



TOMBALL INDEPENDENT SCHOOL DISTRICT

Vendor Application

This is a brief explanation of the critical forms requiring signature and completion by any responding vendor.

Failure to complete and sign all forms attached, with exception to the Sole Source Affirmation, hereto may disqualify you from becoming an authorized vendor for Tomball Independent School District (TISD).

(This explanation is not to be construed to be a complete and exhaustive representation of the language of the form. You are free to interpret how you choose or have your counsel review for interpretation.)

1. Authorization Agreement

- a. This is a form that conveys to TISD the relevant information regarding your company. Name, address, terms and your agreement to abide by the terms and specifications outlined in the included documents.

2. Sole Source Affirmation

- a. Affirm that there is/are no other like item(s) available for purchase that would serve the same purpose or function, and there is only one source for the above named item(s) due to exclusive distribution or marketing rights.

3. Felony Conviction Disclosure

- a. Texas public schools are barred from knowingly employing or contracting with a company that will have employees that are convicted felons and will be entering our campuses where children are located. Having employees that are convicted felons does not prevent you from becoming a vendor. TISD only requires that those specific employees may not enter our campuses.

4. Debarment Certification

- a. Per Title 34, Code of Federal Regulations, 80.35, "Grantees and sub grantees must not make any award or permit any award (sub grant or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension."

5. Conflict of Interest Questionnaire

- a. This questionnaire is for vendors or persons doing business with local government entities.

6. House Bill 89 Verification Form

- a. This verification is for all vendors or persons doing business with local government entities, that they do not and will not boycott Israel.

7. Senate Bill 13 Verification

- a. This verification is for all vendors or persons doing business with local government entities, that they do not do not and will not boycott energy companies.

8. Senate Bill 19 Verification

- a. This verification is for all vendors or persons doing business with local government entities, that they do not and will not discriminate against Firearm & Ammunition Industries.

9. IRS W-9 Form

- a. This is an official form furnished by the IRS to verify the name, address, and tax identification number of a company or individual receiving payment.

Authorization Agreement

Company/Vendor Name: _____

Authorized Representative & Contact Phone: _____

Contact Email Address: _____

Physical Mailing Address: _____

City/State/Zip: _____ / _____ / _____

Email Address for Sending of PO: _____

Payment Remittance Address: _____

City/State/Zip: _____ / _____ / _____

Description of Goods/Services
you wish to provide the District:

Are your products sole source?

YES

NO

TYPE: _____

If so, please refer to sole source affidavit form attached. Complete and return with vendor application

Are you a TRS Retiree?

YES

NO

Co-op Memberships & contract #(s)
(check all that apply):BuyBoardHCDE/Choice PartnersTIPS

2013 Co-op (ESC-20)Omnia PartnersCTPA

Want to receive future electronic bid notifications?Please complete the vendor registration through our Bonfire e-procurement portal,
tomballisd.bonfirehub.com/portalTISD INTERNAL
USE ONLY

DATE: _____

COMMODITY CODE 1: _____

COMMODITY CODE 3: _____

VENDOR NUMBER: _____

COMMODITY CODE 2: _____

COMMODITY CODE 4: _____

This application does not guarantee any level of business expenditure or award by the District.
DETAILED information on attached required forms can be found on our District website under Purchasing.

Tomball Independent School District

Request for Sole Source Approval

For a claim of sole source, the requesting vendor must provide the information below and affirm by signature, that the item being offered meets the requirements of the law. For questions or clarification of the sole source process, call the Purchasing Office at 281.357.3100. The Tomball Independent School District Purchasing Office shall be the sole determinant as to applicability and approval of an application and the item(s) offered. The document must be notarized to be considered. **By acceptance and approval of a vendor's sole source affidavit by the District does not guarantee nor create a promise that the District will purchase the product during the approval period.**

Vendor Justification and Affirmation

Sole Source Vendor Contact Information

Company	<input type="text"/>	Contact Person	<input type="text"/>
Address	<input type="text"/>	Phone	<input type="text"/>
City	<input type="text"/>	State	<input type="text"/>
	Zip Code	<input type="text"/>	Fax # <input type="text"/>
Email	<input type="text"/>	Web Site	<input type="text"/>

I have carefully reviewed the Texas Education Code, Section 44.031 and hereby certify that our company meets and complies with Section (j) of the aforementioned code for the sale of the item(s) described below. NOTE If the space below does not provide enough space to thoroughly describe all item(s), you may submit by attachment catalogs or brochures.

The item above meets one (1) of the descriptions below (check the appropriate box – failure to check one will disqualify the application):

- ☐ an item for which competition is precluded due to the existence of a patent, copyright, secret process, or monopoly;
- ☐ a film, manuscript, or book;
- ☐ a utility service, including electricity, gas, or water; and
- ☐ a captive replacement part or component for equipment.

By signature below, I, an authorized representative of the company listed above, affirm that there is/are no other like item(s) available for purchase that would serve the same purpose or function, and there is only one source for the above named item(s) due to exclusive distribution or marketing rights. I also understand that by falsifying the claim of sole source will remove my company from the Tomball ISD vendors list for a period not to exceed two (2) years. We further certify that pricing offered to the Tomball ISD is the lowest pricing available to similar customers.

_____ Authorized Signature	_____ Title	_____ Date
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Notary Public Requirement

SUBSCRIBED AND SWORN to before me on this _____ day of _____, 20__

Notary Public, State of _____, county of _____ Date Commission Expires _____

Notary Signature (Seal)

Notary Printed Name

FOR SCHOOL DISTRICT USE ONLY:

Reviewed and approved by: _____ Date: _____

Comments: _____

FELONY CONVICTION NOTIFICATION

Section 44.034, Texas Education Code, Notification of Criminal History, Subsection (a), states "A person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony."

Subsection (b) states "A school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination of the contract."

This Notice is Not Required of a Publicly-Held Corporation

CRIMINAL HISTORY REVIEW OF CONTRACTOR EMPLOYEES

Bidder shall review §22.0834, Texas Education Code and 19 Texas Administrative Code §§153.1101 and 153.1117 regarding criminal history checks of school contractor employees. The rules define continuing duties related to contracted services, direct contact with students, covered contract employee and other relevant terms within the statute.

Except as otherwise provided herein, Contractor will obtain and certify in writing, before work begins, and at least annually, that the Contractor has received all criminal history record information that relates to an employee, applicant, agent or Subcontractor of the Contractor or a Subcontractor, if the person has or will have continuing duties related to the contracted services, and the duties are or will be performed on Tomball ISD's property where students are regularly present or at another location where students are regularly present. Contractor shall assume all expenses associated with the background checks and shall immediately remove any employee or agent who was convicted of, received probation for, or received deferred adjudication for any felony as outlined below or any misdemeanor involving moral turpitude, from Tomball ISD's property or other location where students are regularly present. Tomball ISD shall determine what constitutes "moral turpitude" or "a location where students are regularly present."

Contractor or sub-contractors may not work on Tomball ISD property where students are present when they have been convicted, received probation or deferred adjudication for the following felony offenses:

1. Any offense against a person who was, at the time the offense occurred, under 18 years of age or enrolled at a public school;
2. Any sex offense;
3. Any crimes against persons involving:
 - a. Controlled substances; or
 - b. Property; or
4. Any other offense TISD believes might compromise the safety of students, employees or property.

Please complete the information below:

I, the undersigned agent for the firm named below, **certify that the information** concerning notification of felony convictions and criminal history checks for the company employees, agents, or subcontractors that will be on Tomball ISD campuses have been reviewed by me, and shall be complied with, and the following information furnished is true to the best of my knowledge.

Vendor's Name: _____

Authorized Company Official's Name (please print or type): _____

- A. My firm is not owned nor operated by anyone who has been convicted of a felony.

Signature of Company Official: _____ Date: _____

- B. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony:

Name of Felon(s): _____

Details of Conviction(s): _____

Signature of Company Official: _____ Date: _____
(Name should be the same as on Form A – Affidavit of Non Collusion)

- C. My firm is a publicly held corporation, therefore, this reporting requirement is not applicable.

Signature of Company Official: _____ Date: _____

DEBARMENT CERTIFICATION FORM

The Contractor certifies that, neither the Contractor firm nor any owner, partner, director, officer, or principal of the Contractor, nor any person in a position with management responsibility or responsibility for the administration of federal funds:

- (a) Is presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from covered transactions by any federal or state department/agency;
- (b) Has within a three-year period preceding this certification been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction or contract (federal, state, or local); violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Is presently indicted for or otherwise criminally or civilly charged by a governmental entity(federal, state, or local) with commission of any of the offenses enumerated in paragraph (b) above; or
- (d) Has within a three-year period preceding this certification had one or more public transactions or contracts (federal, state, or local) terminated for cause or default.

The Contractor further certifies that it shall not knowingly enter into any transaction with any subcontractor, material supplier, or vendor who is debarred, suspended, declared ineligible, or voluntarily excluded from covered transactions by any federal or state department/agency.

Authorized Signature for Contractor

Printed Name and Title

Date

FOR SCHOOL DISTRICT USE ONLY:

Reviewed by: _____

Date: _____

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

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

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

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

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

OFFICE USE ONLY

Date Received

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

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

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

Name of Officer

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

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

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

7

Signature of vendor doing business with the governmental entity

Date

House Bill 89 Verification Form

Prohibition on Contracts with Companies Boycotting Israel

The 85th Texas Legislature approved new legislation, effective Sept. 1, 2017, which amends Texas Local Government Code Section 1. Subtitle F, Title 10, Government Code by adding Chapter 2270 which states that a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

- 1) does not boycott Israel; and
- 2) will not boycott Israel during the term of the contract

Pursuant to Section 2270.001, Texas Government Code:

1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and
2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.

I, (authorized official) _____, do hereby depose and verify the truthfulness and accuracy of the contents of the statements submitted on this certification under the provisions of Subtitle F, Title 10, Government Code Chapter 2270 and that the company named below:

- 1) does not boycott Israel currently; and
- 2) will not boycott Israel during the term of the contract; and
- 3) is not currently listed on the State of Texas Comptroller's Companies that Boycott Israel List located at <https://comptroller.texas.gov/purchasing/publications/divestment.php>

Company Name

Signature of Authorized Official

Title of Authorized Official

Date

SENATE BILL 13 VERIFICATION

I, _____, the undersigned representative of
(Individual's Name)

(Business or Company)

hereinafter referred to as "Company", do hereby verify that the company named above, under the provisions of Subtitle F, Government Code Chapter 2274:

1. Does not boycott energy companies; and
2. Will not boycott energy companies during the term of the contract.

Pursuant to Section 2274.001, Texas Government Code:

1. *"Boycott energy company" means without an ordinary business purpose, refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company because the company: (a) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law, and (b) does business with a company described by paragraph (a); and*
2. *"Company" means a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit. The term does not include a sole proprietorship.*

SIGNATURE OF COMPANY REPRESENTATIVE

PRINTED NAME OF COMPANY REPRESENTATIVE

DATE

Senate Bill 19 Verification Form

Prohibition on Contracts with Companies Discriminating against Firearm & Ammunition Industries

The 85th Texas Legislature approved new legislation, effective Sept. 1, 2021, which amends Texas Local Government Code Section 1. Subtitle F, Title 10, Government Code by adding Chapter 2274 which states that a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

- 1) does not discriminate against Firearm & Ammunition Industries; and
- 2) will not discriminate against Firearm & Ammunition Industries during the term of the contract

Pursuant to Section 2274.001, Texas Government Code:

1. "Ammunition" means a loaded cartridge case, primer, bullet, or propellant powder with or without a projectile.
2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.
3. "Discriminate against a firearm entity or firearm trade association"
 - A. means, with respect to the entity or association, to:
 - I. refuse to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association;
 - II. refrain from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; or
 - III. terminate an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; and
 - B. does not include:
 - I. the established policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories; and
 - II. a company's refusal to engage in the trade of any goods or services, decision to refrain from continuing an existing business relationship, or decision to terminate an existing business relationship:
 - (aa) to comply with federal, state, or local law, policy, or regulations or a directive by a regulatory agency; or
 - (bb) for any traditional business reason that is specific to the customer or potential customer and not based solely on an entity's or association's status as a firearm entity or firearm trade association.
4. "Firearm" means a weapon that expels a projectile by the action of explosive or expanding gases.
5. "Firearm accessory" means a device specifically designed or adapted to enable an individual to wear, carry, store, or mount a firearm on the individual or on a conveyance and an item used in conjunction with or mounted on a firearm that is not essential to the basic function of the firearm. The term includes a detachable firearm magazine.

6. "Firearm entity" means:
 - A. a firearm, firearm accessory, or ammunition manufacturer, distributor, wholesaler, supplier, or retailer; and
 - B. a sport shooting range as defined by Section 250.001, Local Government Code.
7. "Firearm trade association" means any person, corporation, unincorporated association, federation, business league, or business organization that:
 - C. is not organized or operated for profit and for which none of its net earnings inures to the benefit of any private shareholder or individual;
 - D. has two or more firearm entities as members; and
 - E. is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c) of that code.

I, (authorized official) _____, do hereby depose and verify the truthfulness and accuracy of the contents of the statements submitted on this certification under the provisions of Subtitle F, Title 10, Government Code Chapter 2274 and that the company named below:

- 1) does not discriminate against Firearm & Ammunition Industries; and
- 2) will not discriminate against Firearm & Ammunition Industries during the term of the contract

Company Name

Signature of Authorized Official

Title of Authorized Official

Date

Request for Taxpayer Identification Number and Certification

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

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number											
				-				-			
or											
Employer identification number											
				-							

Part II Certification

Under penalties of perjury, I certify that:

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

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ►	Date ►
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General Instructions

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

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.