

# San Patricio County

## REQUEST FOR PROPOSALS

**Proposal Reference Number: RFP 2022-020**

**Project Title: San Patricio County 21<sup>st</sup> Century Industrial Growth Plan**  
**Proposal Closing Date: 4 :00 P.M. (CST), Thursday, September 08, 2022**

# San Patricio County 21st Century Industrial Growth Plan

June 30, 2022

## Introduction

The goal of the San Patricio County 21st Century Industrial Growth Plan (referred to as the Plan) is to plan for the future to ensure that land and resources within San Patricio County are utilized to their greatest potential, any compatibility issues are identified and minimized, socioeconomic effects are acknowledged and understood, and that all affected residents and entities have a voice in the economic development future of the County. This will be a county-wide planning effort and the study area will encompass the entirety of San Patricio County.

Future challenges for San Patricio County include encouraging orderly growth of residential, commercial, retail, and industrial developments, balancing conflicting interests in land use, maintaining clean air and water, improving traffic/rail safety and system efficiency and addressing infrastructure needs.

A comprehensive planning effort is to be undertaken in which the interests of governmental entities, businesses, residents and other affected stakeholders are fairly represented. Through the planning process the consultant must identify parcels most suitable for industrial purposes, recommend solutions for future infrastructure needs, identify traffic/rail patterns and update cities and county thoroughfare plans and identify possible financial incentives for developing industrial use areas.

## Project Scope

List of tasks:

- Project Management and Communications
- Task 1: Stakeholder Engagement and Outreach
- Task 2: Information Gathering and Analysis of Existing Conditions Link to existing GIS Maps [\[HERE\]](#)
- Task 3: Industrial Use Potential and Targeted Sites with Market Analysis
- Task 4: Plan Vision, Goals and Objectives
- Task 5: Land Use Scenario Modeling & Fiscal Impact Analysis
- Task 6: Recommendations and Implementation Plan
- Task 7: Final Report and Presentations

## Project Management

**Coordination.** Throughout the course of the project, the Consultant team will be responsible for general coordinating activities with the client, especially on-going and timely communications. These activities will include regular consultation with the Client's Project Manager and key staff identified by the client, preparing minutes for all project-related meetings, coordinating additional

informal meetings with stakeholders, participating in conference calls, and responding to requests for information. The Consultant is responsible for internal quality assurance/quality control procedures, identifying key work tasks that are delayed or are in need of specific actions, monitoring project budgets and schedules, and preparing invoices and monthly progress reports. After selection and initial meeting with the client, the Consultant team will submit a refined work plan and schedule at the onset of the project with key milestones and deliverables.

### **Task 1: Stakeholder Engagement and Outreach**

**Public Involvement Plan.** The consultant team will submit a public involvement plan after the kick-off meeting with all engagement milestones and outreach strategies. Engagement strategies can include public meetings, interviews, focus group discussions, surveys etc.

The consultant team must, at minimum engage with

- Tier 1: Steering committee composed of local elected leaders, and representatives from school districts.
- Tier 2: Technical stakeholders composed of EDCs, Chambers of Commerce, experts in the local industrial market, local industry representatives, industrial developers, brokers, workforce development partners, leadership staff from the cities, infrastructure and transportation representatives.
- Tier 3: Select members of the public who represent key development aspects of the County.

The public involvement plan, approved by the client, will identify how plan progress, updates and findings are periodically shared with various stakeholders.

**Outreach.** The public involvement plan must outline outreach strategies for each engagement milestone. Outreach strategies can include a dedicated project website, social media campaigns, project specific newsletters, press releases etc. In-person meetings of select groups impacted by the Plan implementation will also be proposed through discussions with the client.

**Hybrid In-person and Virtual Engagement:** The client recognizes that meetings, public engagement or events may need to be virtual due to the ongoing COVID-19 pandemic. The client is open to virtual options and has tried to leave this study activity broadly defined to allow Consultants an opportunity to propose their approaches and/or best practices.

**Project Initiation Meeting.** The Consultant Team will kick-off the project with an in-person project initiation meeting with the client to review the detailed work plan, desired outcomes, expectations, project budget and timetable.

**Tour.** The Consultant Team will propose to the client a series of meetings to conduct visits and one-on-one interviews with local business and Economic Development Corporations (EDCs) and others selected by the client.

**Virtual Summit.** The Consultant Team will convene a virtual summit after Task 3: Industrial Use Potential and Targeted Sites with Supply and Demand/Market Analysis. The purpose of this

summit is to invite client selected stakeholders from Tiers 1,2, and 3 to provide input on findings from previous tasks and input on direction for future scenarios and recommendations based on this.

## **Task 2: Information Gathering and Analysis of Existing Conditions**

**Past Plan Review.** The analysis will consider and be informed by the prior relevant plans and studies completed that are applicable to the region, the county and its cities.

The Corpus Christi MPO and San Patricio County EDC may assist in collecting the following preliminary list of items for the consultant team to integrate into the existing conditions information of the Plan. See the current Plan study maps [\[HERE\]](#). The initial topics are:

- San Patricio County EDC's Large Industrial Sites and supporting county development and demographic information
- The 2021 CBCOG's 2021-2026 Comprehensive Economic Development Strategy (CEDS) Plan for the 11-county area of the Coastal Bend
- GLO Economic Development Strategy and Diversification Strategy, May 2021
- Existing land areas containing habitats or species that are of concern to TCEQ
- Areas prone to flooding (50 and/or 100-year floodplains)
- City boundaries and the ETJs within the County
- School district boundaries and development plans
- City's Comprehensive, Thoroughfares and Development Plans
- Transportation Infrastructure Plans by the Corpus Christi MPO, TxDOT, City's CIP lists for transportation systems, State Freight and Ports Plans
- Location of major utilities including water, wind, gas, electricity, wastewater, pipelines, etc.

**Existing conditions.** The analysis must use effective GIS and infographics to visually represent the existing data above and as an analysis tool for the data listed below:

- Demographic and socio-economic profile
- Inventory of regional transportation assets including roadway, rail, water and air transportation.
- Review of electricity, water supply, and broadband access
- Analysis of existing housing stock
- Identification of environment considerations
- Workforce and education assets
- Water and Sewer Capacity for each City located in the County, if applicable.

**San Patricio County Industrial Inventory.** Create an inventory of the county's industrial activity. The section should include a thorough study on:

- **Employment:** Evaluate employment, output, and wages across sectors with a connection to industrial development.
- **Industrial Real Estate:** Summarize growth dynamics for industrial real estate development since 2010, factoring trends across absorption of space, land values, rents,

and parcel sizes, aligning changes in jobs/output by industry with changes in industrial real estate.

- **Global Trends:** Summarize economic expectations for the next 5-10 years across key end markets, with identification of North American demand drivers that will shape economic opportunities across the Coastal Bend. Possible trends related to manufacturing reshoring, trends across oil & gas sectors.

**Profile Existing Landuse and Inventory Available Land.** The consultant team shall analyze existing land use across the county using tools such as GIS to create an inventory of industrial lands across three categories:

1. Sites with infrastructure in place which have already been purchased by end-users and subdivided for industrial development, but the land remains vacant.
2. parcels that have the necessary infrastructure in place for industrial development but have not been purchased yet (ready-to-go-sites).
3. Raw land that has potential for industrial development with targeted investments.

Within these three categories, consideration will need to be given to:

1. The number and location of "ready to go" sites
2. Parcels with water access (barge, ship, etc.)
3. Parcels with rail access.
4. Characterization of infrastructure availability (potable water, wastewater, natural gas, electricity)
5. Characteristics which may favor different types of development, vs manufacturing, vs larger-scale oil and gas.

Outputs from this analysis will flow into future tasks to clarify demand growth by industrial sector, associated job and output generation, demand for industrial land, leading to identification of scenarios for future industrial development.

**Freight Infrastructure Profile.** The consultant team shall evaluate the existing freight system in the coastal bend region with a primary focus on truck and rail infrastructure. The profile of existing conditions should:

- Inventory of local, county, and state roads which serve as truck routes, with identification of ADT, capacity, congestion levels, and accidents
- Locations where freight rail infrastructure interacts with the road network, with identification of trains per day, and implications of delay due to freight train interference.
- Identify larger footprint industrial activities that are expected to have an outsized impact on growth
- Examine regional freight movements, patterns, origins and destinations, and consider future need for heavy truck routes.

**Water-related and Coastal Hazard Identification.** Assess current impacts to the County due to water-related hazards. Rainfall and tidal flooding, sea level rise, and stormwater runoff are all hazards commonly experienced in the community. Once current impacts are understood, the consultant team should look to the future and anticipate how those impacts may change.

**Peer and Aspirational Region Case Studies.** Compile case studies that profile peer counties or regions with similar industrial backgrounds and review of their economic and industrial land use strategies. Case studies can include the Houston shipping channel and other comparable regions in the state and the nation. Compare key performance metrics with San Patricio County performance.

### **Task 3: Industrial Use Potential and Targeted Sites with Supply and Demand / Market Analysis**

**Characterize Industrial Demand.** Analyze the current and likely future demand for industrial uses within the County, with consideration of the share of regional industrial development currently being captured within the County, as well as projections about future regional industrial land demand trends. This analysis should explore demand across different segments of industrial land users such as large-scale oil & gas, advanced manufacturing, small scale “makers” and transportation, distribution and logistics.

**Industrial Space Typologies.** Describe typical facilities/space needs (including typical building size, required features, transportation and infrastructure requirements, etc.) for potential future users based on regional and national trends. Examples of sectors that could be included are green energy, distribution/logistics, and small-scale urban manufacturers who may require multi-tenant spaces or are looking to size up.

**Assessment of Industrial Vitality.** Assessment indicators of industrial vitality can include utilization, vacancy, investment, contamination, presence of nonconforming uses, susceptibility to change, capacity for additional industrial development, potential impact on surrounding land uses, vulnerability to hazards and climate-associated risks, etc. Summarize land prices and lease rates for different classes of space as appropriate.

**Challenges and Opportunities.** Identify challenges (limits to land supply, pressure from adjacent land uses, development, compatibility with adjacent uses, connectivity, landform, and others) and opportunities (industry intensification, location, connectivity to consumer centers, and others) of the industrial land supply.

Identify threats or competitive disadvantages, including transportation and infrastructure related disadvantages and demand for industrial space from incompatible uses that may prevent the County’s from being able to capture its share of the regional demand for industrial uses or threats to the County’s ability to preserve industrial lands. Identify competitive advantage and opportunities, including transportation and infrastructure related advantages, for the County to grow industrial demand, cultivate industrial clusters, and capture a greater share of the regional demand for industrial uses.

### **Task 4: Plan Vision and Goals**

**Countywide Vision and Goals.** Define the vision, goals and objectives of the Plan, with participation from the client and selected stakeholders. The Plan should clearly address and

define the changing nature of the industrial sector and determine what is the current state of the sector and the industries currently growing their presence in the market (key industries, firms, stakeholders). The vision and goals section will guide the rest of the tasks and recommendations. The Consultant Team shall conduct this task along with the virtual summit.

### **Task 5: Land Use Scenario Modeling & Fiscal Impact Analysis**

**Develop and Analyze Land Use Scenario Models.** The Consultant Team will develop 1-3 future land use scenarios and compare their outcomes against one and another. The process should clearly demonstrate how client and stakeholder input is translated into elements in the scenarios. The task should be conducted in three stages -

1. **Land Use Scenario Creation:** build and describe each scenario. Develop with the client and select stakeholders, each scenario based on density and location of new industrial, housing, retail and commercial developments, population and employment projections, implementation of key transportation and other utility projects and other relevant parameters.
2. **Scenario Evaluation:** Use appropriate tools, such as Implan, to assess and evaluate the validity and performance of each scenario against a set of performance criteria. Criteria could include, but not be limited to: tax and revenue collection, water consumption, vehicle miles traveled etc..
3. **Communicating Scenario Results:** visualizing, summarizing the scenario and the results of the evaluation for meaningful dialogue and decision making amongst client and select stakeholders.

**Economic Impact and Fiscal Sustainability.** The Consultant Team should undertake a detailed economic analysis for all scenarios to identify long term impacts of each scenario to the regional economy. This can include employment by sub-sector, wages and output growth for the county and any focus areas for each scenario. Working from the baseline of existing employment distribution metrics, job density, wage inequality and access to certain types of jobs the Consultant Team can judge against existing baselines to understand the degree of impact to the County and cities.

The Consultant Team should also analyze the potential revenue generation for each scenario and compare it to the required public investment.

### **Task 6: Recommendations and Implementation Plan**

The recommendations need to align with the Plan's vision, goals and objectives.

- Identification of districts, corridors, and sites throughout the County that are suitable for industrial development or should be re-assigned to alternate uses.
- Identification of compatible and incompatible land uses that either complement or threaten industrial siting, supply-chain, and workforce needs.
- Identification of areas for expansion of industrial use, including targeted acquisition opportunities.

- Recommendations that support other facets of the local economic growth such as workforce development, housing needs, transportation projects, thoroughfare routes and other important areas identified through the planning process.
- Investigation of new tools to foster innovative industrial development. And investigation of new tools to foster equitable community and industrial development.
- Ideas about how to include the public in decision-making about industrial development and expansion.

This task should provide a clear and consistent vision on how industrial land use policy can better serve residents, and how industrial development can improve its relationship to neighboring communities.

**Action Items.** A matrix of action items, top priorities and responsible parties for recommended strategies, best practices and timelines for implementation as well as potential funding sources for select activities.

**Database.** Develop a refined and project specific database of all related documents for the Plan including the list in Task 2 above and other information developed throughout this Plan development process. The final database will include the items and materials agreed to by the client.

## **Task 7: Final Report and Presentation**

**Final report.** The Consultant shall compile all components of the tasks listed above into the final report and appendices. The report should be developed with an emphasis on high-quality visual aids throughout the document. The report will have consistent maps, graphics, photographs, drawings and renderings. It should also have consistent narrative, and overall look and feel. The client will work with other key participants to determine what information from previous tasks become part of the report and appendices.

**Executive Summary and Project brochure.** The report should include an executive summary and brochure, which will consist of an introduction to the study, a summary of the goals, vision and objectives, infographics of key takeaways, and a brief description of the recommendations. The executive summary will work as part of the final report document, and as a stand-alone document.

**Final Presentation.** The Consultant team will make a presentation to the client and stakeholders.

**GIS and Data Package.** The consultant team will package all GIS data and analysis for the client's future use.

The consulting team is required to present draft documents at regular intervals for comments and modification. The presentation of drafts should be addressed by selected teams when submitting the Draft Work Plan and Schedule.



## Submission

Proposals must be received by **4:00 p.m. on September 08, 2022.**

Submit 12 hard copies of the proposal and at least 1 electronic copy to:

### Judge David R. Krebs, County Judge

San Patricio County  
400 West Sinton Street #109  
Sinton, TX 78387  
Phone: 361-364-9301

**Conflict of Interest Questionnaire (Form CIQ):** A person or business, and their agents, who seek to contract or enter into an agreement with the County, are required by Texas Local Government Code, Chapter 176, to file a conflict of interest questionnaire (FORM CIQ) which is found in

**Certificate of Interested Parties (1295 Form):** A person or business, and their agents, who seek to contract or enter into an agreement with the County, are required by Texas Local Government Code Chapter 2252, Subtitle F, Title 10, Section 2252.908, to file a disclosure of interested parties with the Texas Ethics Commission ([https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)).

**House Bill 89 Verification Form:** A person or business, and their agents, who seek to contract or enter into an agreement with the County, are required by Texas Government Code Chapter 2271 to submit verification form to the County. This Chapter reads "Prohibition on Contracts with Companies Boycotting Israel".

## Questions

For questions on the RFP and the project, please:

- email Judge David R. Krebs at [dkrebs@sanpatriciocountytx.gov](mailto:dkrebs@sanpatriciocountytx.gov)
- call 361-364-9301, or
- mail to address above

## Evaluation

Proposals will be evaluated across the following major criteria:

- Overall Planning Experience
- Similar Planning Experience Solicited – County size, demographics, geographic location and industry types.
- Project References
- Proposed Costs – to include all research, preparation, meetings, draft reports, final reports, travel, per diem.

# 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

**CONFLICT OF INTEREST QUESTIONNAIRE**  
**For vendor doing business with local governmental entity**

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

**Local Government Code § 176.001(1-a):** "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

**Local Government Code § 176.003(a)(2)(A) and (B):**

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

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(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

**Local Government Code § 176.006(a) and (a-1)**

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.

## Instructions - Form 1295

Effective January 1, 2016, a governmental entity may not enter into a contract requiring board approval, unless the business entity submits a Disclosure of Interested Parties (Form 1295) at the time the business entity submits the signed contract.

The following definitions apply:

1. "Interested Party" means a person:
  - a. Who has a controlling interest in a business entity with whom a governmental entity contracts; or
  - b. 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.
2. "Intermediary" 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:
  - a. Receives compensation from the business entity for the person's participation;
  - b. Communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
  - c. Is not an employee of the business entity
3. "Business Entity" means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation. "Business entity" includes a for-profit or nonprofit entity. The term does not include a governmental entity or state agency.
4. "Contract" includes an amended, extended, or renewed contract.
5. "Controlling Interest" means:
  - a. An ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent;
  - b. Membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or
  - c. Service as an officer of a business entity 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."

**A business entity must file Form 1295 electronically with the Texas Ethics Commission using the Commission's online filing application, which can be found at:**

**[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)**

The business entity must print a copy of the completed form, which will include a certification of filing containing a unique certification number. The Form 1295 must be signed by an authorized agent of the business entity, and the form must be notarized. The business entity must then submit the completed, signed, notarized Form 1295 to the contracting school district.

Again, Inter-local contracts DO NOT REQUIRE a Form 1295 because governmental entities do not fall within the definition of "business entity". Notably, though, compliance with HB 1295 is required for contracts with nonprofit agencies, such as the Education Foundation of Harris County.

(Source: Sarah W. Langlois, Partner – Rogers, Morris, & Grover, LLP)

**CERTIFICATE OF INTERESTED PARTIES**

**FORM 1295**

Complete Nos. 1 - 4 and 6 if there are interested parties.  
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY**

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 **AFFIDAVIT** I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

\_\_\_\_\_  
 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said \_\_\_\_\_, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, to certify which, witness my hand and seal of office.

\_\_\_\_\_  
 Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath

**ADD ADDITIONAL PAGES AS NECESSARY**

REFER TO INSTRUCTIONS

## House Bill 89 Verification Form

### Prohibition on Contracts with Companies Boycotting Israel

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

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

Pursuant to Section 2270.001, Texas Government Code:

1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and

2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.

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

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

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Company Name

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Signature of Authorized Official

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Title of Authorized Official

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Date