

**TEXAS PUBLIC FINANCE  
AUTHORITY**

P. O. Box 12906  
Austin, Texas 78711

**REQUEST FOR QUALIFICATIONS  
MANAGEMENT CONSULTING SERVICES**

**RFQ No. 347-26-0030**

**Posting Date: October 3, 2025**

**Submittal Deadline: November 3, 2025, 3:00 PM**

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**TEXAS PUBLIC FINANCE AUTHORITY  
REQUEST FOR QUALIFICATIONS No. 347-26-0030**

The Texas Public Finance Authority (“TPFA” or the “Authority”) was created in 1983 by the 68th Legislature. The Authority is authorized to issue revenue bonds and general obligation bonds for the State of Texas to provide funding for purposes authorized by the Legislature. Bonds issued by the Authority include fixed rate bonds, variable rate bonds, and other debt obligations. The Authority has issued revenue bonds and/or general obligation bonds on behalf of the following state agencies and universities: the Department of Agriculture, the School for the Blind and Visually Impaired, the Texas Facilities Commission, the Department of Criminal Justice, certain health and human services agencies, including the Health and Human Services Commission, the Department of State Health Services, and the Department of Aging and Disability Services, the Historical Commission, the Texas Juvenile Justice Department, the Texas Military Department, the Texas Department of Motor Vehicles, the National Research Laboratory Commission, the Parks and Wildlife Department, the State Preservation Board, the Department of Public Safety, the State Technical College System, the Department of Transportation, the Texas Windstorm Insurance Association, the Texas Workers’ Compensation Fund, the Workforce Commission, Midwestern State University, Stephen F. Austin University, Texas Southern University, the Texas Military Preparedness Commission, and the Cancer Prevention and Research Institute of Texas (“CPRIT”).

The Authority currently administers three commercial paper programs, namely: a lease-revenue commercial paper program, which is available for financing equipment acquisitions and for the construction or renovation of buildings; a general obligation commercial paper program for CPRIT; and a revenue commercial paper program for the Texas Facilities Commission.

In 2003, the Authority created a nonprofit corporation, the Texas Public Finance Authority Charter School Finance Corporation, to finance projects for eligible charter schools pursuant to Chapter 53, Texas Education Code. Further, in 2021, the Authority created a nonprofit corporation, the Texas Natural Gas Securitization Finance Corporation, to issue customer rate relief bonds to recover the extraordinary natural gas cost associated with the 2021 Winter Storm Uri, pursuant to H.B.1520, 87th Leg., R.S. (2021).

**SECTION I. GENERAL.**

1.1 **AUTHORITY.** This Request for Qualifications (RFQ) is issued in accordance with the provisions of Chapter 2254, Subchapter B, Consulting Services. Further, pursuant to Tex. Gov’t Code § 2254.029(b):

**TPFA hereby provides notice that the consulting services sought by TPFA through this RFQ relate to services previously provided by a consultant; unless a better offer is received, TPFA intends to award the contract for the consulting services to the consultant that previously provided the services.**

1.2. **SCOPE OF SERVICES.** TPFA issues this RFQ inviting interested vendors to submit their Statement of Qualifications, pursuant to Section II, Statement of Qualifications below, primarily to evaluate the efficiency and effectiveness of key agency functions that are dependent upon specialized data input, retention, and retrieval, and then to plan and implement desired enhancements to key operational functions. Respondents shall provide information, evidence and demonstrated qualifications that will permit awarding a contract in a manner that provides the best value to the TPFA. The TPFA requires the assistance of a management consultant in assisting with the review of management policies, the review of operational procedures and resources, and to identify and implement feasible, real-time operational improvements, as well as, ongoing support and assistance, as may be requested, following such implementation. Respondents wishing to act as a consultant to the Agency, and able to meet the terms of this RFQ, are invited to submit

demonstrated relevant experience and qualifications in support of evaluating the efficiency and effectiveness of key agency functions that are dependent upon specialized data input, retention, and retrieval, and then to plan and implement desired enhancements to key operational functions. Upon selection of the “Successful Respondent” and the negotiation of cost, TPFA will seek to negotiate a fair and equitable scope of work and fee as a best value for the State.

The TPFA is a part of the Executive Branch of Texas State Government. The Successful Respondent shall function under the supervision of the TPFA. The Successful Respondent will be subject to the same scrutiny and oversight that would apply if all work were performed by TPFA employees. Accordingly, all work must be conducted in adherence to applicable statutes and the highest ethical standards. All Respondents should read and be familiar with Chapters 1232, 2054, and 2254 of the Texas Government Code, as well as with 1 Texas Administrative Code, Chapter 202.

1.3. **CONTRACT TERM.** It is the intention of the Authority to award a contract commencing as of the date of execution and continuing for an initial term through August 31, 2026. Subject to mutual agreement, The TPFA may renew this contract for an additional mutually agreeable term, if necessary. The decision to renew will be at the sole and absolute discretion of TPFA.

1.4. **DEFINITIONS:**

**Addendum:** A modification of the specifications issued by TPFA.

**Electronic State Business Daily (ESBD):** the designated website where state agencies, universities, and municipalities post formal solicitations (over \$25K), addenda to posted solicitations, and awards. The link to the ESBD is <https://www.txsmartbuy.com/esbd>.

**Good Faith Effort:** Effort required by vendors when completing the HUB Subcontracting Plan, which demonstrates the respondent has completed one of the following methods for the planned subcontracting needs: A) Using strictly HUBs for all subcontracting needs; B) Meeting stated agency goal for HUB subcontracted needs using both HUBs and Non-HUB vendors; C) Performing “Traditional Good Faith Effort” of notifying two minority/women trade organizations and soliciting bids from three HUBs for each subcontracting opportunity, and allowing seven business days for response; or D) Self-Performing Contract (i.e., performing all work with own materials and labor).

**HUB Subcontracting Plan (HSP):** The Historically Underutilized Business (HUB) Subcontracting Plan (HSP) required by Chapter 2161 of the Texas Government Code (TGC) and by Title 34, Chapter 20, Subchapter B, §20.10- §20.28 of the Texas Administrative Code (TAC). Historically Underutilized Business (HUB) – A business who certified with the Comptroller of Public Accounts by meeting the following requirements: 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman, and/or United States Veteran with a minimum 20% Disability rating; is an entity with its principal place of business in Texas; and has an owner residing in Texas with a proportionate interest that actively participates in the control, operations and management of the entity’s affairs.

**Owner:** The Texas Public Finance Authority.

**Contract Manager:** The individual designated by the Owner authorized to represent the Owner during the performance of the contract.

1.5. **FEES.** (a) Cost will be negotiated with the Successful Respondent after evaluation is completed

and the Successful Respondent is named (hereinafter referred to as “Consultant”).

1.6. **SCHEDULE OF EVENTS:** All references to date and time submittals specified in this RFQ will be Central Standard Time. TPFPA reserves the right to change the dates shown below:

<b>EVENT</b>	<b>DATE</b>	
Issue RFQ	10/3/2025	
Deadline for Submission of Questions	10/13/2025	@ 12:00 PM (Noon)
Authority’s Responses Posted	10/17/2025	@ 5:00 PM
Deadline for Submission of Qualifications & HSP	11/3/2025	@ 3:00 PM

## **SECTION II. STATEMENT OF QUALIFICATIONS AND SUBMITTALS.**

2.1. **REQUIREMENTS.** Submittals must be delivered to the Authority via email to Lee Deviney at the following email address: [Lee.Deviney@tpfa.texas.gov](mailto:Lee.Deviney@tpfa.texas.gov), with a “CC” to RFQ@tpfa.texas.gov.

(a) Respondents shall email their qualifications as specified in Attachment C –Submittal Instructions. Requested documentation includes:

(i) Package 1 – Required Documentation:

- Attachment B – Execution of Submittal
- Acknowledgement of Addenda

(ii) Package 2 – HUB Documentation

- Attachment A – HUB Subcontracting Plan

(iii) Package 3 – Other Documentation

- Company Information
- Relevant Experience and Qualifications

(b) Organization: Document pages should be numbered and contain an organized, paginated table of contents corresponding to the section and pages of the submittal.

(c) File Format: File format shall be as indicated in Attachment C –Submittal Instructions

(d) Submittal Costs: Respondents to this RFQ are responsible for all costs of submittal preparation and delivery.

## 2.2. **CONTENTS.**

(a) **Company Information:** Respondent shall submit general firm information, including, but not limited to the following:

- (i) firm description;
- (ii) physical and mailing address;
- (iii) primary contact;
- (iv) office and mobile telephone number and email of primary contact; and,
- (v) 11-Digit State of Texas Taxpayer Vendor Identification Number.

(b) **Relevant Experience and Qualifications** : Respondent shall provide the following information regarding its relevant experience and qualifications:

i a description of the Respondent's relevant knowledge, qualifications, and demonstrated experience related to performing the consulting services requested in the RFQ;

ii a description of the Respondent's knowledge of and demonstrated experience working with governmental or other entities, specifically related to:

(A) evaluating the efficiency and effectiveness of key agency functions that are dependent upon specialized data input, retention, and retrieval, and then planning and implementing such enhancements to key operational functions;

(B) identifying and implementing feasible, real-time operational improvements concerning:

1. Affirming Control Environments, including:

- a. the guidance and internal control provided by an entity's existing
  - i. policies and procedures, and
  - ii. data accessibility and retention;

2. Improving Organizational Processes, including:

- a. identifying opportunities and resources required to improve operations, and
- b. utilization and optimization of financial analysis and data retention tools; and

3. Implementing training to entity staff to attain skills for current and updated processes, procedures, and financial analysis tools;

(C) assisting entities with review of management policies,

(D) assisting entities with review of operational procedures and resources;

(E) assisting entities with actuating improvements to the preceding criteria;

(F) delivery of recommendations regarding an internal control environment that will provide for the continuity of disciplined management oversight;

iii the names and qualifications/expertise, including technical, project/program management, personnel management, education, prior relevant executive, management or command positions held of personnel that would be assigned to work on such matters, and the availability and % dedication, in regards to other workload, of lead staff and others assigned to the project;

iv the submission of proposed fee information, at the appropriate time and when requested, in the form of;

v a description of the efforts made by the firm to encourage and develop the participation of minorities and women in the provision of the firm's consulting services.

vi confirmation that the firm and its employees are not the subject of a criminal investigation.

vii confirmation of willingness to comply with policies, directives, and guidelines of TPFA; and

viii three (3) references from clients or employers for whom management consulting relevant work has been performed in the last three years. These references may be contacted and used in the evaluation of the responses. If services have been provided to government entities within the last three (3) years. The client reference list must include:

- (A) name and address of client or employer;
- (B) name, title, e-mail address and telephone number of client or employer contact; and
- (C) a description of services provided and the length of time services have been provided to that client or employer.

The Authority reserves the right to contact individuals and organizations that have had dealings with the Respondent whether or not identified as a reference in the Response.

(c) It is the policy of the Authority to make a good faith effort to include participation of Historically Underutilized Business (“HUB”) certified firms in its contracts. A HUB is a for-profit business that meets the requirements of Tex. Gov’t Code §2161.001(2). *Responses should provide a statement as to whether the firm is currently certified as a HUB pursuant to Tex. Gov’t Code §2161.061 and 34 TAC Chapter 20, Subchapter D, and, if applicable, attach a copy of your current HUB certificate to your response.* You may also attach any other similar certificate(s) issued by a jurisdiction other than the State of Texas. (For further information on the State's HUB program, please refer to <https://comptroller.texas.gov/purchasing/vendor/hub/>.)

2.3 **ATTACHMENT A, HUB SUBCONTRACTING PLAN:** In accordance with the Texas Government Code, Sections 2161.181-182 and 1232.124, as well as Title 34, Chapter 20, Subchapter B, §20.10-§20.28 of the Texas Administrative Code (TAC), the Texas Public Finance Authority (TPFA) shall make a good faith effort to utilize Historically Underutilized Businesses (HUBs), including in professional and consulting services. The purpose of the HUB Program is to promote full and equal business opportunities for all businesses in State contracting in accordance with the following HUB utilization goals as specified in 34 TAC § 20.13:

- 11.2% for heavy construction other than building contracts,
- 21.1% for all building construction,
- 32.9% for all special trade construction contracts,
- 23.7% for professional services contracts,
- 26.0% for all other services contracts, and
- 21.1% for commodities contracts.

As mandated by 34 TAC § 20.14, Respondents must submit an Attachment A, HUB Subcontracting Plan that identifies all subcontracting items and complies with good faith effort requirements outlined in Attachment A, HUB Subcontracting Plan and in accordance with the Comptroller of Public Accounts HUB rules 34 TAC §20.14 (d)(1)(D)(iii).

2.3.1 Pursuant to TGC § 2161.252(B), the Texas Public Finance Authority shall reject any response that does not include a fully completed Attachment A, HUB Subcontracting Plan. An incomplete Attachment A, HUB Subcontracting Plan is considered a material failure to comply with the solicitation

requirements.

2.3.2 Attachment A, HUB Subcontracting Plan, shall become a provision of the contract between the awarded Respondent and TPFA. The awarded Respondent can only change Attachment A, HUB Subcontracting Plan if (a) the Respondent complies with 34 TAC Section 20.14; (b) the Respondent provides its proposed changes to TPFA for review;

(c) TPFA approves the Respondent's proposed changes to its Attachment A, HUB Subcontracting Plan; and (d) TPFA and the Respondent amends their contract by submitting a revised Attachment A, HUB Subcontracting Plan containing the changes approved by TPFA.

2.3.3 If TPFA determines that the Respondent failed to implement the HUB subcontracting plan in good faith, TPFA, in addition to any other remedies, may report nonperformance to the Texas Comptroller in accordance with 34 TAC, Section 20.14(g)(5).

2.3.4 If Respondent selects HUB Subcontracting to provide services under this solicitation, Respondent must complete the HUB Subcontracting Plan (HSP) form located at: <https://comptroller.texas.gov/purchasing/vendor/hub/forms.php>.

TPFA has selected the following Class and Item: **918-75 – Management Consulting**

HUB vendors can be found by searching the State's Centralized Master Bidders List (CMBL), found at <https://mycpa.cpa.state.tx.us/tpasscmbsearch/index.jsp>

For assistance in completing the HSP, Respondent may visit the following website: <https://comptroller.texas.gov/purchasing/vendor/hub/>.

2.4. **ATTACHMENT B, EXECUTION OF SUBMITTAL.** Failure to sign and return Attachment B, Execution of Submittal shall result in rejection of a response.

2.5. **RECEIPT OF ADDENDA.** Addenda to this RFQ should be acknowledged by returning a signed copy of each addendum signature page with the response. Any amendment to this procurement solicitation will be posted as an addendum on the Electronic State Business Daily (ESBD). It is the responsibility of interested parties to periodically check the ESBD for updates to the solicitation prior to solicitation submittal. Respondent's failure to periodically check the ESBD will in no way release the Successful Respondent from "addenda or additional information" resulting in additional costs to meet the requirements of the RFQ.

2.6. **SUBMISSION DEADLINES AND RESTRICTIONS.**

(a) Submittals shall be received at TPFA by 3:00 PM on November 3, 2025, per Section 1.6, Schedule of Events. TPFA reserves the right to accept late submittals, however, no submittals shall be accepted once the submittal opening process has begun.

(b) TPFA will not consider any submittal that bears a copyright. As a state agency, TPFA will strictly adhere to the requirements of Chapter 552 of the Texas Government Code (the "Texas Public Information Act") regarding the disclosure of public information. As a result, by participating in this solicitation process Respondent acknowledges that all information, documentation, and other materials submitted in response to this solicitation may be subject to public disclosure under the Texas Public Information Act. TPFA does not have authority to agree that any information submitted will not be



subject to disclosure. Disclosure is governed by the Texas Public Information Act. Respondents are advised to consult with their legal counsel concerning disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. TPFA assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Respondents. If it is necessary for Respondent to include trade secrets or proprietary or otherwise confidential information in its submittal, Respondent must clearly mark in bold red letters the term “**CONFIDENTIAL**” using at least **14-point font**, on that specific part or page of the submittal which Respondent believes to be confidential. All submittals and parts of submittals that are not marked confidential will be automatically considered to be public information. If TPFA receives a public information request seeking information marked by Respondent as confidential, Respondent will receive notice of the request as required by the Texas Public Information Act. If TPFA receives a public information request for submittals and parts of submittals that are not marked confidential, the information will be disclosed to the public as required by the Texas Public Information Act.

## **2.7 DELIVERY OF SUBMITTALS.**

(a) Submittals shall be uploaded via email as described in Attachment C – Submittal Instructions by 3:00 PM on the date specified in the Schedule of Events above.

(b) Respondents encountering difficulties with their email submission should contact support using the contact information within Attachment C – Submittal Instructions. If unable to submit the documents via email, contact the Authority via email to Lee Deviney at the following email address: [Lee.Deviney@tpfa.texas.gov](mailto:Lee.Deviney@tpfa.texas.gov), with a “CC” to [RFQ@tpfa.texas.gov](mailto:RFQ@tpfa.texas.gov), prior to the deadline to make alternate arrangements. Failure to contact the Authority, in the manner described above, prior to the deadline will result in deeming the submittal non-responsive or late.

2.8. **RECEIPT OF SUBMITTALS.** Submittals will be received until the date and time established for receipt, then opened. Only the names of the respondents will be made public. Telephone, fax, and physical hard-copy submittals are not acceptable. All submittals shall become the property of the State of Texas after the deadline/opening date. A submittal shall constitute an offer for a period of ninety (90) days or until selection is made by TPFA. TPFA reserves the right to waive non-material errors in a submission.

## **2.9. INQUIRIES.**

(a) All inquiries submitted by email shall be to Lee Deviney at the following email address: [Lee.Deviney@tpfa.texas.gov](mailto:Lee.Deviney@tpfa.texas.gov), with a “CC” to [RFQ@tpfa.texas.gov](mailto:RFQ@tpfa.texas.gov). All inquiries will result in written responses with copies posted to the Electronic State Business Daily at: <http://www.txsmartbuy.com/esbd>. If respondents do not have Internet access, copies may be obtained through the point of contact listed above.

(b) Upon issuance of this RFQ, beside written inquiries as described above, other employees and representatives of TPFA and the using agency will not answer questions or otherwise discuss the contents of the RFQ with any potential consultant’s representatives. This restriction does not preclude discussions with TPFA for the purpose of conducting business unrelated to this submittal. Failure to observe this restriction may be grounds for disqualification.

## **SECTION III. EVALUATION AND AWARD.**

### **3.1. EVALUATION.**

(a) An evaluation committee made up of TPFA employees will be established to evaluate the submittals. By submitting qualifications in response to this RFQ, Respondent accepts the solicitation and evaluation process and acknowledges and accepts that the evaluation of the submittals will involve subjective judgments by the evaluation committee. The evaluation committee will evaluate each submittal based solely on relevant qualifications. The qualifications criteria used to evaluate responses is as follows:

(i) demonstrated qualifications and relevant experience of the firm performing the consulting services requested in the RFQ, including the firm's prior experience in evaluating the efficiency and effectiveness of key agency functions that are dependent upon specialized data input, retention, and retrieval, and then planning and implementing such enhancements to key operational functions, as more fully described in Section 2.2(b) above;

(ii) the names and qualifications/expertise of assigned personnel, including technical, project/program management, personnel management, education, prior relevant executive, management or command positions held;

(iii) References

(b) The evaluation committee will determine if interviews/discussions are necessary. Award of the Contract may be made without interviews/discussions, at the sole discretion of TPFA. The evaluation committee may determine that discussions are necessary to clarify or verify a written submittal. TPFA may, at its discretion, elect to have Respondents participate in interviews, which will be factored into the evaluation of each Respondent.

(c) In evaluating submittals to determine demonstrated competence to perform the consulting services requested, TPFA may consider information related to past contract performance of a Respondent including, but not limited to, the Vendor Performance Tracking System (available at <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>). Prior work performance with TPFA, or any other State agency or other governmental entity may also be incorporated into the evaluation.

### 3.2 **EVALUATION AND AWARD:**

(a) It is the intent of TPFA to award a contract to the respondent whose qualifications are considered to be 'most qualified' for the services solicited in this RFQ.

(b) An evaluation committee will be established to evaluate the submittals. The committee will include employees of TPFA and may include other impartial individuals who are not TPFA employees. By submitting qualifications in response to this RFQ, the respondent accepts the solicitation and evaluation process and acknowledges and accepts that scoring of the submittals may involve some subjective judgments by the evaluation committee.

(c) The evaluation committee will evaluate each submittal based on the aforementioned criteria.

(d) The evaluation committee will determine if interviews/discussions are necessary. Award of a contract may be made without interviews/discussions if in the best interest of the State. The evaluation committee may determine that discussions are necessary to clarify or verify a written submittal. TPFA may, at its discretion, elect to have respondents provide oral presentations/interviews of their submittal. The following will be expected during an interview:

- A short presentation detailing firm history and projects relevant to the services requested, and confirmation of information presented in the submittal.

- Attendance by team members assigned to the project to represent themselves as to their relative experience and proposed involvement in the project. Representation by the Respondent is essential in this interview.

- An agenda for the interview will be provided by TPFA requiring an elaboration of Respondent's relevant experience and qualifications.

(e) Giving priority in order of the ranking determined by the evaluation, TPFA may undertake to negotiate a consulting agreement with the most qualified firm, in order to achieve the best value for the State. If the agreement cannot be executed, the negotiations will be terminated and TPFA will attempt to negotiate an agreement with the next firm in order of qualification until an agreement is reached or the list is exhausted, upon which the solicitation will be cancelled and may be re-issued.

(f) **Post-Submittal Requirements**

- Standard business insurance coverage which may include requirements related to cyber-security coverage, as may be required by the contract.
- Execution of an appropriate consulting services contract.

4. **RIGHT TO AUDIT**: Vendor understands that acceptance of funds under this contract acts as acceptance of the authority of the State Auditor's Office, TPFA or any successor agency, to conduct an audit or investigation in connection with those funds. Vendor further agrees to cooperate fully with the above parties in the conduct of the audit or investigation, including providing all records requested. Vendor shall ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through the vendor and the requirement to cooperate is included in any subcontract it awards.

5. **PUBLIC DISCLOSURE**: No public disclosures or news releases pertaining to this contract shall be made without prior written approval of TPFA.

6. **ORDER PRECEDENCE**: In the event of conflicts or inconsistencies between a contract resulting from this RFQ and that contract's exhibits or attachments, such conflicts or inconsistencies shall be resolved by reference to the documents in the following order of priority:

1. Amendments to the Contract (or Notice of Award),
2. Signed Contract (or Notice of Award),
3. Request for Qualifications, and
4. Respondent's Response to Request for Qualifications.

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**ATTACHMENT A**

**HUB SUBCONTRACTING PLAN**

(Posted to the ESBD)

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## **ATTACHMENT B**

### **EXECUTION OF SUBMITTAL**

#### **Execution of Submittal and Respondent's Preferences, Affirmations, and Solicitation Acceptance**

In this document, when referring to the following preferences, affirmations, and solicitation acceptance (whether framed as certifications, representations, warranties, or in other terms), the term “**Respondent**” shall mean any or any combination of the following as may be applicable to this Solicitation: Bidder, Respondent, Applicant, Vendor, Contractor, or Grantee. Also, the following terms have the associated meanings:

- a. “**Solicitation**” shall include all of the following: Invitation for Bids, Request for Proposals, Request for Offers, Request for Qualifications, Request for Applications, or Pricing Requests.
- b. “**Solicitation Response**” shall mean any bid, proposal, offer, application, or responsive documentation submitted in response to this Solicitation.
- c. “**Affirmation**” or “**Affirmations**” shall mean this Execution of Submittal and Respondent's Preferences, Affirmations, and Solicitation Acceptance document.
- d. “**TPFA**” shall mean the Texas Public Finance Authority that will be the party to any contract that may result from this Solicitation and the officers, employees, authorized representatives, and designees of the TPFA.

The headings used below are for convenience and reference only and shall not affect the interpretation or construction of this document.

#### **1. Respondent's Preference(s)**

To claim a preference under Title 34 of the Texas Administrative Code §§ 20.306 or 20.307, or Chapter 2155, Subchapter H, of the Texas Government Code, the Respondent must mark the appropriate box(es) below and provide sufficient documentation to demonstrate that the Respondent qualifies for the preference. If the appropriate box is not marked, a preference will not be granted, unless the Respondent requests the preference in other documents included in the Response which demonstrates that the Respondent qualifies for the preference. The Respondent represents and warrants that it qualifies for all preferences claimed below: *(check all applicable boxes, if any)*

- ☐ Goods produced or offered by a Texas Bidder that are owned by a Texas resident service-disabled veteran
- ☐ Goods produced in Texas or offered by a Texas Bidder that are not owned by a Texas resident service-disabled veteran
- ☐ Agricultural products grown in Texas
- ☐ Agricultural products offered by a Texas Bidder
- ☐ Services offered by a Texas Bidder that is owned by a Texas resident service-disabled veteran
- ☐ Services offered by a Texas Bidder that is not owned by a Texas resident service-disabled veteran

- ☐ Texas vegetation native to the region
- ☐ USA produced supplies, materials, or equipment
- ☐ Products of persons with intellectual or physical disabilities
- ☐ Products made of recycled, remanufactured, or environmentally sensitive materials including recycled steel
- ☐ Energy Efficient Products
- ☐ Rubberized asphalt paving material
- ☐ Recycled motor oil and lubricants
- ☐ Products produced at facilities located on formerly contaminated property
- ☐ Products and services from economically depressed or blighted areas
- ☐ Vendors that meet or exceed air quality standards
- ☐ Paper containing recycled fibers
- ☐ Recycled or reused computer equipment of other manufacturers
- ☐ Foods of higher nutritional value
- ☐ Commercial production company or advertising agency located in Texas
- ☐ Travel agents residing in Texas

## 2. Respondent's Affirmations and Solicitation Acceptance

These Affirmations apply to all Respondents regardless of their business form (e.g., individual, sole proprietorship, partnership, limited liability company, corporation, nonprofit organization, or governmental entity).

The Respondent must provide information, as applicable, and affirms, without exception, as follows:

- 2.1. **Addenda and Amendments to Solicitation.** Respondent acknowledges receipt of all addenda and amendments to this Solicitation posted to the Texas Electronic State Business Daily website, if any.
- 2.2. **Antitrust.** The undersigned affirms under penalty of perjury of the laws of the State of Texas that (a) in connection with the Solicitation Response, neither I nor any representative of the Respondent has violated any provision of the Texas Free Enterprise and Antitrust Act, Chapter 15 of the Texas Business and Commerce Code; (b) in connection with the Solicitation Response, neither I nor any representative of the Respondent has violated any federal antitrust law; and (c) neither I nor any representative of the Respondent has directly or indirectly communicated any of the contents of the Solicitation Response to a competitor of the Respondent or any other company, corporation, firm, partnership or individual engaged in the same line of business as the Respondent.
- 2.3. **Artificial Intelligence Disclosure.** Respondent certifies that it will disclose each artificial intelligence system it may use to complete any deliverable or a portion of any deliverable under any contract that may result from this Solicitation. "Artificial intelligence system" means a machine-based system that for explicit or implicit objectives infers from provided information a method to generate outputs, such as predictions, content, recommendations, or decisions, to influence a physical or virtual environment with varying levels of autonomy and adaptiveness after deployment. Respondent promises not to use an artificial intelligence system to perform any part of any contract that may result from this Solicitation without the prior written consent of the TPFA.
- 2.4. **Binding Offer.** Respondent represents and warrants that its prices include all costs of Respondent to provide the requested goods, products, and/or services that meet all specifications of this Solicitation, and that the Solicitation Response and prices will remain firm and binding for acceptance for a minimum of 120 days from the date the Solicitation Response due.

- 2.5. **Buy Texas (Service Contracts).** Respondent agrees to comply with Section 2155.4441 of the Texas Government Code, requiring the purchase of products and materials produced in the State of Texas in performing service contracts that may result from this Solicitation.
- 2.6. **Child Support Obligation.** “Under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.” Furthermore, any Respondent subject to Section 231.006 of the Texas Family Code must include in the Solicitation Response the names of each person with at least 25% ownership of the business entity submitting the Response. If selected for award, Respondent shall provide TPFA the Social Security number(s) of the individual(s) listed below.

Firm Owner(s), Partners, Sole Proprietors, Share Holder(s) of  
twenty-five percent (25%) interest or more:

Name: _____	Name: _____
Name: _____	Name: _____

**FEDERAL PRIVACY ACT NOTICE:** This notice is given pursuant to the Federal Privacy Act. If selected for award, disclosure of your Social Security Number (SSN) is required under Section 231.006(c) and Section 231.302(c)(2) of the Texas Family Code. The Social Security number will be used to identify persons that may owe child support and will be kept confidential to the fullest extent allowed under Section 231.302(e) of the Texas Family Code.

The Respondent further acknowledges and agrees that if the Respondent is subject to Section 231.006 of the Texas Family Code, the Respondent shall notify TPFA and, upon request by TPFA, shall promptly submit the complete SSNs for each person identified above *via separate*, secure transmission prior to evaluation of the Solicitation responses.

**RESPONDENT SHALL NOT SUBMIT COMPLETE SSNs WITH ITS SOLICITATION RESPONSE VIA EMAIL.** Failure by Respondent to encrypt the subsequent, separate email containing complete SSNs as required may result in disqualification of the Respondent’s Solicitation Response.

- 2.7. **Cloud Computing State Risk and Authorization Management Program (TX-RAMP).** In accordance with Section 2054.0593(d)-(f) of the Texas Government Code, relating to cloud computing state risk and authorization management program, Respondent represents and warrants that it complies with the requirements of the state risk and authorization management program and Respondent agrees that throughout the term of any contract that may result from this Solicitation it shall maintain its certifications and comply with the program requirements in the performance of any contract that may result from this Solicitation.
- 2.8. **Complete and Accurate Information.** Respondent represents and warrants that all statements and information provided to TPFA are current, complete, and accurate. This includes all statements and information in the Respondent’s Solicitation Response.
- 2.9. **Computer Equipment Recycling Program.** If Respondent is submitting a Solicitation Response for the purchase or lease of computer equipment, then Respondent certifies that it is in compliance with Subchapter Y, Chapter 361 of the Texas Health and Safety Code related to the Computer Equipment Recycling Program and the Texas Commission on Environmental Quality rules in Title 30 of the Texas Administrative Code Chapter 328.

- 2.10. **Confidential or Proprietary Information.** Respondent acknowledges its sole obligation to specifically identify information it contends to be confidential or proprietary and, if Respondent designated substantial portions of its Solicitation Response or its entire Solicitation Response as confidential or proprietary, the Solicitation Response is subject to being disqualified by TPFA at its sole and absolute discretion.
- 2.11. **Contracting Information Requirements (\$1 Million or Greater in Public Funds).** Respondent represents and warrants that it will comply with the requirements of Section 552.372(a) of the Texas Government Code. Except as provided by Section 552.374(c) of the Texas Government Code, the requirements of Subchapter J, Chapter 552 of the Government Code, may apply to any contract that may result from this Solicitation and the Respondent agrees that any contract that may result from this Solicitation can be terminated if the Respondent knowingly or intentionally fails to comply with a requirement of that subchapter.
- 2.12. **COVID-19 Vaccine Passports.** Respondent certifies that it does not require its customers to provide any documentation certifying the customer's COVID-19 vaccination or post-transmission recovery on entry to, to gain access to, or to receive service from the Respondent's business. Respondent acknowledges that such a vaccine or recovery requirement would make Respondent ineligible for any state-funded contract that may result from this Solicitation.
- 2.13. **Critical Infrastructure.** In accordance with Section 2275.0102 of the Texas Government Code, Respondent certifies that neither it nor its parent company, nor any affiliate of Respondent or its parent company, is: (1) majority owned or controlled by citizens or governmental entities of China, Iran, North Korea, Russia, or any other country designated by the Governor under Government Code Section 2275.0103, or (2) headquartered in any of those countries.
- 2.14. **Cybersecurity Training.** If Respondent will have access to any state computer system or database under any contract that may result from this Solicitation, Respondent shall complete cybersecurity training and verify completion of the training program to TPFA during the term of any contract that may result from this Solicitation and during any renewal period pursuant to and in accordance with Section 2054.5192 of the Government Code.
- 2.15. **Data Management and Security Controls.** In accordance with Section 2054.138 of the Texas Government Code, Respondent certifies that it will comply with the security controls required under any contract that may result from this Solicitation and will maintain records and make them available to TPFA as evidence of Respondent's compliance with the required controls.
- 2.16. **Dealings with Public Servants.** In accordance with Section 2155.003 of the Texas Government Code, Respondent represents and warrants that it 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 the submitted Solicitation Response or any contract that may result from this Solicitation.
- 2.17. **Debts and Delinquencies.** Respondent agrees that any payments due under any contract that may result from this Solicitation shall be applied towards any debt or delinquency that is owed to the State of Texas.
- 2.18. **Disaster Recovery Plan.** Respondent agrees that upon request of TPFA, Respondent shall provide the descriptions of its business continuity and disaster recovery plans.
- 2.19. **Disclosure of Prior State Employment (Consulting Services).** If this Solicitation is for consulting services,
- A. 2254.033 of the Texas Government Code, a Respondent offering to provide consulting services in response to this Solicitation who has been employed by, or employs an



individual who has been employed by, TPFA or another State of Texas agency at any time during the two years preceding the submission of Respondent's Solicitation Response must disclose the information below in its Solicitation Response and hereby certifies that this information is true, correct, and complete: *(if additional space is needed attach a separate page or pages to this document)*

Name of individual(s): <i>(Respondent or employee(s))</i>	
Status: <i>(check one)</i>	<input type="checkbox"/> Respondent <input type="checkbox"/> Employee(s)
The nature of the previous employment with TPFA or the other State of Texas agency:	
The date the employment was terminated and the reason for the termination:	
The annual rate of compensation for the employment at the time of its termination:	

If more than one individual is identified in above, Respondent must provide responses to each of the questions above for each identified individual. To satisfy this requirement, Respondent must attach a separate page or pages to this document, as necessary, and include the information required set forth above. Respondent acknowledges, agrees, and certifies that all information provided above or attached in a separate page or pages is true, correct, and complete on this and all attached pages.

- B. If no information is provided above in response to this Subsection, Respondent certifies that neither Respondent nor any individual employed by Respondent was employed by TPFA or any other State of Texas agency at any time during the two years preceding the submission of Respondent's Solicitation Response.

- 2.20. **Entities that Boycott Energy Companies.** If Respondent is required to make a verification pursuant to Section 2276.002 of the Texas Government Code, Respondent verifies that Respondent does not boycott energy companies and will not boycott energy companies during the term of any contract that may result from this Solicitation. If Respondent does not make that verification, Respondent must state below why the verification is not required: *(if additional space is needed attach a separate page or pages to this document)*

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- 2.21. **Entities that Boycott Israel.** If Respondent is required to make a certification pursuant to Section 2271.001 of the Texas Government Code, Respondent certifies that Respondent does not boycott Israel and will not boycott Israel during the term of any contract that may result from this Solicitation. If Respondent does not make that certification, Respondent, Respondent must state below why the certification is not required: *(if additional space is needed attach a separate page or pages to this document)*

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- 2.22. **Entities that Discriminate Against Firearm Entities and Trade Associations.** If Respondent is required to make a verification pursuant to Section 2274.002 of the Texas Government Code (relating to prohibition on contracts with companies that discriminate against firearm and ammunition industries), Respondent verifies that it (1) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and (2) will not discriminate during the term of any contract that may result from this Solicitation against a firearm entity or firearm trade association. If Respondent does not make that verification, Respondent must state below why the verification is not required: *(if additional space is needed attach a separate page or pages to this document)*

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- 2.23. **E-Verify Program.** Respondent certifies that it utilizes and will continue to utilize the U.S. Department of Homeland Security's E-Verify system to determine the eligibility of:

1. all persons employed by Contractor to perform duties within Texas; and
2. all persons, including subcontractors, assigned by Contractor to perform work pursuant to any contract that may result from this Solicitation within the United States of America.

- 2.24. **Excluded Parties.** Respondent certifies that it is not listed in the prohibited vendors list authorized by Executive Order 13224, "*Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism*," published by the United States Department of the Treasury, Office of Foreign Assets Control.

- 2.25. **Executive Head of a State Agency.** In accordance with Section 669.003 of the Texas Government Code, Respondent certifies that it does not employ, or has disclosed its employment of, any former executive head of the Agency. If Respondent does employ a person who was the executive head of TPFA and cannot make that certification, Respondent must provide the following information:

Name of Former TPFA Executive:	
Date of Separation from TPFA:	
Date of Employment with TPFA:	

- 2.26. **False Representation.** Respondent understands, acknowledges, and agrees that any false representation or any failure to comply with a representation, warranty, or certification made by Respondent is subject to all civil and criminal consequences provided at law or in equity including, but not limited to, immediate termination of any contract that may result from this Solicitation.
- 2.27. **False Statements.** Respondent represents and warrants that all statements and information prepared and submitted in its Solicitation Response are current, complete, true, and accurate. Submitting a Solicitation Response with a false statement or material misrepresentations made during the performance of a contract is a material breach of contract and may void the submitted Solicitation Response and any contract that may result from this Solicitation.
- 2.28. **Financial Participation Prohibited.** “Under Section 2155.004, Government Code, the vendor certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.” Section 2155.004 prohibits a state agency from accepting a bid from or awarding a contract to an individual or business entity that includes proposed financial participation by a person who received compensation from the agency to participate in preparing the specifications or request for proposals on which the bid or contract is based.
- 2.29. **Foreign Terrorist Organizations.** Respondent represents and warrants that it is not engaged in business with Iran, Sudan, or a foreign terrorist organization, as prohibited by Section 2252.152 of the Texas Government Code. Section 2252.152 prohibits a state agency from entering into a contract with a business entity that is identified on a list prepared and maintained by the Texas Comptroller of Public Accounts and the Texas Pension Review Board. Additionally, Respondent represents and warrants that all goods or products that may be provided under any contract that may result from this Solicitation were not produced in or exported from the Gaza Strip, and from any organization or state actor with ties to Hamas.
- 2.30. **Former Agency Employees (Certain Contracts).** If this Solicitation is for an employment contract, a professional services contract under Chapter 2254 of the Texas Government Code, or a consulting services contract under Chapter 2254 of the Texas Government Code, Respondent represents and warrants that none of its employees including, but not limited to, those authorized to provide services under any contract that may result from this Solicitation, were former employees of TPFA during the twelve (12) month period immediately prior to the date of execution of any contract that may result from this Solicitation.
- 2.31. **Executive Order No. GA-48: Foreign Adversaries Certification** Respondent certifies that neither it, nor any of its holding companies or subsidiaries, is:
- (a) Listed in Section 889 of the 2019 National Defense Authorization Act;
  - (b) Listed in Section 1260H of the 2021 National Defense Authorization Act;
  - (c) Owned by the government of a country on the U.S. Department of Commerce’s foreign adversaries list under 15 C.F.R Section 791.4; or
  - (d) Controlled by any governing or regulatory body located in a country on the U.S. Department of Commerce’s foreign adversaries list under 15 C.F.R Section 791.4.
- 2.32. **Human Trafficking Prohibition.** “Under Section 2155.0061, Government Code, the vendor certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.” Section 2155.0061 prohibits a state agency from accepting a bid from or awarding a contract to an individual or business entity that includes proposed financial participation by a person who, during the five-year period preceding the date of the bid or award, has been convicted of any offense related to the direct support or promotion of human trafficking.

- 2.33. **Legal and Regulatory Actions.** Respondent represents and warrants that it is not aware of and has received no notice of any court or governmental agency actions, proceedings or investigations, or other action pending or threatened against Respondent or any of the individuals or entities included in **Subsection 2.34** of this Affirmations and Solicitation Acceptance within the five calendar years immediately preceding the submission of the Solicitation Response that would or could impair Respondent's performance under any contract that may result from this Solicitation, relate to the contracted or similar goods, products, or services, or otherwise be relevant to TPFA's consideration of the Solicitation Response. If Respondent is unable to make the preceding representation and warranty, then Respondent must provide below a complete disclosure of any such court or governmental agency actions, proceedings or investigations, or other action that would or could impair Respondent's performance under any contract that may result from this Solicitation, relate to the contracted or similar goods, products, or services, or otherwise be relevant to TPFA's consideration of the Solicitation Response: *(if additional space is needed attach a separate page or pages to this document)*

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- 2.34. **No Conflicts of Interest.** Respondent represents and warrants that the provision of goods, products, and services or other performance under any contract that may result from this Solicitation will not constitute an actual or potential conflict of interest or reasonably create an appearance of impropriety in accordance with Sections 2252.908, 2254.032, and 2261.252(b) of the Texas Government Code.

- 2.35. **No Felony Criminal Convictions.** Respondent represents that neither Respondent nor any of its employees, agents, or representatives, including any subcontractors and employees, agents, or representative of such subcontractors, have been convicted of a felony criminal offense, or that if such a conviction has occurred, Respondent must fully advise TPFA of the facts below and the circumstances surrounding the convictions: *(if additional space is needed attach a separate page or pages to this document)*

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- 2.36. **Parties to the Affirmations and Acceptance.** Respondent represents and warrants that all certifications, representations, warranties, and other provisions in these Affirmations apply to Respondent and all of Respondent's principals, officers, directors, shareholders, partners, owners, agents, employees, subcontractors, independent contractors, and any other representatives who may provide services under, who have a financial interest in, or otherwise are interested in this Solicitation or any contract that may result from this Solicitation.

- 2.37. **Prior Disaster Relief Contract Violation.** "Under Section 2155.006 [and Section 2261.053], Government Code, the vendor [or contractor] certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate." Sections 2155.006 and 2261.053 prohibits a state agency from accepting a bid from or awarding a contract to an individual or business entity that includes proposed financial participation by a person who, during the five-year period preceding the date of the bid or award, has been convicted of violating a federal law in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of Hurricane Rita, Hurricane Katrina, or any other disaster occurring after September 24, 2005, or assessed a penalty in a federal civil or administrative enforcement action in connection with a contract awarded by the federal government for

relief, recovery, or reconstruction efforts as a result of Hurricane Rita, Hurricane Katrina, or any other disaster occurring after September 24, 2005.

- 2.38. **Public Information Act Copy.** Respondent understands, acknowledges, and agrees, that its Solicitation Response and any contract that may result from this Solicitation are subject to disclosure under the Texas Public Information Act (“**PIA**”), Texas Government Code Chapter 552, and may be disclosed to the public upon request or through posting on TPFA website (as required by Tex. Gov’t Code § 2261.253), the Legislative Budget Board’s (“**LBB**”) website (as required by Tex. Gov’t Code § 322.020), or as otherwise required by law. Respondent certifies that it:

- ☐ asserts that information provided in its Solicitation Response may be excepted from disclosure under the PIA, and Respondent, therefore, has also submitted a “Public Information Act Copy” as required under this Solicitation; or
- ☐ asserts that there is no information provided in its Solicitation Response that is excepted from disclosure under the PIA, and Respondent, therefore, has not submitted a “Public Information Act Copy.”

Respondent further acknowledges and agrees, that **if a box is not checked above** within this Subsection, its Solicitation Response including, but not limited to, all associated documents and information therein and any contract that may result from this Solicitation are deemed to contain no information that would be excepted from disclosure under the PIA.

- 2.39. **Release from Liability.** ***RESPONDENT GENERALLY RELEASES FROM LIABILITY AND WAIVES ALL CLAIMS AGAINST ANY PARTY PROVIDING INFORMATION ABOUT THE RESPONDENT AT THE REQUEST OF TPFA.***
- 2.40. **Signature Authority.** By submitting the Solicitation Response, Respondent represents and warrants that the individual submitting this document and the documents made part of the Solicitation Response is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract that may result from the submission of the Solicitation Response.
- 2.41. **Suspension and Debarment.** Respondent certifies that neither it nor its principals are debarred, suspended, proposed for debarment, declared ineligible, or otherwise excluded from participation in any contract that may result from this Solicitation by any federal or state agency.
- 2.42. **Surveillance, Intimidation, and Related Acts.** Respondent certifies that it (and its subcontractors) have not, and if awarded a contract, will not, either directly or indirectly through a third party, engage in surveillance targeting or engage in an act of intimidation, coercion, extortion, undue influence, or other similar conduct intended to influence, silence, or retaliate against:
- (1) a member of the Texas legislature or person employed to support the Texas legislature in any capacity;
  - (2) a state agency employee;
  - (3) a family member of a person described by either (1) or (2); or
  - (4) an individual making a complaint or raising concerns regarding state agency operations or contracting.

Respondent certifies that it and its subcontractors have not, and if awarded a contract will not, either directly or indirectly through a third party, use private or confidential information to manipulate or influence a state contracting decision or proceeding. Respondent acknowledges that it, its executives and directors, and other associated entities and individuals could be terminated, barred from state contracts, and penalized up to \$2 million for a violation of Government Code, Section 2261.302.

- 2.43. **Television Equipment Recycling Program.** If Respondent is submitting a Solicitation Response for the purchase or lease of covered television equipment, then Respondent certifies that it is compliance with Subchapter Z, Chapter 361 of the Texas Health and Safety Code related to the Television Equipment Recycling Program.
- 2.44. **Terms and Conditions.** Respondent accepts this Solicitation's terms and conditions unless specifically noted by exceptions advanced in the form and manner directed in this Solicitation and submitted with the Solicitation Response. No exceptions, terms, or conditions will be considered if not advanced in the form and manner directed in this Solicitation. Respondent acknowledges and agrees that any exceptions to this Solicitation as well as terms and conditions advanced by Respondent are rejected unless expressly accepted in writing by a document drafted, signed, and provided by TPFA.
- 2.45. **Texas Bidder.** Respondent certifies that if a Texas address is shown as the address of Respondent on the Solicitation Response, Respondent qualifies as a Texas Bidder as defined in Section 2155.444(c) of the Texas Government Code.
- 2.46. **TPFA Right to Use.** Respondent acknowledges and agrees that TPFA has the right to use, produce, and distribute copies of and to disclose to TPFA employees, agents, and contractors and other governmental entities all or part of Respondent's Solicitation Response as TPFA deems necessary to complete the procurement process or comply with federal or state laws.
- 2.47. **Fraud, Waste, or Abuse.** Respondent understands that TPFA does not tolerate any type of fraud. The Authority's policy is to promote consistent, legal, and ethical organizational behavior by assigning responsibilities and providing guidelines to enforce controls. Violations of law, agency policies, or standards of ethical conduct will be investigated, and appropriate actions will be taken. All employees or contractors who suspect fraud, waste or abuse (including employee misconduct that would constitute fraud, waste, or abuse) are required to immediately report the questionable activity to both the TPFA General Counsel and the State Auditor's Office at 1-800-TX-AUDIT(892-8438).
- 2.48. **Deceptive Trade Practices.** Unfair Business Practices: Respondent represents and warrants that it has not been the subject of allegations of Deceptive Trade Practices violations under Tex. Bus. & Com. Code, Chapter 17, or allegations of any unfair business practice in any administrative hearing or court suit and that Respondent has not been found to be liable for such practices in such proceedings. Respondent certifies that it has no officers who have served as officers of other entities who have been the subject of allegations of Deceptive Trade Practices violations or allegations of any unfair business practices in an administrative hearing or court suit and that such officers have not been found to be liable for such practices in such proceedings.
- 2.49. **Employment of Lobbyist.** Respondent represents and warrants that payments to Respondent and Respondent's receipt of appropriated or other funds under any contract resulting from this Solicitation are not prohibited by Sections 556.005, 556.0055, or 556.008 of the Texas Government Code (relating to use of appropriated money or state funds to employ or pay lobbyists, lobbying expenses, or influence legislation).
- 2.50. **Texas Corporate Franchise Tax Certification.** Respondent represents and warrants that it is not currently delinquent in the payment of any franchise taxes owed the State of Texas under Chapter 171 of the Texas Tax Code.
- 2.51. **Excess Obligations Prohibited.** Respondent understands that all obligations of TPFA under the contract are subject to the availability of state funds. If such funds are not appropriated or become unavailable, the contract may be terminated by TPFA.
- 2.52. **Damage to Government Property.** In the event of loss, destruction or damage to any TPFA or State of

Texas property by Respondent or Respondent's employees, agents, subcontractors, and suppliers, Respondent shall be liable to TPFA and the State of Texas the full cost of repair, reconstruction or replacement of the lost, destroyed or damaged property. Respondent will reimburse TPFA and the State of Texas for such property damage within ten (10) calendar days after Respondent's receipt of TPFA's notice of amount due.

- 2.53. **Change in Law and Compliance with Laws.** Respondent shall comply with all laws, regulations, requirements and guidelines applicable to a vendor providing services and products required by the contract to the State of Texas, as these laws, regulations, requirements and guidelines currently exist and as amended throughout the term of the contract. Agency reserves the right, in its sole discretion, to unilaterally amend the contract prior to award and throughout the term of the contract to incorporate any modifications necessary for Agency's compliance, as an agency of the State of Texas, with all applicable state and federal laws, regulations, requirements and guidelines.
- 2.54. **TPFA Data Safeguard Standards.** Respondent shall comply with TPFA's Data Safeguard Standards as specified in the contract.
- 2.55. **Further Action.** Having carefully reviewed the RFQ, and all other attachments, as well as the premises and conditions affecting the contemplated work; Respondent, if selected, hereby agrees to enter into negotiations with TPFA in order to execute a Consulting Services Contract.

### 3. Respondent's Execution of Response

The Respondent's authorized representative must complete and sign the following: *(if any of the following line-items are not applicable insert "n/a")*

Respondent's Legal Name: \_\_\_\_\_

Respondent's Assumed Name (d/b/a): \_\_\_\_\_

***(Respondent's must include copies of Assumed Name Certificate(s) filed with the Texas Secretary of State and/or each Texas County where Assumed Name Certificate(s) has been filed, if any, as part of its Solicitation Response)***

Respondent's Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Respondent's Mailing Address (if different): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Respondent's Telephone Number: \_\_\_\_\_

Respondent's Website: \_\_\_\_\_

Respondent's E-Mail Address: \_\_\_\_\_

Federal Employer Identification Number: \_\_\_\_\_

Texas Identification Number System ("TINS") Number: \_\_\_\_\_

Texas Franchise Tax Number: \_\_\_\_\_

Texas Secretary of State Filing Number: \_\_\_\_\_

Sam.gov Unique Entity Identifier ("UEI") Number: \_\_\_\_\_

By submitting its Solicitation Response and signing below, the Respondent is certifying compliance with the duties, obligations, and requirements of this Solicitation. The Respondent's authorized representative signing on the Respondent's behalf must have delegated authority to negotiate and bind the Respondent on all contractual matters related to this Solicitation, the Affirmations, and binds the Respondent to perform any contract that may result from this Solicitation, if awarded. The Respondent is advised that submitting its Solicitation Response with a false statement is a material breach of contract and will void the Respondent's submitted Solicitation Response and any contract resulting from this Solicitation, if any.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Authorized Representative (Print)

\_\_\_\_\_  
Title of Authorized Representative

**FAILURE TO SIGN AND RETURN THIS DOCUMENT WILL  
DISQUALIFY THE RESPONDENT'S SOLICITATION RESPONSE**



## ATTACHMENT C

### SUBMITTAL INSTRUCTIONS

All references to date and time submittals specified in this RFQ will be Central Standard Time. Responses are due no later than 3:00 PM on November 3, 2025, to be delivered to the Authority via email to Lee Deviney at the following email address: [Lee.Deviney@tpfa.texas.gov](mailto:Lee.Deviney@tpfa.texas.gov) with a "CC" to [RFQ@tpfa.texas.gov](mailto:RFQ@tpfa.texas.gov).

The electronic submission must be signed by an authorized representative of the Respondent and be in a searchable and unprotected format.

NOTE: The Respondent's current HUB certificate, if applicable, must be included in the Response.

Clearly mark the transmittal as "RESPONSE TO RFQ FOR MANAGEMENT CONSULTING SERVICES." All responses become the property of the Authority. Responses must set forth accurate and complete information as required by this RFQ. Oral instructions or offers will not be considered. **Contact with Board members regarding this RFQ is prohibited and will result in disqualification from consideration.**

Any questions regarding this RFQ should be submitted via email to Lee Deviney at the following email address: [Lee.Deviney@tpfa.texas.gov](mailto:Lee.Deviney@tpfa.texas.gov) with a "CC" to [RFQ@tpfa.texas.gov](mailto:RFQ@tpfa.texas.gov) by 12:00 PM (Noon) on October 13, 2025. Submitted questions and the Authority's responses will be posted on the Authority's website at <http://www.tpfa.texas.gov/rfp.aspx> and the ESD by 5:00 PM on October 17, 2025. Questions submitted after the submission deadline will not be answered. .

### **Requested Information**

Name	Type	# Files	Requirement
Package 1 - Required Documentation	File Type: PDF (.pdf)	Multiple	Required
Package 2 - HUB Documentation	File Type: PDF (.pdf)	Multiple	Required
Package 3 – Other Documentation	File Type: PDF (.pdf)	Multiple	Required

### **Commodity Codes**

Commodity Set	Commodity Code	Title
NIGP	918-75	Management Consulting