-based budget. Budget form is found as a separate excel attachment, located on the Housing and Community Development Department’s webpage.

The Detailed Project Budget Form for the project, including all sources and expected sources of funding must be completed in its entirety. Under Payroll and Personnel Expenses, salary and wages for each category, the budget should detail position, title and corresponding salary amounts for all employee positions to be funded by CDBG – Public Services. Under Fringe Benefits, please list all benefits and corresponding amounts to be funded by CDBG – Public Services. Budget information contained on other forms should also be included or transferred onto this form. Please do not include your total agency budget, but include the total program budget. Include funding sources only for the specific project or program for which you are applying for CDBG – Public Services funds. Failure to complete ALL components of the Detailed Project Budget will eliminate the application from consideration. **This is a threshold requirement. Without this information the application cannot move forward.**

**Exhibit 5: Authorized Signatures**

The Directors duly authorize the following officers or employees of to

**(Name of Agency)**

carry out the performance contemplated by a contract with the City of Houston and can execute a

contract on behalf of .

**(Name of Agency)**

**Name Title**

Type Name of President of Board of Directors/Trustees

Signature of President of Board of Directors/Trustees

Date

**Part 6: Certification of Nonprofit Eligibility**

Agencies that fit the following description are eligible to apply: A secular or religious organization described in Section 501c of the internal revenue code of 1954 which, a) is exempt from taxation under Subtitle A of the code; b) has an accounting system and a voluntary board; and c) practices nondiscrimination in the provision of assistance. In compliance with Title 26 U.S.C., subchapter F, tax exempt organizations, agency must supply a copy of its tax-exempt organization certification -- Internal Revenue Code 501c(3) with this application. Please place behind this sheet.

I hereby certify that this agency,

Name of Agency

is in compliance with the above.

Type Name of President of Board of Directors/Trustees

Signature of President of Board of Directors/Trustees

Date

Agency’s Tax Exempt Number

**Part 7: Accounting System**

As the Chief Financial Officer of

(Name of Agency)

I bear responsibility for providing services adequate to ensure the establishment and maintenance of the accounting system for this agency. The accounting system and internal control procedures will be adequate to safeguard the assets of this agency, check the accuracy and reliability of accounting data, promote operating efficiency and assure compliance with prescribed management policies of the agency and the City of Houston.

Type Name of Financial Officer

Signature of Financial Officer

Date

**Part 8: Security Policy**

Pursuant to regulations of the U.S. Department of Housing and Urban Development, grantees must maintain records necessary to document compliance with HUD guidelines found at Title 24 Code of Federal Regulations; Part 574. Because of this requirement, the contractor must maintain all data in a safe and secure place.

The undersigned certifies that

(Name of Agency)

shall have in place a mechanism for keeping records, reports, and all data related to this project confidential and in a safe and secure place; that all file cabinets containing such data shall have a lock to which only the bookkeeper, executive director, and the project director shall have a key; that all files shall be kept under lock and key; and that all file cabinets containing these types of information shall not be located in the program areas.

Type Name of President of Board of Directors/Trustees

Signature of President of Board of Directors/Trustees

Date

**Part 9: Assurances and Certifications**

The proposer hereby certifies as applicable, that:

1. Within the designated population:

a) It will adhere to the requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulation at 24 CFR Part 100; Executive Order 11063 and implementing regulations at 24 CFR Part 100; Executive Order 11063 and implementing regulations at 24 CFR Part 107; and Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and implementing regulations issued at 24 CFR Part 1;

b) It will comply with the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at (24 CFR part 146), prohibiting discrimination on the basis of age; section 504 of the Rehabilitation Act of 1973 (29 U.S.C., 794) and implementing regulations at 24 CFR Part 8 prohibiting discrimination against handicapped individuals; and Executive Order 11063 and regulations under 24 CFR Part 107 prohibiting discrimination by race, color, creed, sex, or national origin;

c) It will adhere to the requirements of Section 3 of the Housing and Urban Development Act of 1968, (12 U.S.C. 1701a) regarding employment opportunities for lower-income residents of the project;

d) It will adhere to the requirements of Executive Orders 11625, 12432, and 12138, that grantee or project sponsor must make efforts to encourage the use of minority and women's business enterprises in connection with funded activities;

e) It will establish additional procedures to ensure that interested persons can obtain information concerning assistance under this program in cases where established procedures are unlikely to reach persons of any particular race, color, religion, sex, age, national origin, familial status, or handicap, who may qualify for assistance; and

f) It will comply with reasonable modification and accommodation requirements of the Fair Housing Act and, as appropriate, the accessibility requirements of the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act.

2. It will certify (i.e., provide assurance of compliance as required by 49 CFR part 24) that it will comply with the Uniform Relocation Act regarding the acquisition of real property and the displacement of persons, the regulations at 49 CFR Part 24, and the requirements of Section 574.630, and shall ensure such compliance notwithstanding any third party's contractual obligation to the grantee to comply with these provisions.

3. It will maintain any building or structure assisted with amounts under this part as a facility to provide housing or assistance for eligible beneficiaries; (i) for not less than 10 years in the case of assistance involving new construction, substantial rehabilitation or acquisition of a building or structure; and (ii) for not less than 3 years in cases involving non-substantial rehabilitation or repair of a building or structure.

4. It will adhere to policies, guidelines, and requirements of 24 CFR part 85 (codified pursuant to OMB Circular No. A-102 and OMB Circular No. A-87) which govern acceptance and use of program funds by grantees and Nos. A-110 and A-122 apply to acceptance and use of program funds by project sponsors.

5. It will provide a drug-free workplace in accordance with Executive Order 1-31, the Mayor’s Drug Detection and Deterrence Policy.

6. It will not use federally appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government as required by Section 319 of the Department of Interior Appropriations Act (Pub. L. 101-121, as approved October 23, 1989).

7. It will implement provisions of 24 CFR Part 24 -- governing employment, engagement of services, awarding of contracts, or funding of any contractors or subcontractors during any period of debarment, suspension, or ineligible status.

8. CONFLICT OF INTEREST

1. In addition to the conflict of interest requirements in OMB Circular A-102 and 24 CFR 85.36(b)(3), no employee, agent, consultant, officer, or elected or appointed official of the grantee or project sponsor who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who could participate in a decision-making process or gain inside information about such activities, may obtain a financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has family or business ties, during his or her tenure or for one year thereafter.
2. Exceptions: Threshold requirements. Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (a) of this section if it determines that the exception will further the purposes of the HOPWA program and the effective and efficient administration of the recipient's program or project. The recipient must provide the following to get an exception considered:
3. A disclosure of the nature of the conflict, assurance of public disclosure of the conflict, and a description of the method of disclosure; and
4. An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

c) Exceptional Circumstances: To determine whether to grant a requested exception after recipient satisfactorily meets requirements of paragraph (b) of this section, HUD considers the cumulative effect of the following factors, where applicable:

1) Does the exception provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available?

2) Does the affected person belong to a group or class of eligible persons and will the exception permit such person to receive generally the same benefits available or provided to the group or class?

3) Has the affected person withdrawn from his or her functions or responsibilities, or the decision-making process governing the assisted activity in question?

4) Did the interest or benefit exist before the affected person came into a position described in paragraph (a) of this section?

5) Will undue hardship result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict?

6) Provide any other relevant considerations.

9. The grantee and project sponsor must comply with the requirements of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846) and implementing regulations at 24 CFR part 35, as applicable see also HOPWA regulations 574.635. In addition, the grantee and project sponsor must also meet the following requirements relating to inspection and abatement of defective lead-based paint surfaces;

1. Treat defective paint surfaces before final inspection and approval of the renovation, rehabilitation or conversion activity under this part; and
2. Take appropriate action to protect facility occupants from the hazards associated with lead-based paint abatement procedures. (Approved by the Office of Management and Budget under OMB control number 2506-0133).

I hereby certify the correctness and truth of all information and documentation submitted as part of this proposal, to the best of my knowledge.

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| Typed Name of Chairperson of Board of Directors |
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| Signature of Chairperson of Board of Directors |
|  |
| Date |

**Part 10: Board of Directors Roster**

Instructions: Please provide a list of your current board members. Additional pages may be attached if necessary.

**Do not include initials or P.O. Box Numbers.**

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| BOARD OF DIRECTORS | | | | | |
| Name of Member | Company Affiliation/  Job Classification | Business Address  and  Telephone Number | Home Address  and  Telephone Number | Board Position | Term Length |
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Part 11: Leveraging Funds for the Program

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| Source | Quantity | Dollar Value | Formula or Method of Calculations |
| Donations |  | $ |  |
| Materials |  | $ |  |
| Buildings |  | $ |  |
| Cash |  | $ |  |
| Lease or Rent |  | $ |  |
| Salaries |  | $ |  |
| Volunteers |  | $ |  |
| Memberships |  | $ |  |
| Other Grants |  | $ |  |
|  |  | $ |  |
|  |  | $ |  |
|  |  | $ |  |
|  |  | $ |  |
| Other Sources |  | $ |  |
|  |  | $ |  |
|  |  | $ |  |
| Leverage Total |  | $ |  |

\*\*The City of Houston and the Department of Housing and Urban Development use as one measure of success the degree to which Federal Dollars leverage private sector and local funds.

**Part 13: Certification Regarding Location of Facilities and Shelters**

**CERTIFICATION REGARDING RESTRICTIONS ON**

**AND NOTICE OF LOCATION**

**OF CERTAIN FACILITIES AND SHELTERS**

**CERTIFICATION REGARDING RESTRICTIONS ON AND NOTICE OF LOCATION OF CERTAIN FACILITIES AND SHELTERS**

Pursuant to the Local Government Code at Chapter 244, Subchapter A, Correctional or Rehabilitation Facility and Subchapter B, Shelter for Homeless Individuals, the construction or operation of a correctional or rehabilitation facility or a shelter for the homeless is subject to certain distance and location restrictions the particulars of which are set forth herein below.

**DEFINITION:** For homeless individuals means a supervised private facility that provides temporary living accommodations to homeless individuals.

**DEFINITION:** for correctional or rehabilitation facility means a probation or parole office or a residential facility that is operated by an agency or the state, a political subdivision of the state, or a private vendor operating under a contract with an agency of the state or a political subdivision of the state and houses persons convicted of misdemeanors or felonies or children found to have engaged in delinquent conduct regardless of whether the persons are housed in the residential facility (a) while serving a sentence of confinement following conviction of an offense (b) as a condition of probation, parole or mandatory supervision or (c) under a court order for out-of-home placement under Title 3, Family code, other than in a foster home which the foster home is located under a contract with the Texas Youth Commission.

**DEFINITION**: for residential area means (A) an area designated as a residential zoning district by a governing ordinance or code or an area in which the principal permitted land use is for private residences; (B) a subdivision for which a plat is recorded in the real property records of the county and that contains or is bounded by public streets or parts of public streets that are abutted by residential property occupying at least 75 percent of the front footage along the block face; or (C) a subdivision for which a plat is recorded in the real property records of the county and a majority of the lot of which are subject to deed restrictions limiting the lots for residential use.

**APPLICABILITY:** Subchapter A, Correctional or Rehabilitation Facility (a) applies to the construction or operation of a correctional or rehabilitation facility the state subject to the parameters described herein below as RESTRICTION “A”.

**APPLICABILITY**: Subchapter B, Shelter for Homeless Individuals applies to the construction or operation of a shelter for homeless individuals that is located or proposed to be located within the boundaries of a municipality with a population of 1.6 million or more; and subject to the parameters described herein below as RESTRICTION “B”.

**WRITTEN REQUEST TO RECEIVE NOTICE:** (a) The commissioners court of a county described under Section 244.002(a)(1) and governing body of a municipality described under Section 244.022(a)(2) are entitled to notice under Section 244.002(a) only if the commissioners court or the governing body as appropriate, submits by resolution to the agency or political subdivision of the state that proposes to construct or operate a correctional or rehabilitation facility, or that contracts for the construction or operation of a correctional or rehabilitation facility, a written request to receive notice. (b) The commissioners court of a county described under Section 244.002(a)(1) and the governing body of a municipality describer under Section 244.002(a)(2) are entitled to receive notice under Section 244.002(a) from a private vendor that contracts with an agency or political subdivision of the state only if the commissioners court or governing body, as appropriate, submits by resolution to the contracting agency or political subdivision of the state a written request to receive notice.

**RESTRICTION A:** Unless local consent is denied under Section 244.004, an agency of the state, a political subdivision of the state, or a private vendor operating under a contract with an agency or political subdivision of the state may operate a correctional or rehabilitation facility within 1,000 feet of a residential area, a primary or secondary school, property designated as a public park or public recreation area by the state or a political subdivision of the state, or a church, synagogue or other place of worship. The governing body of a church, synagogue, or other place of worship may waive the distance requirements of Section 244.002 of worship by filing an acknowledged written statement of the waiver in the deed records of the county in which the facility is located.

A person who intends to construct or operate a correctional or rehabilitation facility within 1,000 feet of a residential area, a primary or secondary school, property designated as a public park or public recreation area by the state or a political subdivision of the state, or a church, synagogue, or other places of worship shall, if a request is made under Section 244.005 as indicated above at WRITTEN REQUEST TO RECEIVE NOTICE, notify:

1. the commissioners court of any county with an unincorporated area that included all or part of the land within 1,000 feet of the proposed correctional or rehabilitation facility;
2. the governing body of any municipality that included within its boundaries all or part of the land within 1,000 feet of the proposed correctional or rehabilitation facility; and
3. the entity shall provide notice required by the aforestated notice requirement not later than the 60th day before the date the person or entity begin construction or operation of the correctional or rehabilitation facility, whichever date is earlier.

**MUNICIPAL CONSENT FOR CORRECTIONAL OR REHABILITATION FACILITIES**: Local consent to the operation of a correctional or rehabilitation facility at a location within 1,000 feet of a residential area, a primary of secondary school, a state park or recreation area, a political subdivision of a state, a church, a synagogue or other place of worship is granted unless, not later than the 60th day after the date on which notice is received by a commissioners court or governing body of the municipality under Section 244.002 (a), the commissioners court or governing body, as appropriate, determines by resolution after a public hearing that the operation of a correctional or rehabilitation facility at the proposed location is not in the best interest of the county or municipality, as appropriate. A commissioner’s court or governing body of a municipality may rescind a resolution adopted as described herein.

**RESTRICTION B**: Unless municipal consent is granted under section 244.025, a person may not construct or operate a shelter for homeless individuals within 1,000 feet of another shelter for homeless individuals or a primary or secondary school.

A person who intends to construct or operate any of the above-described facilities is subject to the following notification requirements that are more particularly described at Chapter 244 of the Local Government Code:

Post notice of the proposed location of the shelter at that location.

* 1. **Provide notice of the proposed location of the shelter to the governing body of the municipality. Written notice must be made to the City of Houston, Planning Department, Attn.: Director, and to the City of Houston, City Secretary, Attn.: City Secretary. The written notice must be sent by certified mail, return receipt requested. No exceptions will be made.**
  2. **The person shall post and provide notice required by the foretasted notice requirement before the 61st day before the date the person begins construction or operation of the shelter for homeless individuals, whichever date is earlier.**

**MUNICIPAL CONSENT FOR HOMELESS SHELTERS:** Municipal consent to the construction or operation of a shelter for homeless individuals subject to the notice requirements above is considered granted unless before the 61st day after the date the notice is received by the governing body of the municipality under Section 244.024 (a) (2), the governing body determines by resolution after a public hearing that the construction or operation of a shelter at the proposed location is not in the best interest of the municipality. The governing body of the municipality may rescind a resolution adopted as described herein.

**DISTANCE MEASUREMENT**: For the purpose of Subchapter A, distance is measured along the shortest straight line between the nearest property line of the correctional or rehabilitation facility and the nearest property line of the residential area, school, park, recreation area, or place of worship as appropriate. For the purposes of Subchapter B, distance is measured alone the shortest straight line between the nearest property line for the homeless shelter and the nearest property line of another homeless shelter, primary or secondary school.

**EXEMPTIONS:** correctional and rehabilitation that are exempted from these requirements are described at Section 244.006. If Proposer is exempt, please indicate citation and exemption below.

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**PROPOSER CERTIFIES THAT IT HAS READ AND UNDERSTANDS ALL APPLICABLE STATUTORY REQUIREMENTS PURSUANT TO CHAPTER 244 OF THE LOCAL GOVERNMENT CODE AS THEY RELATE TO THE CONSTRUCTION OR OPERATION OF CERTAIN FACILITIES AND HEREINABOVE. PLEASE CHECK THE APPLICABLE BLANKS.**

The proposed facility is located within 1,000 feet of a

\_\_\_\_\_\_\_\_\_\_ homeless shelter

\_\_\_\_\_\_\_\_\_\_ primary school

\_\_\_\_\_\_\_\_\_\_ secondary school

\_\_\_\_\_\_\_\_\_\_\_ correctional facility

\_\_\_\_\_\_\_\_\_\_ rehabilitation facility

\_\_\_\_\_\_\_\_\_\_ state park

\_\_\_\_\_\_\_\_\_\_ state recreation area

\_\_\_\_\_\_\_\_\_\_ city park

\_\_\_\_\_\_\_\_\_\_ city recreation area

\_\_\_\_\_\_\_\_\_\_ church

\_\_\_\_\_\_\_\_\_\_ synagogue

\_\_\_\_\_\_\_\_\_\_ other place of worship

\_\_\_\_\_\_\_\_\_\_ none of the above

Are the aforementioned statutory notice requirements applicable to your project? Yes or No

Please indicate the type of facility.

\_\_\_\_\_\_\_\_\_\_ halfway house

\_\_\_\_\_\_\_\_\_\_ community residences

\_\_\_\_\_\_\_\_\_\_ SRO

\_\_\_\_\_\_\_\_\_\_ transitional living facility

\_\_\_\_\_\_\_\_\_\_ multi-family residence

\_\_\_\_\_\_\_\_\_\_ single-family residence

\_\_\_\_\_\_\_\_\_\_ other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (please specify)

IF THE NOTICE REQUIREMENTS ARE APPLICABLE TO YOUR PROJECT, PLEASE INDICATE THE STEPS THAT HAVE BEEN TAKEN TO SATISFY SUCH NOTICE REQUIREMENTS AND ATTACH A COPY OF ANY AND ALL SUPPORTING DOCUMENTATION INCLUDING THE CERTIFIED MAIL RETURN CARD, LETTERS, RESOLUTION, AND A 4X6 COLOR PHOTO OF THE NOTICE POSTED ON THE PROPERTY.

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Proposer certifies that the information submitted herein is true and correct. Proposer understands and agrees that any misrepresentation or omission of the relevant information may result in disqualification of the proposal from further consideration by the City of Houston, acting by and through its Housing and Community Development Department. For additional information concerning the information contained herein, please contact, Brenda Scott at (713) 868-8484.

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| Agency or Organization: | |  | | |
| By: |  |  | Title: |  |
| Name: |  | | Date: |  |
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**Part 14: Required Supportive Documentation**

**REQUIRED SUPPORTIVE DOCUMENTATION**

***HCDD WILL NOT CONSIDER PROPOSALS LACKING A REQUIRED SUPPORTIVE DOCUMENT.***

1. **ARTICLES OF INCORPORATION OR CHARTER** - Submit a copy of your agency's most current articles of incorporation on file with the Secretary of State's Office.
2. **BY-LAWS OR RULES** - Submit a copy of your agency's most current by-laws or rules.
3. **FINANCIAL AUDIT** - If the agency contracted with the City under an agreement which terminated within the past two years, submit a copy of the financial audit conducted on that contract if such an audit was performed and has been completed. Otherwise, submit the agency's most recently completed general financial audit, no more than two (2) years old.
4. **OCCUPANCY PERMITS** - Submit copies of all appropriate occupancy permits required by the State and the City to operate and provide the services proposed. This shall include certified copies and dates of inspection by the City's Fire and Health Departments, where applicable
5. **LEASE** - For proposers requesting funds for property leases, please submit a copy of the current lease.
6. **LICENSES** - Attach, as applicable, copies of state and other licenses issued to the agency for providing your services, as well as professional licenses issued to your staff, including nursing, LCDC, and CADAC licenses.
7. **FAIR CAMPAIGN ORDIANCE FORM “A”** (Exhibit E)
8. **AFFIDAVIT OF OWNERSHIP OR CONTROL** (Exhibit F)
9. **CONFLICT OF INTEREST QUESTIONNAIRE** (Exhibit G)

The City of Houston Fair Campaign Ordinance makes it unlawful for a Contractor to offer any contribution to a candidate for City elective office (including elected officers and officers-elect). All respondents to this invitation to bid must comply with Houston Code of Ordinances Chapter 18 as amended relating to the contribution and solicitation of funds for election campaigns. Provisions of this ordinance are provided in part in the paragraphs that follow. Complete copies may be obtained from the office of the City Secretary.

Candidates for city office may neither solicit nor receive contributions except during a period commencing 270 calendar days prior to an election date for which a person is a candidate for such office and ending 90 calendar days after the election date, including runoff elections if such candidate is on the ballot.

Further, it shall be unlawful either for any person who submits a Bid or Proposal to contribute or offer any contribution to a candidate or for any candidate to solicit or accept any contribution from such person for a period commencing at the time of posting of the City Council Meeting Agenda including an item for the award of the Contract and ending upon the 30th day after the award of the Contract by City Council.

For the purposes of this Ordinance, a **Contract** is defined as each Contract having a value in excess of $30,000 that is let by the City for professional services, personal services, or other goods or services of any other nature whether the Contract is awarded on a negotiated basis, request for Proposal basis, competitive Proposal basis or formal sealed competitive Bids. The term **Contractor** includes proprietors of proprietorships, partners having an equity interest of 10% of more of partnerships, (including limited liability partnerships and companies), all officers and directors of corporations (including limited liability corporations), and all holders of 10% or more of the outstanding shares of corporations.

**A STATEMENT DISCLOSING THE NAMES AND BUSINESS ADDRESSES EACH OF THOSE PERSONS WILL BE REQUIRED TO BE SUBMITTED WITH EACH BID OR PROPOSAL FOR A CITY CONTRACT.** Completion of the attached form entitled **"Contractor Submission List"** will satisfy this requirement. Failure to provide this information may be just cause for rejection of your Bid or Proposal.

CITY OF HOUSTON FAIR CAMPAIGN ORDINANCE

The City of Houston Fair Campaign Ordinance makes it unlawful for a Contractor to offer any contribution to a candidate for City elective office (including elected officers-elect) during a certain period of time prior to and following the award of the Contract by the City Council. The term “Contractor” Includes proprietors of proprietorships, partners or joint venture’s having an equity interest of 10 percent or more for the partnership or Joint venture, and officers, directors and holders of 10 percent or more of the outstanding shares of corporations. A statement disclosing the. names and business addresses of each of those persons will be required to be submitted with each Bid or Proposal for a City Contract. See Chapter 18 of the Code of Ordinances, Houston, Texas, for further information.

This list is submitted under the Provisions of Section 18-36(b) of the Code of Ordinances, Houston, Texas, in connection with the attached Proposal, submission or bid of:

Firm or Company Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Firm or Company Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**The firm/company is organized as a (Check one as applicable) and attach additional pages ifneeded to supply the required names and addresses:**

[ ] **SOLE PROPRIETORSHIP**

Name

Proprietor Address

[ ] **A PARTNERSHIP**

**List each partner having equity interest of 10% or more of partnership (if none state “none”):**

Name

Partner Address

Name

Partner Address

[ ] **A CORPORATION**

**List all directors of the** **corporation (if** **none state “none”):**

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Director Address

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Director Address

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Director Address

**List all officers of the corporation (if none state none”):**

Name**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Officer Address

Name**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Officer Address

Name**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Officer Address

**List all** **individuals owning 10% or more of outstanding shares of stock of the corporation (if none state “none”):**

Name**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Address

Name**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Address

Name**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Address

**I certify that I am duly authorized to submit this list on behalf of the firm, that I am associated with the firm in the capacity noted below and that I have personal knowledge of the accuracy of the information provided herein.**

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

Preparer

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

Printed Name

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

Title

Note: This list constitutes a **government record** as defined by § 37.01 of the Texas Penal Code.

8/23/01

**City Council requires knowledge of the identities of the owners of entities seeking to Contract with the City in order to review their indebtedness to the City prior to entering Contracts. Therefore, all respondents to this Invitation to Bid must comply with Houston Code of Ordinances Chapter 15, as amended (Sections 15-122 through 15-126) relating to the disclosure of owners of entities bidding on, proposing for or receiving City contracts. Provisions of this ordinance are provided in part in the paragraphs that follow. Complete copies may be obtained from the office of the City Secretary.**

Contracting entity means a sole proprietorship, corporation, nonprofit corporation, partnership, joint venture, limited liability company, or other entity that seeks to enter into a contract requiring approval by the Council but excluding governmental entities.

A contracting entity must submit at the time of its Bid or Proposal, an affidavit listing the full names and the business and residence addresses of all persons owning five percent or more of a contracting entity or, where a contracting entity is a nonprofit corporation, the full names and the business and residence addresses of all officers of the nonprofit corporation.

Completion of the **"Affidavit of Ownership or Control,"** included herein, and submitted with the Official Bid or Proposal Form will satisfy this requirement. Failure to provide this information may be just cause for rejection of your Bid or Proposal.

**Orig. Dept.:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ File/i.d. no.:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**INSTRUCTION:** Entities using an assumed name should disclose such fact to avoid rejection of the affidavit. The following format is recommended: Corporate/Legal Name dba Assumed Name.

**STATE OF \_\_\_\_\_\_\_\_\_\_\_\_ §**

**§ AFFIDAVIT OF OWNERSHIP OR CONTROL**

**COUNTY OF \_\_\_\_\_\_\_\_\_\_\_ §**

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [***full* *name***] (hereafter “Affiant”), \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [***state title/capacity with Contracting Entity***] of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [***Contracting Entity’s corporate/legal name***] (”Contracting Entity”), who being by me duly sworn on oath stated as follows:

**1.** Affiant is authorized to give this affidavit and has personal knowledge of the facts and matters herein stated.

**2.** Contracting Entity seeks to do business with the City in connection with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [***describe project or matter***] which is expected to be in an amount that exceeds $50,000.

**3.** The following information is submitted in connection with the proposal, submission or bid of Contracting Entity in connection with the above described project or matter.

**4.** Contracting Entity is organized as a business entity as noted below (check box as applicable).

**FOR PROFIT ENTITY**: **NONPROFIT ENTITY**:

[ ] SOLE PROPRIETORSHIP [ ] NONPROFIT CORPORATION

[ ] CORPORATION [ ] UNINCORPORATED ASSOCIATION

[ ] PARTNERSHIP

[ ] LIMITED PARTNERSHIP

[ ] JOINT VENTURE

[ ] LIMITED LIABILITY COMPANY

[ ] OTHER (Specify type in space below)

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

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

**5.** The information shown below is true and correct for the Contracting Entity and all owners of 5% or more of the Contracting Entity and, where the Contracting Entity is a nonprofit entity, the required information has been shown for each officer, *i.e.*, president, vice-president, secretary, treasurer, etc. **[Note**: In all cases, use full names, local business and residence addresses and telephone numbers. Do not use post office boxes for any address. Inclusion of e-mail addresses is optional, but recommended. Attach additional sheets as needed.]

**Contracting Entity**

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

Business Address *[****No./Street****]* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*[****City/State/Zip Code****] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

Telephone Number (\_\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address ***[OPTIONAL]***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Residence Address *[****No./Street****]* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*[****City/State/Zip Code****]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

Telephone Number (\_\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address ***[OPTIONAL]***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**5% Owner(s) or More (if none, state “none.”)**

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

Business Address *[****No./Street****]* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*[****City/State/Zip Code****]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

Telephone Number (\_\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address ***[OPTIONAL]*** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Residence Address *[****No. /Street****]* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*[****City/State/Zip Code****]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

Telephone Number (\_\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address ***[OPTIONAL]***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**6**. ***Optional Information***

Contracting Entity and/or \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [***name of owner or nonprofit officer***] is actively protesting, challenging or appealing the accuracy and/or amount of taxes levied against \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [***Contracting Entity, owner or nonprofit officer***] as follows:

Name of Debtor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tax Account Nos. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Case or File Nos. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney/Agent Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney/Agent Phone No. (\_\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tax Years \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Status of Appeal *[****Describe****]* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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

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

Affiant certifies that he or she is duly authorized to submit the above information on behalf of the Contracting Entity, that Affiant is associated with the Contracting Entity in the capacity noted above and has personal knowledge of the accuracy of the information provided herein, and that the information provided herein is true and correct to the best of Affiant’s knowledge and belief.

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

Affiant

**SWORN TO AND SUBSCRIBED** before me this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.

(Seal)

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

Notary Public

**NOTE:**

This affidavit constitutes a **government record** as defined by Section 37.01 of the Texas Penal Code. Submission of a false government record is punishable as provided in Section 37.10 of the Texas Penal Code. Attach additional pages if needed to supply the required names and addresses.

(a) It is the policy of the City to achieve a drug-free workforce and to provide a workplace that is free from the use of illegal drugs and alcohol. It is also the policy of the City that the manufacture, distribution, dispensation, possession, sale or use of illegal drugs or alcohol by contractors while on City premises is prohibited. By executing this Contract, Contractor represents and certifies that it meets and shall comply with all the requirements and procedures set forth in the Mayor's Policy on Drug Detection and Deterrence, City Council Motion No. 92-1971 ("Mayor's Policy") and the Mayor's Drug Detection and Deterrence Procedures for Contractors, Executive Order No. 1-31 ("Executive Order"), both of which are on file in the Office of the City Secretary.

(b) Confirming its compliance with the Mayor's Policy and Executive Order, Contractor, as a condition precedent to City's obligations under this Contract, will have filed with the Contract Compliance Officer for Drug Testing ("CCODT"), prior to execution of this Contract by the City, (i) a copy of its drug-free workplace policy, (ii) the Drug Policy Compliance Agreement substantially in the format set forth in Attachment "A" to the Executive Order, together with a written designation of all safety impact positions, and (iii)if applicable (e.g. no safety impact positions), the Certification of No Safety Impact Positions, substantially in the format set forth in Attachment "C" to the Executive Order. If Contractor files written designation of safety impact positions with its Drug Policy Compliance Agreement, it also shall file every six (6) months during the performance of this Contract or upon the completion of this Contract if performance is less than six (6) months, a Drug Policy Compliance Declaration in a form substantially similar to Attachment "B" to the Executive Order. The Drug Policy Compliance Declaration shall be submitted to the CCODT within thirty days of completion of this Contract. The first six (6) month period shall begin to run on the date City issues its notice to proceed hereunder or if no notice to proceed is issued. on the first day Contractor begins work under this Contract.

(c) Contractor shall have the continuing obligation to file with the CCODT written designations of safety impact positions and Drug Policy Compliance Declarations at anytime during the performance of this Contract that safety impact positions are added if initially no safety impact positions were designated. Contractor also shall have the continuing obligation to file updated designations of safety impact positions with the CCODT when additional safety impact positions are added to Contractor's employee work force.

(d) The failure of Contractor to comply with the above Sections shall be a breach of this Contract entitling City to terminate in accordance with Article IV.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as an owner or officer of

**(Name) (Print/Type) (Title)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Contractor)

**(Name of Company)**

have authority to bind Contractor with respect to its bid, offer or performance of any and all contracts it may enter into with the City of Houston; and that by making this Agreement, I affirm that the Contractor is aware of and by the time the Contract is awarded will be bound by and agree to designate appropriate safety impact positions for company employee positions, and to comply with the following requirements before the City issues a notice to proceed.

1. Develop and implement a written Drug-Free Workplace Policy and related drug testing procedures for the Contractor that meet the criteria and requirements established by the Mayor's Amended Policy on Drug Detection and Deterrence (Mayor's Drug Policy) and the Mayor's Drug Detection and Deterrence Procedures for Contractors (Executive Order No. 1-31).

2. Obtain a facility to collect urine samples consistent with Health and Human Services (HHS) guidelines and a HHS certified drug testing laboratory to perform the drug tests.

3. Monitor and keep records of drug tests given and the results; and upon request from the City of Houston, provide confirmation of such testing and results.

4. Submit semi-annual Drug Policy Compliance Declarations.

I affirm on behalf of the Contractor that full compliance with the Mayor's Drug Policy and Executive Order No. 1-31 is a material condition of the contract with the City of Houston.

I further acknowledge that falsification, failure to comply with or failure to timely submit declarations and/or documentation in compliance with the Mayor's Drug Policy and/or Executive Order No. 1-31 will be considered a breach of the contract with the City and may result in non-award or termination of the Contract by the City of Houston.

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

**Date Contractor Name**

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

**Signature**

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

**Title**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as an owner or officer of

**(Name) (Print/Type) (Title)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Contractor)

**(Name of Company)**

have personal knowledge and full authority to make the following declarations:

This reporting period covers the preceding six months from \_\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_\_.

\_\_\_\_ A written Drug-Free Workplace Policy has been implemented and employees notified. The policy meets the criteria established by the Mayor's Amended Policy on Drug Detection and Deterrence (Mayor's Policy).

\_\_\_\_ Written drug testing procedures have been implemented in conformity with the Mayor's Drug Detection and Deterrence Procedures for Contractors, Executive Order 1-31. Employees have been notified of such procedures.

\_\_\_\_ Collection/testing has been conducted in compliance with federal Health and Human Services (HHS) guidelines.

\_\_\_\_ Appropriate safety impact positions have been designated for employee positions performing on the City of Houston contract. The number of employees on safety impact positions during this reporting period is\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_ From \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the following testing has occurred.

(start date) (end date)

**Reasonable** **Post**

**Random Suspicion** **Accident** **Total**

Number of Employees Tested \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_ \_\_\_\_\_\_

Number of Employees Positive \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_ \_\_\_\_\_\_

Percent Employees Positive \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_

\_\_\_\_ Any employee who tested positive was immediately removed from the City worksite consistent with the Mayor's Policy and Executive Order No. 1-31.

\_\_\_\_ I affirm that falsification or failure to submit this declaration timely in accordance with established guidelines will be considered a breach of Contract.

I declare under penalty of perjury that the affirmations made herein and all information contained in this declaration are within my personal knowledge and are true and correct.

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

**Date Contractor Name**

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

**Signature**

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

**Title**

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(Name) (Print/Type) (Title)**

as an owner or officer of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Contractor) have authority to bind the Contractor with respect to its bid, and I hereby certify that Contractor has no employee safety impact positions as defined in §5.18 of Executive Order No. 1-31 that will be involved in performing this City Contract. Contractor agrees and covenants that it shall immediately notify the City's Director of Personnel if any safety impact positions are established to provide services in performing this City Contract.

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

Date Contractor Name

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

Signature

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

Title

**CONTRACTOR'S CERTIFICATION OF NON-APPLICATION OF**

**CITY OF HOUSTON DRUG DETECTION AND DETERRENCE PROCEDURES**

**FOR CONTRACTORS**

**ATTACHMENT “3”**

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as an owner or officer of

**(NAME) (PRINT/TYPE)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Contractor) have authority to bind the Contractor with respect to its bid, and I hereby certify that Contractor has fewer than fifteen (15) employees during any 20-week period during a calendar year and also certify that Contractor has no employee safety impact positions as defined in 5.18 of Executive Order No. 1-31 that will be involved in performing this City Contract. Safety impact position means a Contractor's employment position involving job duties that if performed with inattentiveness, errors in judgment, or diminished coordination, dexterity, or composure may result in mistakes that could present a real and/or imminent threat to the personal health or safety of the employee, co-workers, and/or the public.

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

**DATE CONTRACTOR’S NAME**

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

**SIGNATURE**

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

**TITLE**

Chapter 176 of the Local Government Code requires every Vendor or Contractor with the City of Houston (“City”) to file a Conflict of Interest Questionnaire with the City Secretary of the City of Houston by the **seventh** business day after:

(1) any contract discussions or negotiations begin, or

(2) submitting an application, responses to requests for proposals, bids, correspondence, or any writing related to a potential Agreement with the City.

The Conflict of Interest Questionnaire is available for downloading from the Texas Ethics Commission’s website at <http://www.ethics.state.tx.us/forms/CIQ.pdf>. The completed Conflict of Interest Questionnaires will be posted on the City Secretary’s website. There will also be a list of the City’s Local Government Officers on the City of Houston’s website.

Additionally, each Vendor or Contractor must file updated questionnaires no later than **September 1st** of each year that the Vendor or Contractor seeks to contract with the City, or the **seventh** business day after the date of an event that would render the questionnaire incomplete or inaccurate.

However, a Vendor or Contractor is not required to file a new questionnaire in any year if the vendor has completed a questionnaire between June 1st and September 1st of that year, unless the previous questionnaire is incomplete or inaccurate.

Original Conflict of Interest Questionnaire shall be filed with Houston’s Records Administrator (Ms. Anna Russell, City Secretary, 900 Bagby, First Floor, Houston, Texas 77002). Vendors and Contractors shall include a copy of the form that was submitted to the City Secretary as part of the Bid Package. Any questions about filling out this form should be directed to your attorney

Failure of any Vendor or Contractor to comply with this law is a Class-C misdemeanor.

