

February 23, 2023

Mercy Rushing, City Manager
City of Mineola
300 Greenville Ave.
Mineola, Texas 75773

Re: 2022 ARPA Museum Upgrades

Mrs. Rushing,

As you are aware, bids for the above-referenced project were solicited and opened on February 23, 2023. One bid was received;

Contractor	Total Base Bid Amount	Alternate Bid A1-A4
Smith Builders and Developers	\$63,175.00	\$12,200.00

Our office has reviewed the qualifications of Smith Builders and Developers. The Contractor appears to be financially stable. They have adequate bonding capacity and insurance to construct the project. The Contractor also has access to adequate equipment, manpower, and experienced supervision to construct the project.

It is the recommendation of Schaumburg & Polk, Inc. that the contract for The City of Mineola, 2022 ARPA Museum Upgrades, in the amount of the Base Bid (\$63,175.00) and the amount of the alternate bid (\$12,200.00), totaling \$75,375.00 be awarded to Smith Builders and Developers.

Sincerely,
Schaumburg & Polk, Inc.



Andrew Wright, P.E.
Project Manager

City of Mineola

2022 ARPA Museum Upgrades

February 23, 2023 at 11:00am - City of Mineola Municipal Complex , 300 Greenville Ave., Mineola, TX 75773

Base Bid Items				Smith Builders and Developers	
Bid No.	Quantity	Unit	Item Description	Unit Price	Total Price
1	1	LS	CONTRACTOR MOBILIZATION, BONDS AND INSURANCE	\$ 6,000.00	\$ 6,000.00
2	1	LS	CONSTRUCTION STAKING AND UTILITY LOCATES	3,000.00	3,000.00
3	1	LS	BEST MANAGEMENT PRACTICES FOR EROSION CONTROL	3,000.00	3,000.00
4	1	EA	FURNISH AND INSTALL ZOELLER SUMP PUMP MODEL NO. 132	7,325.00	7,325.00
5	1	LS	CORING CMU WALL FOR SEWER DRAINS	1,600.00	1,600.00
6	60	LF	INSTALL NEW 2" PVC SCHEDULE 40 GRAVITY SANITARY SEWER LINE	12.50	750.00
7	2	EA	FURNISH AND INSTALL 2" CHECK VALVE	325.00	650.00
8	54	LF	INSTALL NEW 6" ASTM D2241 PR 160 SDR-26 PVC GRAVITY SANITARY SEWER LINE	90.74	4,900.00
9	1	EA	FURNISH AND INSTALL PIPE SUPPORTS FOR 6" SANITARY SEWER	850.00	850.00
10	10	EA	FURNISH AND INSTALL PIPE SUPPORTS FOR 2" SANITARY SEWER	550.00	5,500.00
11	1	EA	FURNISH AND INSTALL FLOOD STOP FOR WATER HEATER IN BASEMENT	600.00	600.00
12	1	LS	NEW 4' DIA. CONCRETE MANHOLE	6,500.00	6,500.00
13	1	LS	CONNECT NEW 6" SEWER TO EXISTING MANHOLE	2,500.00	2,500.00
14	1	LS	OWNER'S ALLOWANCE FOR FIELD CHANGES	10,000.00	10,000.00
15	1	LS	OWNER'S ALLOWANCE FOR MATERIALS TESTING	10,000.00	10,000.00

Total Base Bid (Items 1 - 15):	\$ 63,175.00
	Math corrected by Engineer

Base Bid Items				Smith Builders and Developers	
Bid No.	Quantity	Unit	Item Description	Unit Price	Total Price
A1	73	LF	INSTALL NEW 6" ASTM D2241 PR 160 SDR-26 PVC GRAVITY SANITARY SEWER LINE	89.04	6,500.00
A2	73	LF	TV INSPECTION OF COMPLETED SANITARY SEWER LINE	16.44	1,200.00
A3	13	SY	CONCRETE PAVEMENT DEMOLITION AND REPAIR	253.85	3,300.00
A4	5	SY	ASPHALT PAVEMENT DEMOLITION AND REPAIR	240.00	1,200.00

Total Alternate Bid (Items A1 - A5):	\$ 12,200.00
	Math corrected by Engineer

\$ 75,375.00

CITY OF MINEOLA, TEXAS
2022 ARPA MUSEUM UPGRADES

Date:

To: City of Mineola

To Whom it Concerns:

Pursuant to the foregoing NOTICE TO BIDDERS and General Information, the undersigned BIDDER, having examined the plans and specifications with related documents and the site of the proposed work, and being familiar with all the conditions surrounding the construction of the proposed project hereby proposes to do all the work and to furnish all necessary superintendence, labor, machinery, equipment, tools and to complete all the work upon which he bids, and binds himself to execute a contract and bond according to the accompanying forms for performing and completing the said work within the required time and furnish all required quantities for the following prices:

ITEM	QUANTITY	UNIT	DESCRIPTION & UNIT PRICE <small>(FILL IN UNIT PRICE IN SCRIPT & NUMBERS)</small>	TOTAL PRICE
GENERAL BID ITEMS (FROM SANITARY SEWER SOUTH STA. 0+00 TO 00+35, INCLUDING SANITARY SEWER EAST 00+00 TO 00+71)				
1.	1	LS	CONTRACTOR MOBILIZATION, BONDS AND INSURANCE ALL IN ACCORDANCE WITH THE PLANS & SPECS. THE SUM OF <div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; width: 100px; margin: 0 auto;">DOLLARS &</div> <div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; width: 100px; margin: 0 auto;">CENTS</div> <div style="text-align: center; margin-top: 5px;">Lump Sum</div> (\$ _____)	<u>2,000.⁰⁰</u>
2.	1	LS	CONSTRUCTION STAKING AND UTILITY LOCATES INCLUDES LOCATING, CONFIRMATION, AND TIE-IN OF PRE-ESTABLISHED BENCHMARKS AND EASEMENTS, AND ALL OTHER SURVEY NECESSARY TO COMPLETE THE PROJECT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS, FOR THE SUM OF <div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; width: 100px; margin: 0 auto;">DOLLARS &</div> <div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; width: 100px; margin: 0 auto;">CENTS</div> <div style="text-align: center; margin-top: 5px;">Lump Sum</div> (\$ _____)	<u>3,000.⁰⁰</u>
3.	1	LS	BEST MANAGEMENT PRACTICES FOR EROSION CONTROL INCLUDES COMPLETION AND SUBMISSION OF SW3P, NOI, AND NOT. INCLUDES ALL SW3P DOCUMENTATION, TEMPORARY AND FINAL SEEDING, SOIL RETENTION BLANKETS, AND STRUCTURAL CONTROLS FOR EROSION (WATTLES, HAY BALES, ROCK FILTER DAMS, ETC.) ALSO INCLUDES, BUT IS NOT LIMITED TO EQUIPMENT, LABOR, AND HAULING NECESSARY TO REPAIR ANY EROSION THAT OCCURS DURING THE PROJECT CONSTRUCTION PROCESS. ALSO INCLUDES SUPPLYING ALL MATERIALS, EQUIPMENT, LABOR, TOOLS, AND INCIDENTALS NECESSARY FOR INSTALLATION, REPLACEMENT, INSPECTION, MAINTENANCE, AND FINAL REMOVAL OF EROSION CONTROL MEASURES NECESSARY TO COMPLETE THE PROJECT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS, FOR THE SUM OF <div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; width: 100px; margin: 0 auto;">DOLLARS &</div> <div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; width: 100px; margin: 0 auto;">CENTS</div> <div style="text-align: center; margin-top: 5px;">Lump Sum</div> (\$ _____)	<u>3,000.⁰⁰</u>

CITY OF MINEOLA, TEXAS
2022 ARPA MUSEUM UPGRADES

ITEM	QUANTITY	UNIT	DESCRIPTION & UNIT PRICE (FILL IN UNIT PRICE IN SCRIPT & NUMBERS)	TOTAL PRICE	
✓ 4.	1	EA	FURNISH AND INSTALL ZOELLER SUMP PUMP MODEL NO. 132, OR EQUIVALENT, COMPLETE IN PLACE, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS, THE SUM OF	<div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; padding: 2px;">DOLLARS &</div> <div style="text-align: right; border-bottom: 1px solid black; padding: 2px;">CENTS</div> <div style="text-align: center; padding: 2px;">Per Each</div> <div style="text-align: center; padding: 2px;">(\$ _____)</div>	<div style="font-size: 1.5em; font-family: cursive;">7,325.⁰⁰</div>
✓ 5.	1	LS	CORING CMU WALL FOR SEWER DRAINS, INCLUDES GROUTING OUTSIDE DIAMETER OF PROPOSED SANITARY SEWERS, COMPLETE IN PLACE, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS, THE SUM OF	<div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; padding: 2px;">DOLLARS &</div> <div style="text-align: right; border-bottom: 1px solid black; padding: 2px;">CENTS</div> <div style="text-align: center; padding: 2px;">Lump Sum</div> <div style="text-align: center; padding: 2px;">(\$ _____)</div>	<div style="font-size: 1.5em; font-family: cursive;">1,600.⁰⁰</div>
✓ 6.	60	LF	INSTALL NEW 2" PVC SCHEDULE 40 GRAVITY SANITARY SEWER LINE, FURNISHED & INSTALLED, COMPLETE IN PLACE, READY FOR SERVICE, ALL FITTINGS, EQUIPMENT, INCIDENTALS, EMBEDMENT, BACKFILLING, SURFACE RESTORATION, ABANDONMENT OR REMOVAL OF EXISTING SANITARY SEWER LINE, ALL MATERIALS, LABOR & SUPERINTENDENCE, AND TESTING ALL IN ACCORDANCE WITH THE PLANS & SPECS, THE SUM OF	<div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; padding: 2px;">DOLLARS &</div> <div style="text-align: right; border-bottom: 1px solid black; padding: 2px;">CENTS</div> <div style="text-align: center; padding: 2px;">Per Linear Foot</div> <div style="text-align: center; padding: 2px;">(\$ _____)</div>	<div style="font-size: 1.5em; font-family: cursive;">750.⁰⁰</div>
✓ 7.	2	EA	FURNISH AND INSTALL 2" CHECK VALVE, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS, THE SUM OF	<div style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black; padding: 2px;">DOLLARS &</div> <div style="text-align: right; border-bottom: 1px solid black; padding: 2px;">CENTS</div> <div style="text-align: center; padding: 2px;">Per Each</div> <div style="text-align: center; padding: 2px;">(\$ _____)</div>	<div style="font-size: 1.5em; font-family: cursive;">650.⁰⁰</div>

CITY OF MINEOLA, TEXAS
2022 ARPA MUSEUM UPGRADES

ITEM	QUANTITY	UNIT	DESCRIPTION & UNIT PRICE (FILL IN UNIT PRICE IN SCRIPT & NUMBERS)	TOTAL PRICE
8.	54	LF	INSTALL NEW 6" ASTM D2241 PR 160 SDR-26 PVC GRAVITY SANITARY SEWER LINE, FURNISHED & INSTALLED, COMPLETE IN PLACE, READY FOR SERVICE, ALL FITTINGS, EQUIPMENT, INCIDENTALS, EMBEDMENT, BACKFILLING, SURFACE RESTORATION, ABANDONMENT OR REMOVAL OF EXISTING SANITARY SEWER LINE, ALL MATERIALS, LABOR & SUPERINTENDENCE, AND TESTING ALL IN ACCORDANCE WITH THE PLANS & SPECS, THE SUM OF <hr/> <div style="text-align: right;">DOLLARS &</div> <hr/> <div style="text-align: right;">CENTS</div> <hr/> <div style="text-align: center;">Per Linear Foot</div> (\$ _____)	<u>4,900.⁰⁰</u>
9.	1	EA	FURNISH AND INSTALL PIPE SUPPORTS FOR 6" SANITARY SEWER, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS, THE SUM OF <hr/> <div style="text-align: right;">DOLLARS &</div> <hr/> <div style="text-align: right;">CENTS</div> <hr/> <div style="text-align: center;">Per Each</div> (\$ _____)	<u>850.⁰⁰</u>
10.	10	EA	FURNISH AND INSTALL PIPE SUPPORTS FOR 2" SANITARY SEWER, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS, THE SUM OF <hr/> <div style="text-align: right;">DOLLARS &</div> <hr/> <div style="text-align: right;">CENTS</div> <hr/> <div style="text-align: center;">Per Each</div> (\$ _____)	<u>5,500.⁰⁰</u>
11.	1	EA	FURNISH AND INSTALL FLOOD STOP FOR WATER HEATER IN BASEMENT, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS, THE SUM OF <hr/> <div style="text-align: right;">DOLLARS &</div> <hr/> <div style="text-align: right;">CENTS</div> <hr/> <div style="text-align: center;">Per Each</div> (\$ _____)	<u>600.⁰⁰</u>
✓ 12.	1	LS	NEW 4' DIA. CONCRETE MANHOLE, FURNISHED & INSTALLED, COMPLETE IN PLACE, READY FOR SERVICE, INCLUDING ALL FITTINGS, EQUIPMENT, INCIDENTALS, FOUNDATION, BACKFILLING, SURFACE RESTORATION, TYING-IN NEW 6" SANITARY SEWER PER PLANS, ALL MATERIALS, LABOR & SUPERINTENDENCE, AND TESTING ALL IN ACCORDANCE WITH THE PLANS & SPECS, THE SUM OF <hr/> <div style="text-align: right;">DOLLARS &</div> <hr/> <div style="text-align: right;">CENTS</div> <hr/> <div style="text-align: center;">Lump Sum</div> (\$ _____)	<u>6,500.⁰⁰</u>

CITY OF MINEOLA, TEXAS
2022 ARPA MUSEUM UPGRADES

ITEM	QUANTITY	UNIT	DESCRIPTION & UNIT PRICE (FILL IN UNIT PRICE IN SCRIPT & NUMBERS)	TOTAL PRICE
✓ 13.	1	LS	CONNECT NEW 6" SEWER TO EXISTING MANHOLE, COMPLETE IN PLACE, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS. THE SUM OF	
			DOLLARS &	
			CENTS	
			Lump Sum	
			(\$ _____)	<u>2,500.⁰⁰</u>
✓ 14.	1	LS	OWNER'S ALLOWANCE FOR FIELD CHANGES - TO BE DISBURSED ONLY WITH SPECIFIC WRITTEN APPROVAL OF OWNER. THE SUM OF	
			TEN THOUSAND DOLLARS &	
			ZERO CENTS	
			Lump Sum	
			(\$ 10,000.00)	
/ 15.	1	LS	OWNER'S ALLOWANCE FOR MATERIALS TESTING. CONTRACTOR SHALL PAY ALL NECESSARY LAB FEES, TO BE REIMBURSED THROUGH THIS BID ITEM. ONLY DIRECT INVOICES FROM THE LAB WILL BE REIMBURSED, THE SUM OF	
			Ten Thousand DOLLARS &	
			Zero CENTS	
			Per Unit	
			(\$ 10,000.00)	<u>\$10,000</u>
GENERAL BID ITEMS:			TOTAL GENERAL BID (SUM ITEMS 1-15)	<u>53,175.⁰⁰</u>

CITY OF MINEOLA, TEXAS
2022 ARPA MUSEUM UPGRADES

ITEM	QUANTITY	UNIT	DESCRIPTION & UNIT PRICE (FILL IN UNIT PRICE IN SCRIPT & NUMBERS)	TOTAL PRICE
ALTERNATE BID ITEMS (FROM SANITRAY SEWER SOUTH STA. 00+35 TO 01+07)				
✓ A1	73	LF	INSTALL NEW 6" ASTM D2241 PR 160 SDR-26 PVC GRAVITY SANITARY SEWER LINE, FURNISHED & INSTALLED, COMPLETE IN PLACE, READY FOR SERVICE, ALL FITTINGS, EQUIPMENT, INCIDENTALS, EMBEDMENT, BACKFILLING, SURFACE RESTORATION, ABANDONMENT OR REMOVAL OF EXISTING SANITARY SEWER LINE, ALL MATERIALS, LABOR & SUPERINTENDENCE, AND TESTING ALL IN ACCORDANCE WITH THE PLANS & SPECS, THE SUM OF _____ <div style="text-align: right;">DOLLARS &</div> _____ <div style="text-align: right;">CENTS</div> Per Linear Foot (\$ _____)	<u>6,500.⁰⁰</u>
✓ A2	73	LF	TV INSPECTION OF COMPLETED SANITARY SEWER LINE, PAID FOR ONLY ON ENGINEER/OWNER APPROVAL, COMPLETE IN PLACE, READY FOR SERVICE, TO INCLUDE EQUIPMENT, INCIDENTALS, ALL MATERIALS, LABOR & SUPERINTENDENCE, AND TESTING IN ACCORDANCE WITH THE PLANS & SPECS, THE SUM OF _____ <div style="text-align: right;">DOLLARS &</div> _____ <div style="text-align: right;">CENTS</div> Per Unit (\$ _____)	<u>1,200.⁰⁰</u>
✓ A3	13	SY	CONCRETE PAVEMENT DEMOLITION AND REPAIR, COMPLETE IN PLACE, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS, THE SUM OF _____ <div style="text-align: right;">DOLLARS &</div> _____ <div style="text-align: right;">CENTS</div> Per Square Yard (\$ _____)	<u>3,300.⁰⁰</u>
✓ A4	5	SY	ASPHALT PAVEMENT DEMOLITION AND REPAIR, COMPLETE IN PLACE, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS, THE SUM OF _____ <div style="text-align: right;">DOLLARS &</div> _____ <div style="text-align: right;">CENTS</div> Per Square Yard (\$ _____)	<u>1,200.⁰⁰</u> <u>12,200.⁰⁰</u>
ALTERNATE BID ITEMS:			(ALTERNATE BID TOTAL)	

BID OPENING SHEET

**City of Mineola, Texas
2022 ARPA Museum Upgrades**

Awarded project may include base bid, alternate bids, or any combination of individual projects therein.

Final bid pricing will be tabulated by the Engineer. Bidder will be notified of errors or discrepancies in final bid tabulation.

Bid bond and completed Bid Form with attachments must be included with bid.

Addenda Acknowledged (list numbers)

*Fifty three thousand one hundred
Seventy five & no/100*

TOTAL BASE BID

\$ 53,175.⁰⁰

Addendum #1 acknowledged CA LTH

Name of Bidder: Smith Builders & Developers

Address: Po Box 188 Golden, TX 75044

Phone: 903 850 2992

Email: Smithbuilders2022@gmail.com

Signature: *CA LTH*

SECTION 3 CERTIFICATION

Company Name (if applicable): Smith Builders & Developers
Name: Clay Smith Title: President
Address: Po Box 188 Golden, TX 75444
Phone 1: 903 850 2992 Phone 2 (optional): _____ Fax: _____
Email: Smithbuilders2022@gmail.com

Do you consider yourself to be a Section 3 Business Concern or Section 3 Resident?

YES

If yes, please specify: (Check One)

BUSINESS

or

RESIDENT

NO

By signing below, I confirm that the information I have provided on this certification is true and correct.

Clay Smith
Signature

02/23/2023
Date

What is Section 3?

Section 3 is a provision of the Housing and Urban Development Act of 1968, which recognizes that HUD funds are typically one of the largest sources of federal funding expended in communities through the form of grants, loans, entitlement allocations and other forms of financial assistance. Section 3 is intended to ensure that when employment or contracting opportunities are generated because a covered project or activity necessitates the employment of additional persons or the awarding of contracts for work, preference must be given to low- and very low-income persons or business concerns residing in the community where the project is located.

What does the term "Section 3 resident" mean?

A "section 3 resident" is: 1) a public housing resident; or 2) a low- or very low-income person residing in the metropolitan area or Non-metropolitan County in which the Section 3 covered assistance is expended.

What does the term "Section 3 Business Concern" mean?

Section 3 business concerns are businesses that can provide evidence that they meet one of the following:

- a) 51 percent (51%) or more owned by Section 3 residents; or
- b) At least 30 percent (30%) of its full-time employees include persons that are currently Section 3 residents, or within three (3) years of the date of first employment with the business concern were Section 3 residents; or
- c) Provides evidence, as required, of a commitment to subcontract in excess of 25 percent (25%) of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications in the above two paragraphs.

How does Section 3 differ from the Minority Business Enterprise/Women Business Enterprise programs?

Section 3 is both race and gender neutral. The preferences provided under this regulation are based on income-level and location. The Section 3 regulations were designed to encourage recipients of HUD funding to direct new employment and contracting opportunities to low-income residents, and the businesses that employ these persons, within their community regardless of race and/or gender.

Please contact HUD's Office of Small and Disadvantaged Business Utilization at 202-708-1428, to learn more about these programs.

PLEASE RETURN FORM TO LABOR STANDARDS OFFICER

BONDING COMPANY INFORMATION

The following person, firm, or corporation has agreed to execute the required payment and performance bonds in the event this contract is awarded to the bidder:

Name of Surety: Granite Re, Inc -

Mailing Address: 14001 Quailbrook Drive, Oklahoma City, OK

City, State, Zip: Oklahoma 73134

Telephone Number: 405-752-2600

Is surety authorized to operate in Texas? yes

Is surety aware of size of project? yes

Does surety have adequate authorization and resources to cover bonds for the amount of this contract? yes

Rating from Best's Key Rating Guide A+

Project: 2022 ARPA Mineola museum upgrade

Owner: City of mineola

Clay Smith
Name of Bidder

Smith Builders & Developers

STATEMENT OF BIDDER'S QUALIFICATIONS

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. If necessary, questions may be answered on separate attached sheets. The Bidder may submit any additional information it desires.

Date: 02/23/2023
Bidder (Legal Name of Firm): Smith Builders & Developers
Date Organized: 2022
Name of Owner(s): Clay Smith
Address: 10 Boy 1st Galveston, TX 75044

Date Incorporated: 2022
Federal ID Number: 88-3754669
Number of Years in contracting business under present name: 1
List all other names under which your business has operated in the last 10 years: Circle 5 Investments

Work Presently Under Contract:

Contract	Amount \$	Completion Date
<u>Jim Hogg Park Pavilion Renovation</u>	<u>\$ 350,000.00</u>	<u>07/01/2023</u>
<u>Lyndale Eagle Creek Subdivision Development</u>	<u>\$ 1,500,000</u>	<u>12/31/2024</u>

Type of work performed by your company: General Contractor, Construction Manager

Total Staff employed by Firm (Break down by Managers and Trades on separate sheet):
2

Have you ever failed to complete any work awarded to you? Yes No
(If yes, please attach summary of details on a separate sheet. Include brief explanation of cause and resolution)

Have you ever defaulted on a contract? Yes No
(If yes, please attach summary of details on a separate sheet.)

Has your organization had any disbarments or suspensions that have been imposed in the past five years or that was still in effect during the five-year period or is still in effect? Yes No

(If yes, list and explain; such list must include disbarments and suspensions of officers, principals, partners, members, and employees of your organization.)

List the projects most recently completed by your firm (include project of similar importance):

Project	Amount \$	Mo/Yr Completed
<u>Tyler Parks & Recreation - PT Cole Renovation</u>	<u>\$ 30,000.00</u>	<u>10/2022</u>

Major equipment available for this contract: Tractor, backhoe

Are you in compliance with all applicable EEO requirements? Yes No
(If no, please attach summary of details on a separate sheet.)

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

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.

Clay Smith - Smith Builders & Developers

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.

None
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.

None

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 MA MAH
Signature of vendor doing business with the governmental entity

02/23/2023
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:

(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.

VENDOR COMPLIANCE STATEMENT

A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located. A non-resident bidder is a contractor whose corporate offices or principal place of business is outside of the state of Texas. (Source: Texas Government Code Chapter 2252 Subchapter A Nonresident Bidders, (§ 2252.002.)

The appropriate blanks in Section A must be filled out by all out-of-state or non-resident bidders in order for your bid to meet specifications. The failure of out-of-state or non-resident contractors to do so will automatically disqualify that bidder. Resident bidders must check the box in Section B.

A. Non-resident vendors in MISSISSIPPI NA (give state), our principal place of business, are required to be NA percent lower than resident bidders by state law. A copy of the statute is attached.

Non-resident vendors in NA (give state), our principal place of business, are not required to underbid resident bidders.

B. Our principal place of business or corporate offices are in the State of Texas. X

BIDDER:

By: Smith Builders & Developers
Signature: [Signature]
Title: President
Address: PO Box 188
Goldem, TX 75444
(Please Print)

THIS FORM MUST BE RETURNED WITH YOUR QUOTATION

Certification Regarding Lobbying

(To be submitted with each bid or offer exceeding \$100,000)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, Smith Builders & Developers, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 *et seq.*, apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official



Printed Name and Title of Contractor's Authorized Official

Date 02/13/2023

DISCLOSURE OF LOBBYING ACTIVITIES

OMB Control Number: 4040-0013

Expiration Date: 2/28/2022

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Review Public Burden Disclosure Statement:

1. * Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. * Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. * Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
--	--	--

4. Name and Address of Reporting Entity:
 Prime SubAwardee

* Name: _____
* Street 1: _____ Street 2: _____
* City: _____ State: _____ Zip: _____
Congressional District, if known: _____

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

6. * Federal Department/Agency: _____	7. * Federal Program Name/Description: _____ CFDA Number, if applicable: _____
---	---

8. Federal Action Number, if known: _____	9. Award Amount, if known: \$ _____
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10. a. Name and Address of Lobbying Registrant:

Prefix: _____ * First Name: _____ Middle Name: _____
* Last Name: _____ Suffix: _____
* Street 1: _____ Street 2: _____
* City: _____ State: _____ Zip: _____

b. Individual Performing Services (including address if different from No. 10a)

Prefix: _____ * First Name: _____ Middle Name: _____
* Last Name: _____ Suffix: _____
* Street 1: _____ Street 2: _____
* City: _____ State: _____ Zip: _____

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* Signature: _____
* Name: Prefix: _____ * First Name: _____ Middle Name: _____
* Last Name: _____ Suffix: _____
Title: _____ Telephone No.: _____ Date: _____

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal Identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 4040-0013. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (4040-0013), Washington, DC 20503

CONTRACTOR'S LOCAL OPPORTUNITY PLAN

Smith Builders & Developers agrees to implement the following specific affirmative action steps directed at increasing the utilization of lower income residents and businesses within the (City/County) of Wood.

- A. To ascertain from the City/County's CDBG program official the exact boundaries of the project area and where advantageous, seek the assistance of local officials in preparing and implementing the affirmative action plan.
- B. To attempt to recruit from within the city the necessary number of lower income residents through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within and servicing the project area such as Service Employment and Redevelopment (SER), Opportunities Industrialization Center (OIC), Urban League, Concentrated Employment Program, Hometown Plan, or the U.S. Employment Service.
- C. To maintain a list of all lower income residents who have applied either on their own or on referral from any source, and to employ such persons, if otherwise eligible and if a vacancy exists.
- D. To insert this plan in all bid documents and to require all bidders on subcontracts to submit an affirmative action plan including utilization goals and the specific steps planned to accomplish these goals.
- E. To ensure that subcontracts (greater than \$10,000), which are typically let on a negotiated rather than a bid basis in areas other than the covered project area, are also let on a negotiated basis, whenever feasible, in a covered project area.
- F. To formally contact unions, subcontractors, and trade associations to secure their cooperation in this effort.
- G. To ensure that all appropriate project area business concerns are notified of pending sub-contractual opportunities.
- H. To maintain records, including copies of correspondence, memoranda, etc., which document that all of the above affirmative action steps have been taken.
- I. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of this plan.
- J. To maintain records concerning the amount and number of contracts, subcontracts, and purchases which contribute to objectives.
- K. To maintain records of all projected work force needs for all phases of the project by occupation, trade, skill level, and number of positions and to update these projections based on the extent to which hiring meets these Local Opportunity objectives.

As officers and representatives of Smith Builders & Developers, we the undersigned have read and fully agree to this Plan and the City/County's Section 3 Plan, and become a party to the full implementation of the program and its provisions.

CA SA
Signature

Clay Smith
Printed Name

President
Title

02/23/2023
Date

CONTRACTOR CERTIFICATIONS

U.S. Department of Housing and Urban Development

CERTIFICATION OF BIDDER REGARDING CIVIL RIGHTS LAWS AND REGULATIONS

INSTRUCTIONS

CERTIFICATION OF BIDDER REGARDING Executive Order 11246 and Federal Laws Requiring Federal Contractor to adopt and abide by equal employment opportunity and affirmative action in their hiring, firing, and promotion practices. This includes practices related to race, color, gender, religion, national origin, disability, and veterans' rights.

NAME AND ADDRESS OF BIDDER (include ZIP Code)

PO Box 188
Smith Builders & Developers Golden, TX 75444

CERTIFICATION BY BIDDER

Bidder has participated in a previous contract or subcontract subject to Civil Rights Laws and Regulations.

Yes No

The undersigned hereby certifies that:

- The Provision of Local Training, Employment, and Business Opportunities clause (Section 3 provision) is included in the Contract. A written Section 3 plan (Local Opportunity Plan) was prepared and submitted as part of the bid proceedings (if bid equals or exceeds \$100,000).
- The Equal Opportunity clause is included in the Contract (if bid equals or exceeds \$10,000).

Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended?

Yes No

NAME AND TITLE OF SIGNER (Please type)

Clay Smith - President

SIGNATURE



DATE

07/23/2023

Bank References

Address: 417 S main St. Contact Name: Morgan Whiteley
City & State: Quitman, TX Zip: 75783 Phone Number: 903 763-4545
Credit available: \$ 1,000,000

Has the firm or predecessor firm been involved in a bankruptcy or reorganization? Yes No
(If yes, please attach summary of details on a separate sheet.)

List on a sheet attached hereto all judgements, claims, arbitration proceedings, or suits pending or outstanding against bidder over the last five (5) years with amount of claim and brief description.

List on a sheet attached hereto all lawsuits or requested arbitration with regard to construction contracts which bidder has initiated within the last five (5) years and brief explanation of claim and outcome.

Attach resume(s) for the principal member(s) of your organization, including the officers as well as the proposed superintendent for the project.

Signed this 23 day of February, 2023.

[Signature]
Signature

Clay Smith - President
Printed Name and Title

Smith Builders & Developers, LLC
Company Name

Notary Statement:

Clay Smith, being duly sworn, says that he/she is the
President (Position/Title) of Smith Builders & Developers, LLC
(Firm Name), and hereby swears that the answers to the foregoing questions and all statements therein contained are true and correct. He/she hereby authorizes and requests any person, firm, or corporation to furnish any information requested City/County of ~~Quitman~~ in verification of the recitals comprising this Statement of Bidder's Qualifications.

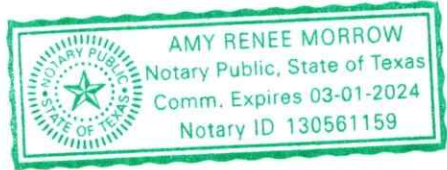
Subscribed and sworn before me this 23rd day of February, 2023.

Notary Public

[Signature]
Signature

Amy Renee Morrow
Printed Name

My Commission Expires: 3-1-24.



The penalty for making false statements is prescribed in the U. S. Criminal Code, 18 U.S.C. 1001.

NONCOLLUSION AFFIDAVIT OF PRIME BIDDER

State of Texas De)

County of Wood)

Clay Smith, being first duly sworn, deposes and says that:

(1) He/She is Clay Smith of Smith Builders & Developers, the Bidder that has submitted the attached Bid;

(2) He/She is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;

(3) Such Bid is genuine and is not a collusive or sham Bid;

(4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with another Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix an overhead, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Mineola (Local Public Agency) or any person interested in the proposed Contract; and

(5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) CS Smith
President
Title

Subscribed and sworn to me this 23 day of February.

By: Amy Renee Morrow
Notary Public

My commission expires 3-1-24

