



Permian Basin Regional Planning Commission

MIDLAND INTERNATIONAL AIRPORT • P.O. BOX 60660 MIDLAND, TEXAS 79711-0660

Virginia Belew
Executive Director

Permian Basin Regional Planning Commission

Request for Proposal

2021-2023

Annual Audit Services

RFP Release Date November 1, 2021

Pre-Bid Q&A Conference November 15, 2021

RFP Due Date **December 1, 2021, at 3:00 PM**

Submission Address Cathe Henderson
Executive Assistant & HR Manager
Permian Basin Regional Planning Commission

(By USPS only)

P.O. Box 60660

Midland, Texas 79711

Telephone (432)563-1061

(By FEDEX, UPS, etc)

2910 LaForce Blvd.

Midland, TX 79706

Notice: Prospective proposers who have received this document from a source other than the PBRPC should immediately contact the PBRPC Executive Assistant and provide their name, company and email address in order that addendum to the RFP or other communication can be sent to them. Any prospective proposers who fail to provide the PBRPC with this information assume complete responsibility in the event they do not receive communications from the PBRPC after the RFP issue date.

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SECTION I. GENERAL INFORMATION

Introduction

Permian Basin Regional Planning Commission (PBRPC) is a council of governments and a political subdivision of the State of Texas organized under state law for the purpose of orderly planning and development of the Permian Basin Region. PBRPC serves a 17-county area including Andrews, Borden, Crane, Dawson, Ector, Gaines, Glasscock, Howard, Loving, Martin, Midland, Pecos, Reeves, Terrell, Upton, Ward and Winkler Counties. Its member Governments are comprised of counties, cities, school districts and special purpose districts. PBRPC assists local governments in planning, cooperating for mutual benefit and coordinating sound regional development. Either directly or through contractors, PBRPC provides programs and services addressing the needs of seniors and residents; implements a Comprehensive Economic Development Strategy, providing economic development and community development technical assistance to communities; provides and maintains the 9-1-1 emergency call delivery system; operates a law enforcement academy; operates homeland security planning services and an interoperability infrastructure; pipeline safety education activities; grant writing services; solid waste and environmental initiatives and services; and a home mortgage assistance program for the region.

The PBRPC operates programs and activities funded by multiple federal and state agencies including, Texas Department of Health and Human Services; multiple Texas Governor's Office Criminal Justice and Homeland Security grants; Texas Commission on Emergency Communication grants, Texas Commission on Environmental Quality; U.S. Department of Agriculture; U.S. Department of Transportation PHMSA; U.S. Department of Commerce-Economic Development Administration; Texas Department of Agriculture. The PBRPC does not have taxing authority; however, maintains local unappropriated fund generated by membership dues collected annually.

The PBRPC is governed by the financial rules and regulations of the funding agencies; works according to state and federal fiscal and reporting requirements; and is governed directly by the Board of Directors comprised of the seventeen-county chief elected officials (county judges), mayors from the urban cities of Odessa and Midland and three small city mayors. The Board of Directors appoints the Executive Director to oversee and administer the operations of the agency, including the departments for Regional Services, Criminal Justice, Homeland Security, 9-1-1 Emergency Communications, Area Agency on Aging, and Administrative Services.

PURPOSE

Permian Basin Regional Planning Commission (PBRPC) is requesting proposals from qualified audit firms to perform the annual financial and compliance audits for Permian Basin Regional Planning Commission (PBRPC) for each calendar year ending September 2021, 2022, and 2023 with a two (2) one (1) year extension options.

PBRPC specifically reserves the right to reject any or all proposals, to waive irregularities or informalities in any or all proposals and to accept any proposal which is deemed to be in the best interest of PBRPC.

SECTION II. RFP TIMELINE SCHEDULE (timelines are subject to change)

RFP Release Date November 1, 2021

Pre-Bid Q&A Conference November 15, 2021, 11:00 AM - 12:00 PM Central

<https://zoom.us/j/98358833213?pwd=TjBOT2o2MERoNXdKSUVwVWc2MOhTUT09>

United States: +1 (346) 248-7799

One-tap Mobile: +13462487799,98358833213#, *525059#

Meeting ID: 983 5883 3213

Passcode: 525059

RFP Due Date

December 1, 2021, at 3:00 PM

Audit Draft Due Date

May 15, 2022

SECTION III. SUBMISSION INFORMATION

SUBMISSION INSTRUCTIONS

RFP submissions must be clearly identified on the outermost return envelope/packaging and received by the 'RFP Proposal Due Date' date/time of **December 1, 2021, at 3:00 PM**, regardless if by mail, courier/delivery services, or hand delivered, at:

Permian Basin Regional Planning Commission (PBRPC)

ATTN: Cathe Henderson

(By USPS only)

P.O. Box 60660

Midland, Texas 79711

(By FEDEX, UPS, etc)

2910 LaForce Blvd.

Midland, TX 79706

Write: Company Name, RFP#2022-001, December 1, 2021, at 3:00 PM in bottom left-hand corner of the outermost Return Envelope/Package

NOTICE: Email and facsimile submissions are not allowed and will not be accepted.

1. Proposers shall submit one (1) original hardcopy of the RFP submission marked 'Original' along with four (2) copies marked 'Copy' and must include one (1) electronic copy of the *complete* RFP submission and any related RFP documentation scanned or compiled into a single PDF document on a USB Flash Drive. **Note:** It is preferred proposers do not use 3-ring binders for submission of RFPs.
2. Proposals/offers should be sent through the mail or hand delivered. Telefax and email proposals/offers will not be accepted. Contractors should consider mailing/delivery times in order to assure that proposals/offers are received on time.
3. It is the Proposer's sole responsibility to prepare, submit, and deliver or arrange delivery of the RFP submission(s) with all required exhibits and materials to the designated location on or before the published submittal deadline.
4. PBRPC will not bear liability for any costs incurred in the preparation and submission of proposals in response to this RFP
5. RFP submission deadline *time* will be determined by the PBRPC procurement clock.
6. It is the Proposer's responsibility to ensure any addenda or additional materials pertinent to their proposal be included in or with their RFP submission. PBRPC will not be held liable for missing addenda or materials at the time of the RFP Opening and said addenda or additional materials will not be accepted past the RFP submission deadline date and time.

RFP RETRIEVAL:

The RFP document, RFP updates, and additional RFP information or amendments will be posted on the PBRPC website and may be retrieved by clicking on ‘RFP-20-303-ACT-AUDITOR’ at www.pbrpc.org. If problems obtaining this RFP are experienced, please request an RFP copy via email from Cathe Henderson at: chenderson@pbrpc.org

QUESTIONS/RESPONSES:

Questions and Answers will occur at the Pre-Bid online conference on November 15, 2021, at 11:00 AM. **Address all other questions to: Cathe Henderson, 432-563-1061, chenderson@pbrpc.org.**

SECTION IV. PROPOSAL OPENING

RFP submissions will be received until the deadline date/time as stated under *Section II, RFP Timeline Schedule, ‘RFP Submissions Due’, pg. 3* of this RFP document.

SECTION V. SCOPE OF WORK

- PBRPC is a voluntary association of governmental units representing Midland County and the surrounding sixteen counties.
 - PBRPC functions as a planning organization and provides multiple program services to communities and the residents and local stakeholders within each in the service area.
 - PBRPC’s 2021 annual budget is approximately seven (7) million. The current budget may be accessed at PBRPC.org.
 - PBRPC currently has nine (9) bank accounts, one (1) from which checks are issued, one (1) from which payroll is paid, and seven (7) additional special purpose bank accounts with limited activity.
 - PBRPC funding is from twelve different sources with overlapping fiscal year ends, including federal, state and local.
 - PBRPC employs approximately twenty-seven (27) employees
- The audit is to encompass PBRPC’s financial statements and supplemental schedules as included in its comprehensive annual financial report for each of the calendar years ending September 30, 2021, 2022, 2023. After the third year PBRPC may renew or otherwise negotiate two one-year extensions for a maximum of five consecutive years from the current audit firm. PBRPC shall have closed and balanced all accounts or funds to be examined by the auditor by a date determined by the auditors and PBRPC that is realistic to the deadline set for the audit completion. The auditor shall assist in finalizing PBRPC’s annual financial reports and shall include an opinion in those reports regarding PBRPC’s financial statements and supplemental financial schedules.
- The auditors shall evaluate the PBRPC system of internal control. If weaknesses are noted, appropriate recommendations will be reviewed with the Executive Director and Chief Financial Officer. Include findings and recommendations in a separate Management Letter to the PBRPC Board of Directors.
- A draft audit and yearly Management Letter shall be completed by May 15th each year for presentation to the Management/Audit Committee by the Auditor in charge and a final audit report presentation to the Board of Directors at the regularly scheduled June meeting.
- PBRPC’s copies of selected working papers prepared in conjunction with the audit engagement will be provided on a timely basis at no cost to PBRPC.
- The contract for PBRPC shall include thirty (30) copies of the final audit at no additional expense to PBRPC.
- The examination shall be made in accordance with generally accepted auditing standards such as:

- The Single Audit Act Amendments of 1996.
- American Institute of Certified Public Accountants (AICPA) Industry Audit Guide, Audits of State and Local Government Units.
- Government Auditing Standards, Comptroller General of the United States.
- Applicable Pronouncements of the Financial Accounting Standards Board (FASB) and the Government Accounting Standards Board (GASB;)
- 2 CFR PART 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS, (known as the Uniform Guidance). The Uniform Guidance supersedes OMB Circulars A-50, A-87, A-102, A-133.
- OMB’s Compliance Supplement for Single Audits of state and local governments.
- Financial/Programmatic Monitoring Reports. Incident Reports, Investigative Reports of the Office of Inspector General, which may have potential audit implications.
- Grant/Program specific Acts, Regulations, or Audit guides provided by state or federal agencies in the administration of said programs.
- Determine financial statements conformity with the General Accepted Accounting Principles (GAAP).
- Texas Uniform Grant Management Standards to include the State of Texas Single Audit Circular; and
- Texas Grant Management Standards (TxGMS).

SECTION VI. SUBMISSION INSTRUCTIONS

To achieve a uniform review process and obtain the maximum degree of comparability, it is required that proposals be organized in the manner specified.

- **Title Page**
List the RFP subject, the name of the proposer's firm, local address, telephone number, fax number, email address, name of contact person, and date.
- **Table of Contents**
Clearly identify the material by section and page number.
- **Letter of Transmittal**
Limit to one or two pages.
 - Briefly state the proposer's understanding of the service to be provided and make a positive commitment to perform the work in a timely manner.
 - Give the names of the persons who will be authorized to make representations for the proposer, their titles, addresses, fax numbers, email addresses (if applicable), and telephone numbers.
- **Profile of the Proposer**
 - State whether your organization is national, regional, or local and years of operation.
 - Provide the firm’s audit team’s staff (by level) that will be involved in the program. Include years of experience in governmental auditing, professional background and contact information.
 - Provide the firm’s list of governmental clients indicating the type(s) of service performed, year(s) of engagement and contact information for each.
 - Indicate the firm’s experience and willingness to provide year-round assistance to PBRPC to assure compliance with appropriate laws and regulations.

- Describe the firm’s participation in AICPA sponsored or comparable quality control programs.
- Describe the firm’s audit approach. This should include at least the following points:
 - Type of audit program used (tailor-made, standard government, or standard commercial)
 - Use of statistical sampling
 - Use of computer audit specialist
 - Composition of audit team by level and approximate percentage of time spent on audit
 - Typical assistance and use expected from PBRPC accounting staff
 - Tentative schedule for completing audit within specified deadlines of the RFP
 - Opportunity for funding agencies input
 - Management letter (provide sample).
- **Bid Document**
Clearly identify submitted materials proposer believes are exempt from disclosure under the Texas Open Records Act or are protected by copyright.
- **Certification Sheet**
- **Acknowledgement Form**
- **Conflict of Interest Questionnaire**
- **Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion for Contracts and Grants**

SECTION VII. SCORING CRITERIA

Proposer’s organization and staffing experience	15 points
Proposer’s fee estimate	25 points
Proposer’s ability to meet the audit deadline (s)	20 points
Proposer’s client references	10 points
Proposer’s willingness to provide year-round assistance	10 points
Proposer’s participation quality control programs	10 points
Proposer’s audit approach	10 points
Total	100 points

PROPOSAL EVALUATION

Proposals will be evaluated using a predetermined point ranking method to rank which proposers are most likely to meet/exceed RFP requirements. In addition, PBRPC reserves the right to contact any source regarding, but not limited to, contractor reputation, product/service quality, work history, and/or past performance to evaluate/award the proposal that best meets PBRPC needs, and clients served.

NOTE: A composite grade will be given for the following chart criteria of 0-100. Proposals will be scored numerically and ranked from 'highest to lowest' and the number of proposals selected for consideration to be at the sole discretion of PBRPC Board of Directors. The ratings will be based on the qualifications provided in the proposal by the closing date/time of the RFP.

AWARD TERMS

PBRPC reserves the right to request additional information or clarifications from Proposers or to allow corrections of errors or omissions.

AWARD NOTIFICATION

Upon award of successful Proposer(s), notification will be sent to all Proposers who responded to this RFP.

SECTION VIII. GENERAL PROVISIONS

- It is anticipated that the initial contract period will be for three (3) years, with an option for two (2) one (1) year extensions, mutually approved annually by the vendor and PBRPC Board of Directors. The maximum number of consecutive years that an auditor may provide services will be five (5) years.
- The submission of a proposal shall be prima facie evidence that the proposer has full knowledge of the scope, nature, quantity and quality of work to be performed; the detailed requirements of the specifications; and the conditions under which the work is to be performed.
- The proposer shall furnish PBRPC additional information as PBRPC may reasonably require.
- The term "As Specified", or "A/S" will not be accepted.
- This RFP is a firm offer that shall be irrevocable and open for acceptance by PBRPC for ninety (90) calendar days from the date set for submission of Proposals.
- PBRPC will not be liable for any costs incurred in preparing proposals or associated travel costs. PBRPC reserves the right to conduct pre-contract negotiations with any and/or all potential proposers.
- PBRPC will not be liable for any costs not included in the proposal and subsequent contracts.
- PBRPC reserves the right to conduct personal interviews of any or all proposers prior to selection. PBRPC will not be liable for any costs incurred by the proposer in connection with such interview (i.e., travel, accommodations, etc.).
- PBRPC reserves the right to reject any and all proposals and to accept proposals it considers most favorable to PBRPC best interest. PBRPC further reserves the right to reject all proposals and seek new proposals when such procedure is reasonably in the best interest of PBRPC.
- PBRPC reserves the right to cancel an awarded contract with a thirty (30) day written notice if performance is unsatisfactory. No penalty and/or fee may be imposed if contract is cancelled or not renewed.
- Proposals will remain on file in accordance with the Texas Open Records Act.
- The contract will be awarded to the highest rank bidder whose bid conforms to the RFP and is most advantageous to PBRPC.
- A written award of acceptance letter mailed or otherwise furnished to the successful bidder, as well as issuance of a results in a binding contract without further action by either party. Submitted proposals may be withdrawn prior to the proposal due date.
- PBRPC reserves the right for any contract or service agreement resulting from this RFP to be contingent upon the continued availability of funding.

- PBRPC reserves the right to select more than one Proposer if deemed to best benefit PBRPC.
- PBRPC reserves the right to accept or reject any RFP submission received, as well as cancel the RFP, vary or waive any provisions set forth in this RFP if deemed in the best interests of PBRPC.
- This RFP does not commit or obligate PBRPC to allow any costs incurred in the preparation of a response or in advance of the execution of a contract.
- Requests for Proposals (RFP) are issued under the authority of the Government Code, Chapter 2254, Subchapter B, which delineates the statutory requirements governing invitations for proposals and request for offers by state agencies for consulting services.
- Conflict of interest is a serious issue. Proposers may not hire PBRPC management or support staff, or policy board members that were involved in the evaluation and/or selection process under this proposal. Proposers must sign and submit Conflict of Interest form (Attachment C).
- PBRPC reserves the right to have final say in the final terms of any potential service agreement or contract as a result of this RFP, to include but not limited to, any essential clauses or certifications in this RFP. The RFP submission must be signed of the person having the authority to bind the organization to a contract or it may be rejected for non-compliance.
- PBRPC reserves the right to claim ownership of any RFP submitted in response to this RFP to be the property of PBRPC, and is not obligated to return RFP submissions, binders or exhibits to Proposers.
- Proposers should not include proprietary information or trade secrets. Information submitted may be subject to disclosure under the Texas Open Records Act, it will be the responsibility of the Proposer to seek an exemption from disclosure and file any necessary documents with the Attorney General.
- It is the policy of PBRPC and its affiliate entities to encourage participation by small and historically underutilized businesses (HUBS), as defined in Government Code, Chapter 2161, as contractors to PBRPC and affiliated entities.
- The bidder/proposer affirms that he has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with this bid.
- Proposers certify as a condition of award that they have not engaged in collusion with other vendors or anyone else in relation to the preparation and/or submittal of their bid for this project.
- Pursuant to protocol to advise of the right to appeal, a protest must be submitted to PBRPC's Executive Director within ten (10) calendar days of the time the basis of the protest became known and said protest(s) limited to: 1) violations of federal law or regulations; 2) violations of State or local law under the jurisdiction of State or local authorities; and 3) violations of PBRPC's protest procedures for failing to review a complaint or protest. The protest must be submitted in writing and must identify the protestor, the solicitation being protested and specifically identify the basis for the protest, providing all pertinent information regarding the solicitation, contract and/or actions of PBRPC.
- All programs and employees under the auspices of PBRPC are in compliance with EEO. Auxiliary aids and services are available, upon request, to individuals with disabilities.

SECTION IX. ATTACHMENTS

ATTACHMENT A

BID DOCUMENT

The complete Request for Proposal is available by contacting the Permian Basin Regional Planning Commission through the PBRPC Office, 2910 LaForce Blvd, Midland, TX 79706; telephone: (432) 563-1061. In addition, the complete RFP is available on the Internet through the PBRPC website, at <http://www.pbrpc.org>.

State the non-binding fee estimate (as defined by the Texas State Board of Public Accountancy) for the audit of the following:

PBRPC – Fee Estimate

2021 calendar year \$ _____

2022 calendar year \$ _____ or % of increase (decrease) _____

2023 calendar year \$ _____ or % of increase (decrease) _____

Board Approval Required

First one (1) year extension

2024 calendar year \$ _____ or % of increase (decrease) _____

Second one (1) extension

2025 calendar year \$ _____ or % of increase (decrease) _____

Any material fee estimate modification may result in termination of the contract.

Comments: _____

ATTACHMENT B
CERTIFICATION SHEET

All specifications and terms and conditions of the RFP have been read.

Our Company accepts the specifications and conditions unless otherwise accepted in writing to the Executive Director, Permian Basin Regional Planning Commissions (PBRPC).

Company Name: [REDACTED]		
Mailing Address: [REDACTED]		
City: [REDACTED]	State [REDACTED]	Zip Code [REDACTED]
Phone: [REDACTED]		Fax: [REDACTED]
Web Site: [REDACTED]		
Email: [REDACTED]		

Name of Representative authorized to sign for bidder:

[REDACTED]	
(Print name)	(Signature)

(a) Does your "residence state" require bidders whose principal place of business is in Texas to underbid bidders whose residence state is the same as yours by a prescribed amount or percentage to receive a comparable contract? "Residence State" is defined as the state in which the principal place of business is located. YES NO

(b) What is that amount or percentage?

I certify that the above information is correct:

Name	[REDACTED]
Position	[REDACTED]
Signature	
Date	[REDACTED]

ATTACHMENT C

ACKNOWLEDGEMENT FORM

Having carefully examined the terms and conditions and specifications within this RFP document, the undersigned Proposer's Agent hereby proposes and agrees to furnish the proposed product(s)/service(s) in strict compliance with the specifications as quoted.

The Proposer affirms that, to the best of his knowledge, the response has been arrived at independently and is submitted without collusion with anyone to obtain information or gain any favoritism that would in any way limit competition or give them an unfair advantage over other bidders in the award of this RFP.

The Proposer affirms that he/she has not participated in any act of favoritism, gratuity, or inside dealings with any member of the staff of PBRPC or its Board of Directors.

Company Name:	
President/Designee:	
Position:	
Signature:	
Date:	

ATTACHMENT D

CONFLICT OF INTEREST QUESTIONNAIRE FORM CIQ

For vendor or other person doing business with local governmental entity

<p>This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.</p> <p>This questionnaire is being filed in accordance with chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001 (1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).</p> <p>By law this questionnaire must be filed with the records administrator of the local government entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.</p> <p>A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.</p>	<p align="center">OFFICE USE ONLY</p> <p align="center">Date Received</p>
<p>1. Name of person who has a business relationship with local governmental entity.</p>	
<p>2. <input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire.</p> <p align="center">(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)</p>	
<p>3. Name of local government office with whom filer has employment or business relationship.</p> <p>This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.</p> <p>A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	

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

Yes No

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

Yes No

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

4.

Signature of person doing business with governmental entity

Date

ATTACHMENT E

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION
FOR CONTRACTS AND GRANTS**

NAME OF INDIVIDUAL, AGENCY, BUSINESS OR ORGANIZATION:		Doing business as (DBA), if applicable:
ADDRESS	Applicable Procurement or Solicitation #, if any:	Federal Employer Tax Identification #:

READ CAREFULLY BEFORE SIGNING THIS CERTIFICATION. Federal regulations require contractors, bidders, and subgrantees to sign and abide by the terms of this certification, without modification, in order to participate in certain transactions directly or indirectly involving federal funds.

1. By signing and submitting this certification, the prospective vendor/grantee is attesting/acknowledging the representations set out below.
2. This certification is a material representation of fact upon which the Permian Basin Regional Planning Commission (PBRPC) will rely on when this transaction is entered into. If it is later determined that the prospective vendor/grantee knowingly rendered an erroneous certification, in addition to other remedies available to Federal or State departments or funding agency(s), PBRPC may pursue on its own available remedies, including contract termination, suspension and debarment
3. **The prospective vendor/grantee shall provide immediate written notice to PBRPC, Director of Administrative Services, 8700 Tesoro Drive, Suite 160, San Antonio, TX 78217, if at any time it learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.**
4. The terms “covered contract”, “debarred”, “suspended”, “ineligible”, “participant”, “person”, “principal”, “proposal”, and “voluntarily excluded”, as used in this certification, have meanings based upon materials in the Definitions and Coverage sections of federal rules implementing Executive Order 12549. You may contact the person to which this proposal or contract is submitted for assistance in obtaining a copy of this regulation
5. The prospective vendor/grantee agrees, by submitting this certification, which should the proposed contract/grant be entered into, it shall not knowingly enter into any lower-tier-covered

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION
FOR CONTRACTS AND GRANTS**

transaction or sub-contract with a person or entity that is proposed for debarment, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this transaction, unless pre-authorized by the appropriate federal or state department or agency, or by PBRPC.

Do you have or do you anticipate having sub-vendors/sub-grantees under this proposed agreement?

Yes No

6. The prospective vendor/grantee further agrees by submitting this certification, that it will include this certification titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion for Contracts and Grants," without modification, in all lower-tier covered transactions and sub-contracts and in all solicitations for lower-tier covered transactions and sub-contracts.
7. A vendor/grantee may rely upon a certification of a prospective participant that it is not proposed for debarment, debarred, suspended, ineligible, or voluntarily excluded from the transaction, unless it knows that the certification is erroneous. Each vendor/grantee is required to check the list of parties excluded from Federal and State Procurement and Non-procurement Programs. **PBRPC checks this list for all parties to which it provides funds that are derived directly or indirectly from the Federal Government.**
8. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this certification document. Participants are not required to have knowledge and information exceeding that which is normally possessed by a prudent person in the ordinary course of business activity.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a transaction knowingly enters into a lower-tier transaction or contract with a person who is proposed for debarment, debarred, suspended, ineligible, or voluntarily excluded from participation, in addition to other remedies available to the Federal Government, PBRPC or its applicable funding agency(s) may pursue available remedies, including contract termination, suspension and/or debarment.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION
FOR CONTRACTS AND GRANTS**

Check the statement that applies to the potential vendor/grantee:

1. The prospective vendor/grantee certifies by submission of this certification, that neither it nor its principals:
- (a) Is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal or State department or agency; and
 - (b) Have, within a three-year period preceding this certification, been convicted of or had a civil judgment rendered against them for fraud; committed a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract; violated Federal or State antitrust statutes; committed embezzlement, theft, forgery, bribery, falsification or inappropriate destruction of records; or received stolen property; and
 - (c) Is presently indicted for or otherwise charged by a government entity (Federal, State, or local) with the commission of any of the offenses enumerated in the preceding paragraph (b) of this certification; and
 - (d) Have, within a three-year period preceding this certification, had one or more contracts or transactions (Federal, State, or local) terminated for cause or default.
2. The potential vendor/grantee is unable to certify to one or more of the terms in this certification. In this instance, the potential vendor/grantee must attach a signed and dated explanation for each of the above terms, 1(a) through 1(d), to which it cannot certify.

NAME OF POTENTIAL VENDOR/GRANTEE:	
-----------------------------------	--

Signature of Authorized Representative	Printed/Typed Name & Title of Authorized Representative

Date: _____
