

YOUR IMMEDIATE ATTENTION IS REQUIRED **ON THIS MATTER TO FINALIZE YOUR PROPOSAL** **So Please Act Now!!!**

As of January 1, 2016, a new state policy was implemented that affects all proposals which are awarded by our board of Trustees. HB1295 basically states the following...

House Bill 1295 amended the Texas Government Code by adding Section 2252.908, the Disclosure of Interested Parties. Under this Section 2252.908, (Robstown ISD) is prohibited from entering into a contract resulting from an RFP with a business entity unless the business entity submits a Disclosure of Interested Parties (Form 1295) to the District at the time business entity submits the signed contract. The Texas Ethics Commission has adopted rules requiring the business entity to file Form 1295 electronically with the Texas Ethics Commission.

Click here to hyperlink to website for further clarity
[Texas Ethics Commission Form 1295](#)

Detailed Instructions for Compliance with HB1295

VENDOR'S Responsibility for Compliance:

- 1) Go to the Ethics Commission Website using the following link to register and complete FORM 1295 - Certificate of Interest Parties Electronic Filing Application:

https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

Proposers must complete the filing application Form 1295 electronically with the Texas Ethics Commission using their online filing application. Click here to hyperlink to the form: [Texas Ethics Commission Form 1295](#)

As a "business entity" all vendors must electronically complete, print, sign, notarize and submit Form 1295 with their proposals or contracts even if there are no conflicting interested parties within the district.

- 2) Proposers must print a copy of the completed form, which will include a certification of filing containing a unique certification number.
- 3) The Form 1295 must be signed by an authorized agent of the business entity, and then the form must be notarized.
- 4) Send a copy of the form via email or fax to the Business Office -Attn: Ismael Gonzalez III ismael.gonzalez@robstownisd.org for Contract Service Proposals or all other proposals. The fax number for our Purchasing Department is 361-387-0466.

ADDITIONAL NOTATION: The Form 1295 must be completed for every contract entered into with Robstown ISD that will be awarded by the board.

Robstown ISD Responsibility for Compliance:

- 1) Once received, Robstown ISD must acknowledge the receipt of the filed Form 1295 by notifying the Texas Ethics Commission of the receipt of the filed Form 1295 **no later than the 30th day after the date the contract is approved at our board meeting.**
- 2) After Robstown ISD acknowledges the Form 1295, the Texas Ethics Commission will post the completed Form 1295 to its website within seven business days.
- 3) The completed Form 1295 with the certification of filing will be filed with your completed proposal or contract that was provided to the district for board award.

- 4) We will then provide vendor numbers to staff for issuance of purchase order.

ADDITIONAL NOTATION: Failure to comply with HB 1295 will result in your vendor packet being suspended from processing and no business can be conducted with your company until compliance has been provided by your company to Robstown ISD.

Additional Information to Help Clarify HB1295:

- Should you have questions, concerns or require additional information, please contact the Texas Ethics Commission at 512-463-5800; their office hours are from 8:00 am to 5:00 pm Monday through Friday.
- For questions submitting Form 1295 to Robstown ISD:
 - For **All Contract Service Proposals:** Contact Lydia Lerma at 361-767-6600 Ext. 2030, or by email at lydia.lerma@robstownisd.org
 - You may fax your signed and notarized copy to 281-585-4567

** Robstown ISD is not required at this time to keep the original documentation; therefore, it can be scanned electronically and received by email or by fax to the Business Office or submitted with proposal documentation.

** HB1295 affects all Government Entities entering into contracts whereby their Board of Trustees awards the contracts. Therefore, should you enter into any other contracts with other school districts, universities, colleges, or government municipalities be prepared to complete this form for their contracts as well.

Definitions Utilized for Completing Form 1295 include:

“Interested Party” means a person:

- Who has a controlling interest in a business entity with whom RISD contracts; or
- Who actively participates in facilitating the contract or negotiating the terms of the contract with Robstown ISD, including a broker, intermediary, adviser, or attorney for the business entity

“Business Entity” means an entity:

- Who is recognized by law through which business is conducted, including a sole proprietorship, partnership or corporation.
 - This includes NonProfit and For-Profit Organizations as a Business Entity

“Intermediary” for purposes of this rule, means a person:

- Who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who:
 - Receives compensation from the business entity for the person’s participation
 - Communicates directly with Robstown ISD on behalf of the business entity regarding the contract
 - AND is not an employee of the business entity

“Controlling Interest” means a person:

- Whereby has ownership interest or participating interest in the business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent
- Is a member 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
- Who serves 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