

LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL

REQUEST FOR QUALIFICATIONS

**FOR Rio Grande Regional Flood Planning
Group (Region M) Subcontractor
No. 2021-07**

“Subcontractor for TWDB Cycle 6 Region M”

PROPOSAL DEADLINE: September 16th, 12:00PM (CT)



LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC)
301 WEST RAILROAD ST.
WESLACO, TEXAS 78596 WWW.LRGVDC.ORG

Table of Contents

SECTION I: GENERAL INFORMATION	3
1.1 SOLICITATION SCHEDULE	3
1.2 AUTHORIZED AGENCY CONTACT	3
1.3 PROJECT SUBMISSION	4
SECTION II: BACKGROUND INFORMATION	4
2.1 LRGVDC OVERVIEW	4
2.2 PROJECT SUMMARY	4
2.3 PROJECT SCOPE	4
2.4 STATEMENTS OF QUALIFICATIONS	5
2.5 EVALUATION CRITERIA	6
2.6 BUDGET	7
2.7 SUBMISSION OF PROPOSALS:.....	7
2.8 EVALUATION OF PROPOSALS:.....	7
2.9 LRGVDC's RESERVATION OF RIGHTS:.....	7
2.10 ACCEPTANCE OF EVALUATION METHODOLOGY	7
2.11 REIMBURSEMENT FOR COSTS:	7
2.12 ELIGIBLE RESPONDENTS:	7
2.13 SALES AND USE TAXES:	8
2.14 CERTIFICATION OF FRANCHISE TAX STATUS:.....	8
2.15 DELINQUENCY IN PAYING CHILD SUPPORT:.....	8
2.16 STATE REGISTRATION OF ENGINEERING FIRMS:.....	8
2.17 DISCLOSURE OF INTERESTED PARTIES STATUTE.....	8
SECTION III: PROPOSING CONDITIONS	8
3.2 STATUS OF INFORMATION	9
3.3 QUALIFYING CONDITIONS.....	9
3.4 NON-COLLUSIVE PROPOSING CERTIFICATE.....	9
3.5 ADDENDA.....	9
3.6 CONFIDENTIAL/PROPRIETARY INFORMATION	10
3.7 ORAL PRESENTATIONS AND INTERVIEWS.....	10
3.8 OFFERORS ACCEPTANCE OF CONTRACT PROVISIONS	10
3.9 CONTRACT AWARD.....	10
3.10 CONTINUATION CONTRACTS	10
3.11 FORCE MAJEURE	10
SECTION IV: LRGVDC PROPOSAL PACKET	11
A. PROPOSAL ACKNOWLEDGEMENT	12
B. ADDENDA	13
C. CERTIFICATION OF INCORPORATION.....	14
D. REFERENCES	15
E. NON-COLLUSION AFFIDAVIT	16
F. DECLARATION OF CONFLICT OF INTEREST (AFFIDAVIT OF INTEREST).....	17

SECTION I: GENERAL INFORMATION

1.1 SOLICITATION SCHEDULE

Release date of Request for Proposal:	August 13 th , 2021
Last day to submit written questions:	September 6 th , 2021
Proposal Deadline:	September 16th, 2021 at 12:00pm
Public Bid Opening: <i>(Official time clock is LRGVDC computer system)</i> https://global.gotomeeting.com/join/170309901	September 20 th , 2021 at 2:00pm
Access by telephone: United States: +1 (872) 240-3412	
Access Code: 170-309-901	

Proposals will be evaluated by a committee on a date that best serves the process but before board approval.

Interviews	October 6 th , 2021 Location: Zapata, Texas
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Selection Considered for Board Approval:	October 27 th , 2021
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Project Begin Date:	When Contractor is given notice to proceed
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Project End Date:	December, 2025
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If the LRGVDC determines, in its sole discretion, that it is necessary to change any of the dates and times, it will issue an Addendum to this RFP.

1.2 AUTHORIZED AGENCY CONTACT

- Offerors may submit questions and inquiries via email only to lrgvdc@lrgvdc.org. The LRGVDC reserves the right to not respond to any questions that may jeopardize the solicitation or selection process.
- No phone or in-person inquiries regarding the proposal shall be conducted other than during the pre-bid conference presentation and Q&A.
- Questions submitted in writing, via email will be answered within three business days.
- Inquiries, questions and responses shall be posted as addendums on the LRGVDC website. Offerors should frequently check for periodic updates.

1.3 PROJECT SUBMISSION

**All Proposals shall be submitted electronically and must have
“RFQ – Region M 2026 Water Planning Services” in the subject line of the email.**

All proposals must be emailed to:

lrgvdc@lrgvdc.org

RFP – Subcontractor for TWDB Cycle 6 Region M

- Fax copies are not acceptable.
- LRGVDC Office Hours: Monday through Friday from 8:00 AM to 5:00 PM

SECTION II: BACKGROUND INFORMATION

2.1 LRGVDC OVERVIEW

The Lower Rio Grande Valley Development Council (LRGVDC) is one of twenty-four (24) state planning regions and association of local governments formed under Texas Law to address issues and planning needs that cross the boundaries of individual local governments. The LRGVDC coordinates planning efforts, provides a regional approach to problem solving through cooperative action and provides direct services, when applicable. The designated geographical service area is the 3,643 square miles of Cameron, Hidalgo and Willacy Counties.

The LRGVDC is comprised of programs in the fields of economic development, public safety, transportation, environmental services and health and human services. Funding to support these programs originates from local, state, and federal sources. LRGVDC is governed by a twenty- seven (27) member Board of Directors of whom two-thirds are required to be elected officials of the designated boundaries.

2.2 PROJECT SUMMARY

The LRGVDC is soliciting Request for Qualifications (RFQ) for the selection of Regional Water Plan Subcontractor to provide professional services to the Rio Grande Regional Water Planning Group (Region M) for the development and completion of the Regional Water Plan for the Rio Grande Water Planning Group (Region M) for the 6th Cycle (2021-2025).

The information obtained will be utilized by LRGVDC to evaluate and determine the product or services needed for the creation of a Regional Water Plan. Each interested vendor should utilize the criteria outlined in this RFQ and should serve as a guidance. The award of any contract or agreement is contingent upon the receipt or availability of adequate project funding.

The Texas Water Development Board (TWDB) mandates the formation of a Regional Water Planning Group for each region of the State of Texas, The Rio Grande Water Planning Group, Region M, is the designated regional water planning group for this region. Water planning has the purpose of devising the trends and projections for water needs for the region and recommending and collecting water management strategies and projects to create a plan for managing the region’s water use for the next five years. With the possibility of drought and increases in water usage, this plan is designed to identify the agriculture, mining, and drinking water needs.

2.3 PROJECT SCOPE

The offeror shall provide a proposal, in accordance with the terms and conditions set forth herein, to

develop options according to the project scope.

This RFQ is for services to generate and deliver the 6th cycle of Rio Grande Regional Flood Planning Group (Region M)'s Regional Water Plan to the Texas Water Development Board (TWDB) pursuant to Texas Administrative Code (TAC) Title 31, Chapter 357 rules. Working at the direction of the Region M planning group, the consultant will assist in creating a Water Management Plan (WMP) for the term 2021-2025 in accordance with the provisions of TAC Title 31, Chapter 357, with the Initially Prepared Plan submitted to the TWDB no later than March 3, 2025 and Final Adopted Plan no later than September 1, 2025.

The Regional Water Plan developed pursuant to TAC Title 31, Chapter 357 shall:

- 1) describe the Regional Water Planning Area (RWPA) of Region M including, but not limited to water use, population, water resources, water quality issues, historic droughts, current preparations, and previous and existing local and regional water plans;
- 2) project expected population and water demands for Water User Groups (WUGs) by category and evaluate current contractual future obligations for the RWPA;
- 3) evaluate the projected water need during Drought of Record conditions and existing water supplies that are legally and physically available to WUGs and wholesale water suppliers (WWS) within the RWPA;
- 4) compare existing water supplies and projected water demands for the RWPA;
- 5) identify and evaluate potentially feasible Water Management Strategies (WMS) and Water Management Strategy Projects (WMSP) required to meet future water supply needs identified;
- 6) recommend and evaluate alternative WMS and WMSP previously identified based upon cost effectiveness and environmental sensitivity under the Drought of Record conditions;
- 7) describe the impacts the RWP on agricultural resources, other water resources of the state, threats to agriculture and natural resources, social and economic impacts, navigation effects and third-party social and economic impacts resulting from the voluntary redistributions of water supplies;
- 8) describe how the RWP is consistent with the long-term protection of Texas' water resources, agricultural resources and natural resources;
- 9) detail current and planned preparations for drought conditions including but not limited to Drought of Record conditions;
- 10) assess current preparations for drought conditions, recommend Drought Management Water Management Strategies and alternatives, and assess unnecessary or counterproductive drought response strategies;
- 11) present information on major water infrastructure facilities and local Drought Contingency Plans;
- 12) designate any unique stream segments;
- 13) propose state, federal and international policy recommendations;
- 14) create an Infrastructure Financing Analysis;
- 15) assist in prioritizing WMSPs;
- 16) attend public meetings;
- 17) identify any plan implementation issues; and
- 18) assess the RWPs of the past cycle and the regionalization progress.

2.4 STATEMENTS OF QUALIFICATIONS

- Describe your firm's approach to executing the work associated with this project.
- Describe your firm's experience and involvement in State and Regional Water Planning.

- Provide the location, size, and description of your firm and services offered and the location, size, and description of any sub-consultants that may be employed as part of the project team.
- Identify the person proposed by the Firm to serve as the point of contact for negotiations.
- A list of three (3) projects similar to the scope of work discussed herein, with the descriptions of the projects, members of the projects team, time schedule, and contact persons who are able to certify the information presented. All projects must have been completed within the past ten (10) years.
- Regional and state water planning for various size regions and states;
- Interactions with diverse interest groups and stakeholders participating in regional water planning;
- Facilitating consensus-building and conflict resolution among stakeholders with diverse and potentially conflicting interests;
- Reviewing population forecasts and developing and gaining acceptance of alternative forecasts as necessary;
- Ability to collect and manage data and information available from relevant sources;
- familiarity with water planning grant administration and invoicing requirements;
- Knowledge of statutory and regulatory policies affecting water supply, water quality, water conservation, and drought management issues for both surface and groundwater; and
- Experience with environmental issues and analyses related to water supply development.
- Identify the project manager and team members with their professional licenses and qualifications to perform the proposed professional services. The Project Manager must be licensed in the State of Texas. Include an organizational chart identifying the specific individuals (by name) and their role(s) within this project.
- Your firms' resources and capabilities: including location, staffing size, and length of the local office's existence in Texas;
- The capability of your firm to commit necessary resources to the project in order to meet the project schedule;
- A description of the Firm's ability to complete projects without significant cost escalations or overrun.
- Resumes for team members associated with the project (Submitted as an appendix; not counted toward page limit).

2.5 EVALUATION CRITERIA

Proposals will be selected based on the ability of each bidder to carry out all the requirements contained in this RFQ. Incomplete or late proposals or those found to be default, in poor standing or reflective of questionable business/ethical practices will not be considered.

It is the intent of LRGVDC to enter into contractual agreements with the most qualified, responsible respondent whose submittal is responsive to the solicitation, meeting all qualifications necessary to complete the prescribed scope of work.

Additionally, the following criteria shall be used to evaluate submissions:

- Successful and knowledgeable experience with the relevant Texas Administrative Code referenced above and/or the TWDB.
- Profitable operations greater than 3 years.
- Introduced knowledge, experience, resources, and value-added services beyond basic scope of work requirements.

2.6 BUDGET

The following is provided in compliance with financial grant requirements of the state funding agency, TWDB. LRGVDC will contract a firm in accordance with the requirements and project scope of this RFQ. Total project cost and period of performance will be dependent upon continued appropriation from the Texas Legislature and authorization by the Texas Water Development Board.

2.7 SUBMISSION OF PROPOSALS:

2.7.1 DEADLINE AND LOCATION: The LRGVDC will receive proposals by email only. All proposals must include “**RFQ – Region M 2026 Water Planning Services**” in the email subject line. All proposals must be received by September 16th, 2021 by 12:00pm.

2.7.2 Submit the proposal as a PDF file or similar via email to lrgvdc@lrgvdc.org. The file submitted must reflect a scanned copy of an original signature.

2.7.3 Late received proposals will not be returned to the respondent.

2.7.4 The LRGVDC will not acknowledge or receive proposals that are delivered by telephone or facsimile (fax)

2.7.5 Properly submitted proposals will not be returned to respondents.

2.7.6 Proposal materials should be electronically submitted via email and must clearly identify the submittal deadline, the RFQ number, and the name and return address of the respondent.

2.8 EVALUATION OF PROPOSALS:

The evaluation of the proposals shall be based on the requirements described in this RFQ. All properly submitted proposals will be reviewed, evaluated, and ranked by the LRGVDC. The top three or fewer ranked respondents may be selected by the LRGVDC to participate in step two of the selection process.

2.9 LRGVDC’s RESERVATION OF RIGHTS:

The LRGVDC may evaluate the proposals based on the anticipated completion of all or any portion of the project. The LRGVDC reserves the right to divide the project into multiple parts, to reject any and all proposals and re-solicit for new proposals, or to reject any and all proposals and temporarily or permanently abandon the project. LRGVDC makes no representations, written or oral, that it will enter into any form of agreement with any respondent to this RFQ for any project and no such representation is intended or should be construed by the issuance of this RFQ.

2.10 ACCEPTANCE OF EVALUATION METHODOLOGY

By submitting its proposal in response to this RFQ, respondent accepts the evaluation process and acknowledges and accepts that determination of the “most qualified” firm(s) will require subjective judgments by the LRGVDC.

2.11 REIMBURSEMENT FOR COSTS:

Respondent acknowledges and accepts that any costs incurred from the respondent’s participation in this RFQ shall be at the sole risk and responsibility of the respondent.

2.12 ELIGIBLE RESPONDENTS:

Only individual firms or lawfully formed business organizations may apply. The LRGVDC will contract only with the individual firm or formal organization that submits a proposal.

2.13 SALES AND USE TAXES:

Section 151.311, Tax Code, as amended effective October 1, 1993, permits the purchase free of state sales and use taxes of tangible personal property to be incorporated into realty in the performance of a contract for an improvement to realty for certain exempt entities that include the LRGVDC. The section further permits the purchase tax-free of tangible personal property for use in the performance of such a contract if the property is "necessary and essential for the performance of the contract" and "completely consumed at the job site." In addition, the section permits the purchase tax-free of a tangible service for use in the performance of such a contract if the service is performed at the job site and if "the contract expressly requires the specific service to be provided or purchased by the person performing the contract" or "the service is integral to the performance of the contract."

2.14 CERTIFICATION OF FRANCHISE TAX STATUS:

Respondents are advised that the successful respondent will be required to submit certification of franchise tax status as required by State Law (H.B. 175, Acts 70th Leg. R.S., 1987, Ch. 283, p. 3242). The contractor agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.

2.15 DELINQUENCY IN PAYING CHILD SUPPORT:

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.

2.16 STATE REGISTRATION OF ENGINEERING FIRMS:

Respondents are advised that the Texas Board of Professional Engineers requires that any entity providing engineering services to the public must register with the Texas Board of Professional Engineers. An entity is defined as a sole proprietorship, firm, partnership, corporation or joint stock association.

2.17 DISCLOSURE OF INTERESTED PARTIES STATUTE.

In its proposal, Respondents must agree to comply with [Section 2252.908, Texas Government Code](#) ("Disclosure of Interested Parties Statute") and [1 Texas Administration Code Sections 46.1 through 46.3](#) ("Disclosure of Interested Parties Regulations") as implemented by the Texas Ethics Commission ("TEC"), including, among other things, providing the TEC and LRGVDC with the information required by the Disclosure of Interested Parties Statute and the Disclosure of Interested Parties Regulations on the form promulgated by the TEC. The form will be required to be submitted to LRGVDC prior to the countersigning of the final agreement and not submitted with this RFP.

SECTION III: PROPOSING CONDITIONS

3.1 QUALIFICATION SUBMISSION

Proposals electronically submitted by email are invited by the LRGVDC for all labor, services, materials, supplies, equipment, tools, transportation, and other facilities necessary or proper to meet the requirements of the specifications included in scope of service. The LRGVDC may waive and/or disqualify any proposal not prepared and submitted in accordance with the provisions herein.

Proposals will be received electronically via email. Any proposals received after the time and date deadline will not be considered. Also, any proposals may be withdrawn prior to the scheduled time for the opening thereof.

3.2 STATUS OF INFORMATION

The LRGVDC shall not be bound by oral or written information released prior to the issuance of the bid. All inquiries regarding this application must be submitted in writing via email to lrgvdc@lrgvdc.org. Offerors are advised that from the date this solicitation is issued until the award of the contract, NO contact with personnel and/or Governing Body related to this solicitation is permitted, except as authorized such as email inquiries.

3.3 QUALIFYING CONDITIONS

The proposal shall state whether the offeror is a corporation or co-partnership, and, if a corporation, under the laws of what state and have the corporate seal affixed. If a co-partnership, specify the full name or names of all interested parties.

The successful offeror shall submit a certificate of incorporation in the state of Texas or proof of authorization to do business in the State of Texas.

The Contractor shall procure and maintain insurance for the duration of the contract. The Contractor shall indemnify and hold the LRGVDC harmless.

The Contractor shall pay any and all Federal, State, County, or City taxes which may be applicable herein.

The LRGVDC shall not be liable for any costs incurred by offerors in the preparation of proposals or for any work performed in connection therewith.

The LRGVDC reserves the right to postpone or cancel the bid and to reject any or all proposals.

3.4 NON-COLLUSIVE PROPOSING CERTIFICATE

All offerors must complete the Non-Collusion certification included submitted as part of the proposal. Any offers submitted without the fully executed Non-Collusion Certifications will be rejected.

If in any case the offeror cannot make the foregoing certification, the offeror shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reason, therefore.

The offeror whose proposal is accepted shall, after written notice by the designated agency staff member enter into a contract and furnish an insurance certificate complying with the provisions of insurance specification. The notice shall be served personally or by the mailing thereof in a postpaid wrapper addressed to the offeror at the address given in the proposal. This contract must be approved by the LRGVDC.

The contract shall be governed and construed under the laws of the State of Texas. Venue for any and all disputes under the contract shall be in Hidalgo County, Texas. Any and all settlement discussions, examinations before trial, depositions and or any other proceedings related to any disputes under the contract shall also be held in Hidalgo County, Texas.

3.5 ADDENDA

Any addenda issued during the time of proposing must be included in the proposal, and in enacting the contract, they shall become a part thereof.

The LRGVDC will issue responses to inquiries and any other corrections or amendments it deems necessary, in written addenda issued prior to the proposal deadline.

Offerors should not rely on any representations, statements or explanations other than those made in this bid or in a formal addendum.

The offeror should verify with the designated contact person, prior to submitting a proposal, that all addenda have been received. Offerors are required to acknowledge the number of addenda received as part of their proposals.

3.6 CONFIDENTIAL/PROPRIETARY INFORMATION

Offerors should specifically identify those portions of the proposal to be confidential, proprietary information or trade secrets and provide justification why such material, upon request, should not be disclosed.

3.7 ORAL PRESENTATIONS AND INTERVIEWS

The LRGVDC will require offerors to give oral or visual presentations in support of their proposals or to exhibit or otherwise demonstrate the information contained therein.

3.8 OFFERORS ACCEPTANCE OF CONTRACT PROVISIONS

By submitting a proposal to the LRGVDC the offeror accepts the standard contract provisions that will become part of the final contract subject to agreement by both parties.

3.9 CONTRACT AWARD

Any proposed contract award shall be subject to all required approvals. Contract award shall be subject to the conditions listed in this solicitation, where applicable.

3.10 CONTINUATION CONTRACTS

The following provisions apply to continuing contracts awarded as the result of this solicitation: The contract is subject to modification or cancellation if adequate funds are not appropriated to the LRGVDC to support the continuation of performance in any fiscal year succeeding the first year.

The contract is subject to modification or cancellation if the contractor's performance is not satisfactory; and the Contract Coordinator will notify the contractor as soon as it is practicable that the funds are not available for the continuation of the contract term for each succeeding year.

3.11 FORCE MAJEURE

Neither Respondent nor Agency shall be liable to the other for any delay in, or failure of performance, of any requirement included in a contract resulting from this solicitation caused by force majeure. The existence of such causes of delay or failure shall extend the period of performance until after the causes of delay or failure have been removed provided the non-performing party exercises all reasonable due diligence to perform. Force majeure is defined as acts of God, war, fires, explosions, hurricanes, floods, failure of transportation, or other causes that are beyond the reasonable control of either party and that by exercise of due foresight such party could not reasonably have been expected to avoid, and which, by the exercise of all reasonable due diligence, such party is unable to overcome.

SECTION IV: LRGVDC PROPOSAL PACKET

LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL
301 WEST RAILROAD-BUILDING "D" WESLACO, TEXAS 78596

THE FOLLOWING FORMS MUST BE COMPLETED AND SUBMITTED WITH THE PROPOSAL:

- A. Proposal Acknowledgment**
- B. Addenda**
- C. Certificate of Incorporation**
- D. References Sheet**
- E. Non-Collusion Certificate**
- F. Declaration of Conflict of Interest**

A. PROPOSAL ACKNOWLEDGEMENT

REQUEST FOR Qualifications for Subcontractor for TWDB Cycle 6 Region M

ISSUE DATE: DATE

RFQ DEADLINE: DATE & TIME

TO THE ADMINISTRATION DEPARTMENT OF THE LRGVDC:

The undersigned hereby proposes and agrees to furnish all services, plans, labor, services, materials, supplies, equipment, tools, transportation and other facilities and things necessary or proper for or incidental to the above-named project, as required by and in strict accordance with the Contract Documents.

By submitting the Response, Respondent represents and warrants that the individual submitting this document and the documents made part of this 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 this Response.

By submission of this proposal, each offeror and each person signing on behalf of any offeror certifies, and in the case of a joint proposal, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

EXECUTED this ____ day of, 20 ____.

Signature: _____

Printed Name: _____

Title: _____

Company: _____

SWORN TO AND SUBSCRIBED before me by __,
on the __ day of __, 20 ____.

Notary Public, State of Texas

Commission Expiration

This Acknowledgement must be filed with the Lower Rio Grande Valley Development Council and be maintained as part of the permanent procurement record.

B. ADDENDA

In the space provided below, acknowledge receipt of addenda: *(if applicable)*

Date Received:

#1 _____

#2 _____

#3 _____

#4 _____

#5 _____

D. REFERENCES

List below at least three (3) references where your firm is providing or has provided services comparable to those contained in your proposal:

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Additional Info: (optional)	

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Additional Info: (optional)	

Company:	
Contract Person:	
Address:	
Phone #:	
Years of Service Provided:	
Additional Info: (optional)	

E. NON-COLLUSION AFFIDAVIT

STATE OF TEXAS §
§
COUNTY OF
HIDALGO §

By the signature below, the signatory for the bidder certifies that neither he nor the firm, corporation, partnership or institution represented by the signatory or anyone acting for the firm bidding this project has violated the antitrust laws of this State, codified at Title 2 - Section 15.01, Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the bid made to any competitor or any other person engaged in the same line of business, nor has the signatory or anyone acting for the firm, corporation or institution submitting a bid committed any other act of collusion related to the development and submission of this bid proposal.

EXECUTED this _____ day of _____, 20__ .

Signature: _____ Printed

Name: _____

Title: _____

Company: _____

SWORN TO AND SUBSCRIBED before me by _____ ,
on the ___ day of _____, 20__ .

Notary Public, State of Texas

Commission Expiration

1. This Affidavit must be filed with the Lower Rio Grande Valley Development Council and be maintained as part of the permanent procurement record.

F. DECLARATION OF CONFLICT OF INTEREST (AFFIDAVIT OF INTEREST)

STATE OF TEXAS § COUNTY OF HIDALGO §

I, _____, as an **[employee, officer or agent, or any member of his/her immediate family, a partner or a person or an organization which employs or may employ in the near future any of these individuals]** of the LRGVDC, make this affidavit and state that I have a financial or other substantial interest in the LRGVDC which may be considered for the award of **[specify contract or procurement]**.

My interest is as follows:

Upon the filing of this affidavit with the Lower Rio Grande Valley Development Council, I affirm that I will abstain from any further participation in this **[contract or procurement]** whatsoever.

EXECUTED this ____ day of, 20__.

Signature: _____

Printed Name: _____

Title: _____

Company: _____

SWORN TO AND SUBSCRIBED before me by __,

on the _____ day of _____, 20_____.

Notary Public, State of Texas

Commission Expiration

1. This Affidavit must be filed with the Lower Rio Grande Valley Development Council and be maintained as part of the permanent procurement record.
2. Upon filing the Affidavit, the officer, employee or agent must abstain from participating in the procurement process pursuant to the ethics policy set forth in Article VII.