



LAGO VISTA INDEPENDENT SCHOOL DISTRICT

PO BOX 4929 • 8039 BAR-K RANCH RD. • LAGO VISTA, TX78645 • 512.267.8300

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

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

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

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

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

OFFICE USE ONLY

Date Received

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

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

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

Name of Officer

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

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

Yes No

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

Yes No

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

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

7

Signature of vendor doing business with the governmental entity

Date



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FELONY CONVICTION NOTIFICATION

Section 44.034 of the Texas Education Code, Notification of Criminal History,

Subsection (a), states, *“a person or business entity that enters into a contract with a school district must give advance notice to the District if the person or owner or operator of the business entity has been convicted of a felony.”* The notice must include a general description of the conduct resulting in the conviction of a felony.

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

Initial the appropriate option, then sign below:

1. My firm is a publicly-held corporation; therefore, this reporting requirement is not applicable: _____
2. My firm is not owned nor operated by anyone who has been convicted of a felony. _____
3. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony:

Name of Felon(s): _____

Details of Conviction(s): _____

Authorized Signature: _____ **Date:** _____



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CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification);
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Check the appropriate option: Option 1 Option 2

Authorized Signature: _____ **Date:** _____



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PROHIBITION ON LOBBYING OR SOLICITATION

The Lago Vista Independent School District prohibits lobbying, contacting or soliciting School District staff members or members of the Board of Trustees during the selection process. This does not include any attendance at any meeting scheduled by the School District such as a pre-bid conference, or any contact with the Superintendent or the Director of Finance for the purpose of obtaining clarification regarding any of the procedures or requirements. The School District reserves the right to disqualify any firm that violates this policy. The undersigned acknowledges the district policy and certifies that all employees, agents, consultants, or representatives of the representing firm have not or will not contact, solicit, or lobby School District staff members, members of the Board of Trustees regarding the above mention solicitation from the date of Board of Trustees authorization to solicit proposals through final action of this solicitation by the Board of Trustees.

Signature of Acknowledgement: _____ Date: _____



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INSTRUCTIONS FOR CERTIFICATION OF CRIMINAL HISTORY RECORD INFORMATION

Senate Bill 9, passed during the 80th Legislative Session, requires that all Texas public school districts receive certification from any entity with which it contracts to provide services that it has obtained a criminal history background check on all employees who:

- 1) have continuing duties related to contract services; and
- 2) have direct contact with students.

All entities and individuals who contract with the District to perform services must complete the attached GCCISD Certification of Criminal History Record Information. An additional instruction sheet is included to provide information on how to obtain the required criminal history from Texas Department of Public Safety.

Employees who are hired by an entity that contracts with a school district after January 1, 2008, must submit to national criminal history record information review which includes fingerprints and photographs before serving the district.

Employees hired before January 1, 2008, must have a criminal history background check obtained from either a law enforcement or criminal justice agency, or a private entity that is a consumer reporting agency governed by the Fair Credit Reporting Act.

The district may not allow any employee of the entity or an individual to serve at the district if information is obtained through this review that the employee has been convicted of one of the following:

1. A Title 5 felony offense
2. An offense requiring the individual to register as a sex offender
3. An offense under the laws of another state or federal law that is equivalent to a Title 5 offense.

At any time, a school district administrator, including a campus principal or designee, may request copies of the actual criminal background check or national criminal history record information review from the entity or individual who has contracted with the school district or may obtain from any law enforcement or criminal justice agency all criminal history record information that relates to an individual described above.

Please complete the Certification of Criminal History Record Information on previous page.

Instructions to School District Contractors Regarding Criminal History Background Searches Under Senate Bill 9

Senate Bill 9 directs school district contractors (i.e., Company) to obtain state and national criminal history background searches on their employees who will have direct contact with students, and to receive those results through the DPS criminal history clearinghouse (Fingerprint-based Applicant Clearinghouse of Texas - FACT). In order for contractors to receive the information through FACT, they must first establish an account with the DPS for FACT clearinghouse access. The Company owner must sign a user agreement with the DPS. To obtain the user agreement and more information, Company must contact:

Access and Dissemination Bureau
Texas Department of Public Safety
Crime Records Service
P.O. Box 149322
Austin, TX 78714-9322
Email: FACT@txdps.state.tx.us
Phone: (512) 424-5079

For fastest service, please email or call. State in the message that Company is a school district contractor and needs to have an account established for DPS FACT clearinghouse access. Please include:

Company Name
Company Address
Company Phone
Name of Company point of contact
Phone of Company point of contact
Company email to be used for notification of FACT records and messages

The information in the DPS FACT Clearinghouse is confidential, and access must be restricted to the least number of persons needed to review the records. The account must include at least one designated supervisor to make necessary changes and to monitor the site's security and the access to the criminal history data retrieved. Additional users must be limited to those who need to request, retrieve, or evaluate data regarding the individual applicants.

PLEASE NOTE: After the Company signs the DPS User Agreement for FACT, DPS will provide the company with a revised *FAST Fingerprint Pass* that Company will have to provide to its employees and applicants. Company's employees and applicants will use the *FAST Fingerprint Pass* when scheduling their FAST fingerprinting.



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CERTIFICATION OF CRIMINAL HISTORY RECORD INFORMATION

THIS FORM MUST BE COMPLETED BY ALL SERVICE PROVIDERS

SECTION 1	<p>Vendor: _____ (Name)</p> <p>_____ (Address/City/State/Zip) _____ (Phone)</p> <p>RFP/CSP/RFQ/Bid Number or Contract Dates (if applicable) _____</p> <p>Answer Yes or No:</p> <p>Will employees, including yourself, have continuing duties related to the proposal or contract named above or any other services performed at LVISD? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Until further guidance is received, LVISD considers "continuing duties" to mean repetitive work duties rather than a one-time appearance or engagement.</p> <p>Will those employees, including yourself, have direct contact with students? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Until further guidance is received, LVISD considers "direct contact" to mean services that may be performed independently from school district involvement. Direct contact can include change contact such as performing routine inspections or Maintenance; contact with groups of students during organized activities; or more obvious examples such as tutoring or therapy.</p> <p>If either question is answered "no", vendor should complete section 2 of this form.</p> <p>If answer to both questions is "yes", vendor should complete section 3 of this form.</p>
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SECTION 2	<p>I agree and understand employees of the company or individuals, including myself, who have not received the required criminal background check because the above description does not apply to them/myself will be considered visitors when on school campuses and must follow school district and campus policies related to visitors on school campuses.</p> <p>_____ Signature of Vendor</p> <p>_____ Date</p> <p>_____ Print Name</p>
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SECTION 3	<p>I, _____, certify that all employees, including myself, of the company that I own, operate, or manage, or myself as an independent contractor who have continuing duties related to the service to be performed on a LVISD campus and who also have direct contact with students have undergone the required criminal history background check or national criminal history record information review which may include fingerprint and photographs and that no prohibited contact as described herein was revealed.</p> <p>_____ Signature of Vendor</p> <p>_____ Date</p> <p>_____ Print Name</p>
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INSTRUCTIONS FOR COMPLETION OF FORM 1295

INTRODUCTION

LVISD is required to comply with House Bill 1295, which amended the Texas Government Code by adding Section 2252.908, Disclosure of Interested Parties. Section 2252.908 prohibits LVISD from entering into a contract resulting from any contract (CSP/RFP/RFQ or purchase order) with a business entity unless the business entity submits a Disclosure of Interested Parties (Form 1295) to the District at the time business entity submits the signed contract. The Texas Ethics Commission has adopted rules requiring the business entity to file form 1295 electronically with the Texas Ethics Commission (<https://www.ethics.state.tx.us/filinginfo/1295/>).

DEFINITIONS

In order to clarify some of the terms you'll find in this document, the following terms have been defined:

- **Business Entity** includes an entity through which business is conducted with a governmental entity or state agency, regardless of whether the entity is a for-profit or non-profit entity. The term does not include a governmental entity or state agency.
- **Contract** includes an amended, extended or renewed contract.
- **Controlling Interest** means: 1) an ownership interest or participating interest in a business by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent; 2) membership on the board of directors or other governing body of a business of which the board or other governing body is composed of not more than 10 members; or 3) service as an officer of a business that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers.
- **Interested Party** means a person who 1) has a controlling interest in a business entity with whom LVISD contracts; or 2) who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity.
- **Intermediary** for purposes of this rule, means, a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who: 1) receives compensation from the business entity for the person's participation; 2) communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and 3) is not an employee of the business entity.

WHO DOES THIS APPLY TO? (§46.1. APPLICATION)

- (a) This chapter applies to section 2252.908 of the Government Code.
- (b) Section 2252.908 of the Government Code applies only to a contract of a governmental entity or state agency entered into after December 31, 2015, that meets either of the following conditions: 1) The contract requires **an action or vote by the governing body of the entity or agency**; OR 2) The value of the contract is **at least \$1 million**.
- (c) A contract does not require an action or vote by the governing body of a governmental entity or state agency if: 1) The governing body has legal authority to delegate to its staff the authority to execute the contract; 2) The governing body has delegated to its staff the authority to execute the contract; and 3) The governing body does not participate in the selection of the business entity with which the contract is entered into.

WHAT TYPE OF CONTRACTS ARE EXEMPT FROM THE FORM 1295 FILING REQUIREMENT?

A completed Form 1295 is not required for:

- (a) a sponsored research contract of an institution of higher education;
- (b) an interagency contract of a state agency or an institution of higher education;
- (c) a contract related to health and human services if:
 - the value of the contract cannot be determined at the time the contract is executed; and
 - any qualified vendor is eligible for the contract;
- (d) a contract with a publicly traded business entity, including a wholly owned subsidiary of the business entity;
- (e) a contract with an electric utility, as that term is defined by Section 31.002, Utilities Code; or
- (f) a contract with a gas utility, as that term is defined by Section 121.001, Utilities Code.

FORM 1295 (§46.5. DISCLOSURE OF INTERESTED PARTIES FORM)

- (a) A disclosure of interested parties form required by section 2252.908 of the Government Code must be filed on an electronic form prescribed by the commission that contains the following: 1) The name of the business entity filing the form and the city, state, and country of the business entity's place of business; 2) The name of the governmental entity or state agency that is a party to the contract for which the form is being filed; 3) The name of each interested party and the city, state, and country of the place of business of each interested party; 4) The identification number used by the governmental entity or state agency to track or identify the contract for which the form is being filed and a short description of the goods or services used by the governmental entity or state agency provided under the contract; and 5) An indication of whether each interested party has a controlling interest in the business entity, is an intermediary in the contract for which the disclosure is being filed, or both.
- (b) The certification of filing and the completed disclosure of interested parties form generated by the commission's electronic filing application must be printed, signed by an authorized agent of the contracting business entity, and submitted to the governmental entity or state agency that is the party to the contract for which the form is being filed
- (c) A governmental entity or state agency that receives a completed disclosure of interested parties form and certification of filing shall notify the commission, in an electronic format prescribed by the commission, of the receipt of those documents not later than the 30th day after the date the contract for which the form was filed binds all parties to the contract.
- (d) The commission shall make each disclosure of interested parties form filed with the commission under section 2252.908(f) of the Government Code available to the public on the commission's Internet website not later than the seventh business day after the date the commission receives the notice required under subsection (c) of this section.