

South Plains Association of
Governments

1323 58th St, Lubbock, TX 79412



REQUEST FOR PROPOSALS (RFP)

SPAG Consultant Services for Broadband Planning Project 2025

RFP (Broadband Planning Project)

Chelsey Baldivia, Program Specialist

Due Date: **November 15, 2024**

Time Due: **10:00am CST**

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I. GENERAL INFORMATION

INTRODUCTION

The South Plains Association of Governments (SPAG) is a voluntary association of counties, cities, school districts, and special districts within a fifteen-county South Plains region. The fifteen counties include Bailey, Cochran, Crosby, Dickens, Floyd, Garza, Hale, Hockley, King, Lamb, Lynn, Lubbock, Motley, Tery, and Yoakum. SPAG assists local governments in planning for common needs, cooperating for mutual benefit, and coordinating sound regional development. Either directly or through contractors, SPAG provides programs and services for South Plains seniors, employers, and job seekers. Acting through SPAG, local governments create opportunities based on local needs and preferences.

OVERVIEW

SPAG intends to develop a regional broadband strategic plan for unserved and underserved rural areas of Hale, Hockley, and Terry Counties. This initiative will address the broadband infrastructure needs of Hale, Hockley, and Terry Counties businesses, education centers and medical districts by designing a systematic and innovative methodology that will serve as a “test case” demonstration project for other rural areas throughout Texas, specifically projects that will help businesses grow, expand, and relocate in South Plains region of Hale, Hockley, and Terry Counties.

Essential broadband initiative partners include elected officials, Chambers of Commerce, Economic Development Corporations, and existing broadband service providers. Once complete, the strategic plan will comprise detailed project plans that interlink with other projects, are regional in their design, build capacity, and provide economies of scale.

The final strategic plan will include up to 10 projects per the following counties: Hale, Hockley, and Terry. Each project will feature at least one local broadband service provider, and each project must help address legitimate business, education or medical provider needs, and begin to link the rural communities in the region. In those instances, where an individual sponsor(s) cannot be identified, those projects will be sponsored by a consortium of providers established under this initiative.

Upon implementation of the plan, SPAG support will be provided for the consortium and/or individual project sponsors to implement and administer these broadband development projects by pursuing multiple funding sources such as grants, foundations, and private capital. Because the plan is comprised of individual broadband projects, each project will begin construction as funding is secured. By using this strategy, the progress and eventual success of the initiative become manageable and measurable.

PURPOSE

SPAG is seeking qualified candidates to submit their methodology and costs to assist a SPAG team comprised of staff, county representatives, and legal in the development of a capital costs and associated funding for a strategic broadband plan for our region.

SPAG envisions the following sequence of events for the Broadband Initiative beginning with the selection of a candidate who will assist the SPAG team in the technical writing of a strategic plan of action to implement the most cost-effective Broadband Infrastructure without sacrificing quality. The infrastructure is to encompass and serve a targeted area of rural South Plains in the following counties of Hale, Hockley, and Terry, or its entirety if more cost-

effective, in need of reliable, affordable, accessible, and scalable internet functions and capabilities. The candidate will provide a critical review/assessment of current broadband needs and infrastructure of the business community within the counties of Hale, Hockley, and Terry.

Approximately \$10,000 has been budget to pay for consultant services in relation to development of capital costs for the broadband plan. SPAG requests a not-to-exceed, All INCLUSIVE, fee not to exceed \$10,000.

After the candidate is selected, the SPAG team will identify individual projects where the service provider will consider cable, fiber, and/or wireless solutions for broadband services to include, if necessary, congestion relief, possible solutions for voice, data storage, and web engines/ accelerators as necessary. The candidate will consider the region as a whole with a specific emphasis on interconnection with other SPAG counties and cities while incorporating the expressed priorities from the counties of Hale, Hockley, and Terry. This process is intended to allow each community/county to assume an active role in accelerating the deployment of networks within their respective jurisdictions, and consider the various solution recommendations from the local provider/consortium.

In addition, once the individual projects have been identified and included within the strategic plan, a funding strategy will be developed to identify opportunities for implementation of each of the county projects.

HUB BEST PRACTICES

SPAG shall ensure that small, minority, disadvantaged, and women's businesses are considered as sources for acquisitions whenever possible by:

- choosing the HUB organization in the case of tie bids;
- soliciting these businesses whenever they are potential sources;
- when economically feasible, dividing total desired services into smaller components to permit maximum participation by these businesses;
- if the requirement permits, establishing delivery schedules that will encourage small, minority, disadvantaged, and women's businesses to participate; and
- Use the services and assistance of the Small Business Administration or the Minority Business Development Agency, as needed.

A contractor/provider is encouraged to make a good-faith effort to consider HUBs when subcontracting. Some methods for locating HUBs include:

- utilizing the Texas Comptroller of Public Accounts website <http://www.window.state.tx.us/procurement/cmb/cmbhub.html>;
- utilizing Web sites or other minority/women directory listings maintained by local Chambers of Commerce;
- advertising subcontract work in local minority publications; and/or
- Contact the contracting state agency for assistance in locating available HUBs.

DEFINITIONS:

Subcontract means a contract entered between a prime contractor and a third party. The subcontract expressly provides all or a portion of the work specified in the prime contract. A prime contractor's purchase of ancillary goods and services that support the direct provision of the contract is excluded. Each HHS agency, at its option, specifies in the contract what is

and is not ancillary.

A Historically Underutilized Business (HUB) is defined as a business that is formed to make a profit and is otherwise a legally recognized business organization under the laws of the state of Texas. At least 51% of the assets and interest and/or classes of stock and equitable securities must be owned by one or more economically disadvantaged persons who are United States citizens born or naturalized. The following are recognized by the State of Texas as having been economically disadvantaged because of their identification as members of the qualifying groups - Asian Pacific Americans (AS), Black Americans (BL), Hispanic Americans (HI), Native Americans (NA), and American Women (WO). These individuals must demonstrate active participation in the control, operation, and management of the daily business affairs of the company that is proportionate to their ownership interest. HUB businesses must have a permanent business office located in Texas where the majority of HUB owner(s) make the decisions, control the daily operations of the organization, and participate in the business. Owners must be residents of the state of Texas and meet all other certification and compliance requirements. Out-of-state businesses are ineligible for state certification.

EQUAL OPPORTUNITY

SPAG is an equal opportunity employer. Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program Deaf, hard of hearing, or speech-impaired customers may contact Relay Texas: at 800-735-2989 (TD) and 711 (Voice).

II. RFP TIMELINE SCHEDULE

| | |
|--|---|
| RFP Broadband Project Release: | Thursday, October 31, 2024 |
| Deadline for Questions: | Monday, November 11, 2024 |
| Responses to Questions (no later than): | Tuesday, November 12, 2024 |
| Pre-bid Conference: | Friday, November 9, 2024 at 1:30 P.M. CST |
| PROPOSAL DUE: (open to the public) | <u>Friday, November 15, 2024</u> 10:00 A.M. CST (SPAG Lobby clock) |
| OPENING: (open to the public) | <u>Friday, November 15, 2024</u> 11:00 A.M. CST (SPAG Lobby clock) |

NOTE: All dates are subject to change

III. SEALED PROPOSAL PROCESS

SPAG reserves the right to a closed RFP process for proposal review/analysis, presentations of responsive proposals, and award recommendation procedures in the best interest of and the best benefit to SPAG as well as to ensure the best competitive edge for all parties, and in accordance with to Texas Local Government Code:

Sec. 252.049. CONFIDENTIALITY OF INFORMATION IN BIDS OR PROPOSALS. (a) Trade secrets and confidential information in competitive sealed bids are not open for public inspection. (b) If provided in a request for proposals, proposals shall be opened in a manner that avoids disclosure of the contents to competing offerors and keeps the proposals secret during negotiations. All proposals are open for public inspection after the contract is awarded, but trade secrets and confidential information in the proposals are not open for public inspection.

Acts 1987, 70th Leg., Ch. 149, Sec. 1, eff. Sept. 1, 1987.

In addition, and accordance with Government Code, Chapter 552. Public Information:

Sec. 552.104. EXCEPTION: INFORMATION RELATED TO COMPETITION OR BIDDING. (a) Information is excepted from the requirements of Section [552.021](#) if it is information that, if released, would give an advantage to a competitor or bidder.

(b) The requirement of Section [552.022](#) that a category of information listed under Section [552.022](#)(a) is public information and not excepted from required disclosure under this chapter unless expressly confidential under law does not apply to information that is excepted from required disclosure under this section.

Added by Acts 1993, 73rd Leg., Ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by Acts 2001, 77th Leg., Ch. 1272, Sec. 7.01, eff. June 15, 2001.

IV. GENERAL PROVISIONS

- SPAG reserves the right for any contract resulting from the RFP to be contingent upon the continued availability of funding.
- SPAG reserves the right to accept, reject, or negotiate proposals received as well as to vary or waive any provisions outlined in this request for proposals in the best interests of SPAG.
- This request for proposals does not commit or obligate SPAG to allow any costs incurred in the preparation of a response or in advance of the execution of a contract.
- Conflict of interest is a serious issue. Proposers may not hire SPAG management or support staff, or policy board members that were involved in the evaluation and/or selection process under this proposal. Proposers must sign and submit a Conflict-of-Interest form (Attachment A).
- SPAG reserves the right to negotiate the final terms of any potential agreement or contract as a result of this RFP with Proposers, including but not limited to, any essential clauses or certifications in this RFP. The proposal must have the original signature of the person having the authority to bind the organization to a contract or it may be rejected for non-compliance.
- SPAG reserves the right to claim ownership of any proposal submitted in response to this RFP to be the property of SPAG and is not obligated to return proposal responses, binders, or exhibits to Proposers. Proposers should not include proprietary information or trade secrets. Information submitted may be subject to disclosure under the Texas Open Records Act, it will be the responsibility of the Proposer to seek

an exemption from disclosure and file any necessary documents with the Attorney General.

- Proposals not selected for funding may be appealed only concerning any fault or violation of law or regulation regarding the review process. Appeals must be filed within ten calendar days of the final SPAG action, at the address identified above.
- All programs and employers under the auspices of SPAG comply with EEO. Auxiliary aids and services are available, upon request, to individuals with disabilities.

V. SUBMISSION OF PROPOSALS

Solicitation for Request for Proposal (RFP) shall conform to all State and Federal laws and regulations governing the procurement of services. Proposers are responsible for familiarizing themselves with such laws and regulations. Failure to comply with or violation of any requirements or conditional limitations outlined in this RFP process may invalidate a proposal or may lead to bid rejection.

The Proposal submission must be received in the SPAG office no later than **10:00 A.M. (CST), Friday, November 15, 2024.** *Proposals submitted after the deadline will not be accepted.*

Email address for submission: regional@spag.org

Note: Proposer MUST title the email subject line: ***ATTN: Chelsey Baldivia; RFP Broadband Project; 10:00 A.M. (CST), Friday, November 15, 2024.*** Candidates are advised to account for and anticipate any potential delays or technical issues associated with sending large electronic files to ensure timely receipt. Emailed proposals must be received by the South Plains Association of Governments (SPAG) office and electronically timestamped no later than 10:00 AM CST on Friday, November 15, 2024. Proposals submitted after the deadline will not be considered. Upon receipt of a proposal, candidates will receive a confirmation email from SPAG verifying successful submission.

Incomplete proposals

Proposals determined to not comply with RFP guidelines, specifications, and requests put forth in this RFP; and, proposals missing required signatures may be deemed *null and void* and *disqualified* for award consideration, and will be treated as a 'No Bid'.

VI. RFP RETRIEVAL AND KEY HIGHLIGHTS

RFP RETRIEVAL

The RFP document, RFP updates, and additional RFP information or amendments will be posted on the SPAG website and may be retrieved online at www.SPAG.org

In addition, Proposers may request an RFP copy via email to Chelsey Baldivia at: regional@spag.org

QUESTIONS/RESPONSES

Proposer questions and/or requests for additional information regarding this RFP **must** be in writing.

No verbal requests for clarification will be addressed, with no exceptions. As referenced in *Section IV. RFP Timeline Schedule (p. 6)*, **Monday, November 11, 2024**, is the deadline for questions and/or requests for clarification or any other additional information to be submitted.

Please email all questions and/or inquiries to Chelsey Baldivia at regional@spag.org by the aforementioned deadline to ensure response. Responses to Proposer questions received by the deadline date will be emailed to all candidates who have received an RFP no later than Tuesday, November 12, 2024.

NOTE: It is the sole responsibility of Proposers to review email correspondence and the SPAG website periodically for RFP responses to questions, RFP amendments, or updates.

PRE-BID CONFERENCE

There will be a Pre-Bid Conference for potential Proposers to gain clarification and ask questions about this RFP process. Although it is not mandatory, it is highly recommended Proposers try to be in attendance. The Pre-Bid Conference will be at Friday, November 8, 2024, 1:30pm at SPAG offices located at 1323 58th St, Lubbock, Texas. Online access will also be made available.

VII. AMENDMENT OR WITHDRAWAL OF PROPOSAL

Proposers may amend/resubmit a proposal after receipt by SPAG only by submitting an amended proposal/replacement identified by the proposal deadline date/time. Proposers may withdraw a proposal after receipt by SPAG only by written request by the proposal deadline date/time. However, SPAG may waive an error or omission from a proposal if the error or omission is not material.

SPAG requests a not-to-exceed, All INCLUSIVE, fee not to exceed \$10,000.

VIII. SCOPE of WORK

QUALIFICATIONS:

A *Qualified Proposer* must have the following to be considered:

- Project understanding, approach, and schedule,
- Qualifications and Experience in the Texas market,
- Experience working with USDA, TDA, and/or other government entities and working with local providers,
- Experience in or near the South Plains region,
- Established relationships, either directly or indirectly, with local providers in the region,
- Demonstrated knowledge in the Hale, Hockley, and Terry counties.

- Demonstrated knowledge of Broadband Development in Rural areas and Provide examples of successful rural networks that have been implemented
- Demonstrated Knowledge and expertise in Government Funding, Private/Public partnerships

OBJECTIVES:

- Provide capital costs for up to 10 broadband projects per following counties of Hale, Hockley, and Terry,

- Submit individual project engineering requests to the providers in the region
- Negotiate projects
- Design projects
- Present Best Design for Project(s)

EXPECTED OUTCOME:

It is expected Potential Candidates will have the knowledge, expertise, and demonstrated abilities to help develop a strategic plan for the implementation of a Broadband Infrastructure for targeted regional counties of Hale, Hockley, and Terry, to:

- Assist SPAG in developing a regional broadband strategy, i.e. a professional(s) who is open to and welcomes new ideas and new strategies for our region including incumbent communications service providers
- Identify, engineer, and design up to ten broadband projects per county that supports the primary objective and vision for connectivity throughout Hale, Hockley, and Terry counties
- Provide access to providers based on our objectives and help SPAG build a consortium of Local Carriers
- Provide a single point of contact for each project
- Recommend a strategy and solution(s) planning for a regional approach that will affordably link our communities to a robust broadband network including asset documentation and leveraging, explanation of roles, processes, and responsibilities
- Provide recommendations on specific projects for each county including service plan speeds and estimated costs to the end-user and how it compares to current solutions.
- Determine if the installation can utilize existing utilities.
- Provide an approximate installation schedule
- Identify local, state, and federal permitting requirements including environmental impact and special use permits.
- Develop a funding strategy and support SPAG in seeking appropriate funding for each project.
- List unexpected project issues not addressed in this RFP.

IX. PROPOSAL INSTRUCTIONS

Proposals may be in a format selected by the proposer but must include the following information:

- (1) Name, address, phone number, and e-mail address of the proposer and of a contact person who shall be available to discuss a proposal for service
- (2) A description of the proposer's experience and qualifications.
- (3) Describe your scheduling flexibility during the work week (Monday-Friday).
- (4) Proposed cost breakdown/fee schedule for consultation services
- (5) Copies of:
 - a) References (minimum of 3 required)
 - b) Essential Clauses and Certifications (Section XI-XII, pgs. 11-15); and

c) Signed Conflict of Interest Statement (Attachment A)

NOTE: Only proposers who have submitted all information in the above *Section IX. Proposal Instructions* shall be evaluated based on the Evaluation Criterion below.

X. EVALUATION CRITERION

The criterion for evaluation:

- 1) Demonstrated qualifications and experience to perform the services (25pts);
- 2) Cost Reasonableness (15pts);
- 3) Availability (10 pts).

A composite grade will be given for the above-mentioned criteria of 0-50. Proposals will be rated numerically and those that receive a minimum of 35 points will be eligible for selection. The ratings will be based on the qualifications provided in the proposal by the closing date of the RFP.

SPAG requests a not-to-exceed, All INCLUSIVE, fee not to exceed \$10,000.

Note: SPAG reserves the right to consult with any source available in evaluating responses.

XI. ESSENTIAL CLAUSES AND CERTIFICATIONS

The following forms must be completed, signed, and included with Proposer's IFB: (1) certification for lobbying, (2) certification for debarment, (3) certification for Texas Corporate Franchise Tax, and also be in full agreement and compliance of general essential clauses. **Failure to return any pages requiring the Proposer's signature may cause the proposal to be null and void.**

Equal Opportunity

SPAG is an equal opportunity employer. All programs under the auspices of SPAG are equal-opportunity entities. The contractor represents and warrants that it shall not discriminate against any person based on race, color, national origin, creed, religion, political belief, sex, sexual orientation, age, or disability in the performance of this Contract.

Antitrust

Neither Proposer nor firm, corporation, partnership, or institution represented by Proposer or anyone acting for such firm, corporation, or institution has (1) violated the antitrust laws of the State of Texas under Texas Business & Commerce Code, Chapter 15, or the federal antitrust laws; or (2) communicated the contents of this Proposal either directly or indirectly to any competitor or any other person engaged in the same line of business during the procurement process for this IFB.

Conflict of Interest Questionnaire (Attachment A)

Chapter 176 of the Texas Local Government Code requires vendors and consultants contracting or seeking to contract with SPAG to file a conflict-of-interest questionnaire (CIQ) if they have an employment or other business relationship with an officer of SPAG or a SPAG officer's close family member. The CIQ must be completed and filed with the proposal response if an employment or business relationship defined in the law exists.

Abandonment or Default

If the successful Proposer defaults on a contract resulting from this IFB, SPAG reserves the right to cancel the contract without notice and either re-solicit or re-award the contract to the next best responsive and responsible respondent. The defaulting Proposer will not be considered in the re-solicitation and may not be considered in future solicitations for the same type of work unless the specifications or scope of work significantly change. The period of suspension will be determined by the agency based on the seriousness of the default.

Buy Texas

By Texas Government Code, Section 2155.4441, and the State of Texas requires that during the performance of a contract for services, the Contractor shall purchase products and materials produced in the State of Texas when available at a price and time comparable to products and materials produced outside the state.

Texas Sales and Use Tax

Pursuant to § 2155.004, Government Code, a state agency may not accept a bid or award a grant to any individual not residing in this state or business entity not incorporated in or whose principal domicile is not in this state unless the individual or business entity holds a permit issued by the comptroller to collect or remit all state and local sales and use taxes that become due and owing as a result of the individual's or entity's business in this state or certifies that it does not sell tangible personal property or services that are subject to the state and local sales and use tax,

The undersigned authorized representative of the business entity being awarded a grant herein certifies that it (indicate the statement that applies to your business entity): holds a permit issued by the comptroller to collect or remit all state and local sales and use taxes that become due and owing as a result of the individual's or entity's business in this state; or does not sell tangible personal property or services that are subject to the state and local sales and use tax.

Change Management

The Proposer agrees that the key personnel assigned to the Contract shall remain available for the entirety of the project throughout the term of the Contract as long as that individual is employed by the Proposer unless SPAG agrees to a change in key personnel.

Liability for Property Damage

Successful Proposer shall be liable for all damages to SPAG-owned, leased, or occupied property and equipment caused by Proposer and its employees, agents, subcontractors, and suppliers, including delivery or cartage company, in connection with any performance pursuant to a Contract as a result of this IFB. The Proposer shall notify the SPAG Contract Manager in writing of any such damage within one (1) calendar day.

Limitation on Authority; No Other Obligations

Successful Proposer shall have no authority to act for or on behalf of SPAG except as expressly provided for in a contract or agreement resulting from this IFB; no other authority, power, or use is granted or implied. Successful Proposer may not incur any debts, obligations, expenses, or liabilities of any kind on behalf of SPAG.

Liability for Taxes

Successful Proposer represents and warrants that it shall pay all taxes or similar amounts from any contract or agreement resulting from this IFB, including, but not limited to, any federal, State, or local income, sales, or excise taxes of successful Proposer or its employees. SPAG shall not be held liable for any taxes resulting from the Successful Proposer executing the performance of any contract or agreement.

Force Majeure

Neither Proposer nor SPAG shall be liable to the other for any delay in, or failure of performance, of any requirement included in a contract resulting from this IFB 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 the 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. Each party must inform the other in writing, with proof of receipt, within three (3) business of the existence of such force majeure, or otherwise waive this right as a defense.

Lobbying

This certification is required by the Federal Regulations, implementing Section 1352 of the Program Fraud and Civil Remedies Act, Title 31 U.S. Code, for the Department of Agriculture (7 CFR Part 3018), Department of Labor (29 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned certifies that:

- (1) 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 Congress, or an employee of a Member of Congress in connection with the awarding of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, the extension, continuation, renewal, amendment, or modification of any federal grant award, grant, loan or cooperative agreement.
- (2) If any funds other than federally 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 grant award, grant loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subgrant awards, subgrants, and awards under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Debarment, Suspension, and Other Responsibility Matters

This certification is required by the Federal Regulations, implementing Executive Order 12549, Government-wide Debarment and Suspension, for the Department of Agriculture (7 CFR Part 3017),

Department of Labor (29 CFR Part 98), Department of Education (34 CFR Part 85), Department of Health and Human Services (45 CFR Part 76).

The undersigned certifies that neither it nor its principals:

- (1) Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or Agency.
- (2) Have not within three years preceding this grant award been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or grant award under a public transaction, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity with the commission of any of the offenses enumerated in Paragraph (2) of this certification; and,
- (4) Have not within three years preceding this grant award had one or more public transactions terminated for cause or default

Texas Corporate Franchise Taxes

Pursuant to Article 2.45, Texas Business Corporation Act, State agencies may not award grants to for-profit corporations that are delinquent in making state franchise tax payments.

The undersigned certifies that the certification marked below applies to its business entity:

_____The entity is a non-profit corporation or is otherwise not subject to payment of franchise taxes to the State of Texas.

_____The entity is a for-profit corporation and certifies that it is not delinquent in its franchise tax payments to the State of Texas.

XII. PROPOSER ACKNOWLEDGEMENT AND AFFIRMATION

Acknowledgment of Essential Clauses and Certifications

The above Essential Clauses and required Certifications are a material representation of fact upon which reliance is placed when entering into any contract or agreement as a result of this RFP. The return of these required documents signed with original signatures by an authorized representative of the Proposer are prerequisite for finalizing the award and must be returned with the proposal. Failure to do so will deem the Proposer's proposal null and void.

Where the undersigned Proposer is unable to certify to any of the statements above, a valid and just explanation **must** be attached or the proposal will be rejected.

AFFIRMATION

The undersigned certifies that the indicated statements and/or essential clauses are true and correct and understands that making a false statement or proclamation of compliance is a material breach of the award and is grounds for award cancellation.

Therefore, the undersigned additionally hereby certifies and warrants that he/she has been fully authorized to execute this proposal on behalf of the firm and to legally bind the firm to all the terms, performances, and provisions as herein set forth.

Signature

Date

Typed Name and Title of Authorized Representative

Attachment A

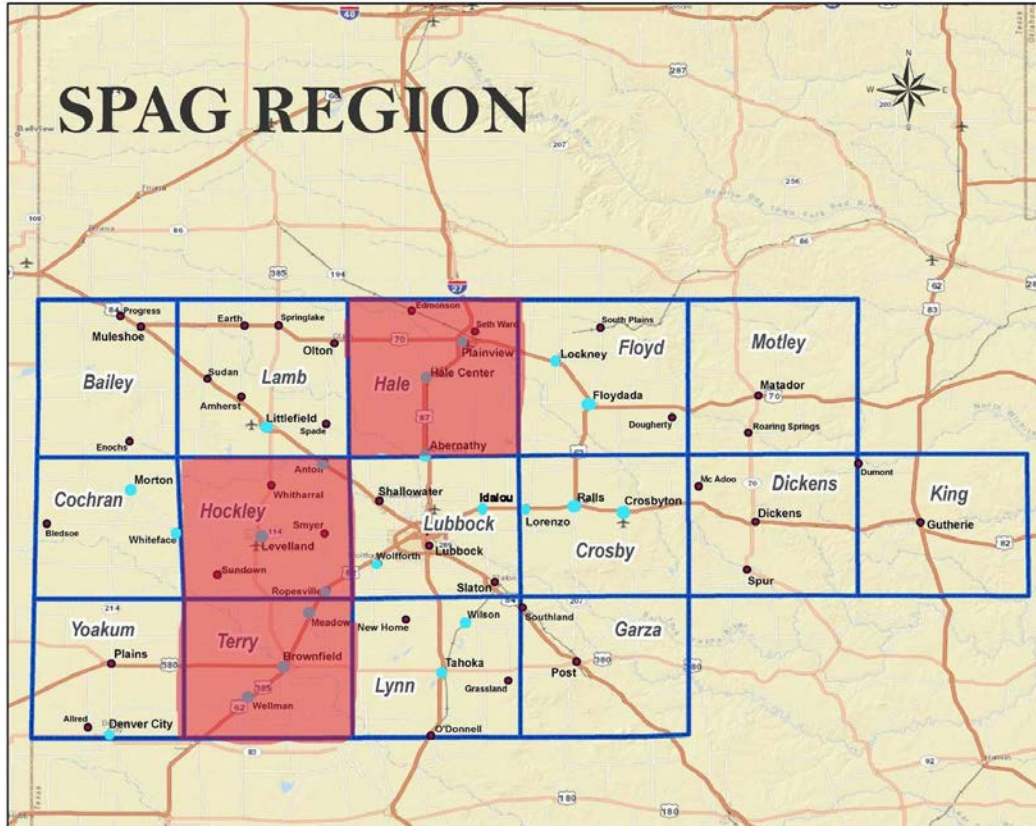
| CONFLICT OF INTEREST QUESTIONNAIRE For vendor or other person doing business with local governmental entity | | FORM CIQ |
|--|------------------------|-----------------|
| <p>This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.</p> <p>This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).</p> <p>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 person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.</p> <p>A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.</p> | OFFICE USE ONLY | |
| <p>1 Name of person who has a business relationship with local governmental entity.</p> | Date Received | |
| <p>2 <input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire.</p> <p style="text-align: center;">(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 the originally filed questionnaire becomes incomplete or inaccurate.)</p> | | |
| <p>3 Name of local government officer with whom filer has employment or business relationship.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Name of Officer</p> <p>This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.</p> <p>A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>D. Describe each employment or business relationship with the local government officer named in this section.</p> | | |
| <p>4</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Signature of person doing business with the governmental entity</p> <p style="text-align: right; margin-right: 150px;">_____</p> <p style="text-align: right; margin-right: 150px;">Date</p> | | |

ATTACHMENT B

South Plain's Regional Map

Councils of Governments (COGs) are voluntary associations of local governments formed under Texas law. The South Plains Association of Governments serves the following fifteen counties in the South Plains region.

Centrally located within the United States, West Texas is easily accessible by air, rail, and road. Our region encompasses 15 counties covering 13,737 square miles. Approximately 60% of the region's population is located in Lubbock County, which is geographically centered in the region. The economy is dominated by agriculture, agribusiness, and service industries.



Quicklink to Counties:

- | | |
|-------------------------|---------------------------|
| Bailey | * Hockley |
| Cochran | King |
| Crosby | Lamb |
| Dickens | Lynn |
| Floyd | Lubbock |
| Garza | Motley |
| * Hale | * Terry |
| | Yoakum |

(*) = Counties for Broadband Plan Capital Costs