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# Item 2L

## Instructions to Bidders

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### 1. INTRODUCTION

Instructions to the Contractor in these specifications are generally written in active voice, imperative mood. The subject of imperative sentences is understood to be "the Contractor." The Owner's responsibilities are generally written in passive voice, indicative mood. Phrases such as "as approved," "unless otherwise approved," "upon approval," "as directed," "as verified," "as ordered," and "as determined" refer to actions of the Engineer unless otherwise stated, and it is understood that the directions, orders, or instructions to which they relate are within the limitations of and authorized by the Contract.

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### 2. ELIGIBILITY OF BIDDERS

Bidders on this project must be prequalified through TxDOT by meeting the requirements of the Confidential Questionnaire (CQ)). Refer to TxDOT's website for prequalification requirements. Assure prequalification documents are submitted to TxDOT at least 14 days before bid opening. Comply with all technical prequalification requirements in the bid documents.

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### 3. ISSUING BID DOCUMENTS

Bid Documents may be obtained via the Cameron County Purchasing Department Website: <https://www.cameroncountytexas.gov/purchasing-bids-rfpq-addms-tabs/>

At the time Bid Documents are obtained, Bidder must provide a working e-mail address, so as to receive any addenda or clarification issued by the Owner.

The Owner will not issue bid documents if one or more of the following apply:

- the Bidder is suspended or debarred by the Department or federal agency,
- the Bidder has not fulfilled the requirements for prequalification,
- the Bidder is prohibited from rebidding a specific project due to a bid error on the original bid documents,
- the Bidder failed to enter into a Contract on the original award,
- the Bidder was defaulted or terminated on the original Contract, unless the Owner terminated for convenience, or
- the Bidder or a subsidiary or affiliate of the Bidder has received compensation from the Owner to participate in the preparation of the plans or specifications on which the bid or Contract is based.

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### 4. INTERPRETING ESTIMATED QUANTITIES

The quantities listed in the bid documents are approximate and will be used for the comparison of bids. Payments will be made for actual quantities of work performed in accordance with the Contract.

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### 5. EXAMINING DOCUMENTS AND WORK LOCATIONS

Examine the bid documents and specified work locations before submitting a bid for the work. Submitting a bid will be considered evidence that the Bidder has performed this examination. Borings, soil profiles, water elevations, and underground utilities shown on the plans were obtained for the use of the Owner in the preparation of plans. This information is provided for the Bidder's information only and the Owner makes no representation as to the accuracy of the data. Be aware of the difficulty of accurately classifying all material

encountered in making foundation investigations, the possible erosion of stream channels and banks after survey data have been obtained, and the unreliability of water elevations other than for the date recorded.

Oral explanations, instructions, or consideration for Contractor-proposed changes in the bid documents given during the bidding process are not binding. Only requirements included in the bid documents and Owner-issued addenda are binding. Request explanations of documents at least five(5) days prior to the bid opening.

Immediately notify the Owner of any error, omission, or ambiguity discovered in any part of the bid documents. The Owner will issue addenda when appropriate.

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## **6. PREPARING THE BID**

Prepare the proposal form furnished by the Owner. Informational proposal forms printed from the Owner's website will not be accepted.

Specify a unit price in dollars and cents for each regular item, additive alternate item, deductive alternate item or replacement alternate item for which an estimated quantity is given.

When "Working Days" is an item, submit the number of working days to be used to complete the Contract or phases of the Contract.

The Owner will not accept an incomplete bid. A bid that has one or more of the deficiencies listed below is considered incomplete:

- the proposal form was not signed,
- all certifications were not acknowledged,
- a regular item, additive alternate item or deductive alternate item is left blank,
- a regular item and the corresponding replacement alternate item are left blank,
- the proposal form submitted had the incorrect number of items, or
- all addenda were not acknowledged.

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## **7. NONRESPONSIVE BID**

The Owner will not accept a nonresponsive bid. A bid that has one or more of the deficiencies listed below is considered nonresponsive:

- The bid was not in the hands of the Letting Official at the time and location specified in the advertisement.
- A bid was submitted for the same project by a Bidder or Bidders and one or more of its partners or affiliates.
- The Bidder was not authorized to receive a proposal form under Article 2L.3, "Issuing Bid Documents",
- The Bidder failed to acknowledge receipt of all addenda issued.
- The proposal form was signed by a person who was not authorized to bind the Bidder or Bidders.
- The proposal guaranty did not comply with the requirements contained in this Item.
- The bid was in a form other than the official proposal form issued by the Owner.
- The Bidder modified the bid in a manner that altered the conditions or requirements for work as stated in the bid documents.
- The Bidder bid more than the maximum or less than the minimum number of allowable working days when working days was an item.
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- The Bidder did not meet the requirements of the technical qualification.
- The Bidder did not include a signed State of Texas Child Support Business Ownership Form.
- The bidder is not prequalified by TxDOT

- The bidder does not meet the Owner's qualification requirements.

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## 8. SUBMITTAL OF BIDS

- 8.1.1. **Proposal Guaranty.** Provide a bid guaranty in the amount indicated on the proposal form.

If a bid bond is required in this bid, it must be included in the Bidders Sealed Bid package and be current/valid through award.

- 8.1.2. **Submittal of Bid.** Submit the bid using the Owner's bidding system.

- 8.1.3. **Revising the Proposal Form.** Make desired changes as allowed by the Owner's bidding system up until the time and date set for the opening of bids. The last bid submitted will be used for tabulation purposes.

- 8.1.4. **Withdrawing a Bid.** Submit an electronic or written request to withdraw a bid before the time and date set for the opening. The Owner will not accept oral requests. An electronic request must be made using the Owner's bidding system.

A written request must be signed and submitted to the Letting Official with proof of identification. The request must be made by a person authorized to bind the Bidder or Bidders. In the case of joint venture, the Owner will accept a request from any person authorized to bind a party to the joint venture. The Owner may require written delegation of authority to withdraw a bid when the individual sent to withdraw the bid is not authorized to bind the Bidder or Bidders.

- 8.2. **Printed Bid.**

- 8.2.1. **Proposal Form.** Mark all entries in ink. As an alternative to hand writing the unit prices in the proposal form, submit a typed proposal form. A typed proposal form must contain the information in the format shown on the "Bid Tabs" in the proposal form.

When regular bid items have corresponding replacement alternate items, select the bid item or group of items to be used for the bid tabulation. Acknowledge all addenda by signing on the Receipt of Addenda form. Provide the complete and correct name of the Bidder submitting the bid. A person authorized to bind the Bidder must sign the proposal form. In the case of a joint venture, provide the complete and correct name of all Bidders submitting the bid. In the case of a joint venture, the person signing the proposal form must be authorized to bind all joint venture participants.

If a proposal form contains both regular items for domestic steel or iron materials and replacement alternate items for foreign steel or iron materials, the Bidder must either:

- submit unit bid prices for domestic items only, or
- submit unit bid prices for both the domestic and foreign items.

- 8.2.2. **Proposal Guaranty.** Provide a bid guaranty in the amount indicated on the bid documents. Use either a guaranty check or a printed bid bond.

- 8.2.3. **Guaranty Check.** Make the check payable to the Owner. The check must be a cashier's check, money order, or teller's check drawn by or on a state or national bank, or a state or federally chartered credit union (collectively referred to as "bank"). The check must be dated on or before the date of the bid opening. Postdated checks will not be accepted. The type of check or money order must be indicated on the face of

the instrument, except in the case of a teller's check, and the instrument must be no more than 90 days old. A check must be made payable at or through the institution issuing the instrument; be drawn by a bank and on a bank; or be payable at or through a bank. The Owner will not accept personal checks, certified checks, or other types of money orders.

8.2.4. **Bid Bond.** Use the bid bond form provided by the Owner. Submit the bid bond with the powers of attorney attached and in the amount specified. The bond must be dated on or before the date of the bid opening, bear the impressed seal of the Surety, and be signed by the Bidder or Bidders and an authorized individual of the Surety. As an alternative for joint venture Bidders, each of the Bidders may submit a separate bid bond completed as outlined in this section. Bid bonds will only be accepted from Sureties authorized to execute a bond under and in accordance with State law.

8.2.5. **Submittal of Bid.** Place the completed proposal form and the bid guaranty in a sealed envelope marked to indicate the contents.

When submitting by mail or delivery service, place the envelope in another sealed envelope and address as indicated in the official advertisement or in the bid documents. It is the Bidder's responsibility to ensure that the sealed bid arrives at the location described on or before the time and date set for the bid opening. To be accepted, the bid must be in the hands of the Letting Official by that time of opening regardless of the method chosen for delivery.

8.2.6. **Revising the Proposal Form.** Make desired changes to the proposal form in ink and submit the bid to the Letting Official. The Owner will not make revisions to a bid on behalf of a Bidder.

8.2.7. **Withdrawing a Bid.** Submit a written request to withdraw a bid before the time and date set for the opening. The Owner will not accept oral requests. A written request must be signed and submitted to the Letting Official with proof of identification. The request must be made by a person authorized to bind the Bidder or Bidders. In the case of joint venture, the Owner will accept a request from any person authorized to bind a party to the joint venture. The Owner may require written delegation of authority to withdraw a bid when the individual sent to withdraw the bid is not authorized to bind the Bidder or Bidders.

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## 9. OPENING AND READING OF BIDS

At the time, date, and location specified in the official advertisement, the Owner will publicly open and read bids.

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## 10. TABULATING BIDS

10.1. **Official Total Bid Amount.** The Owner will sum the products of the quantities and the unit prices bid in the proposal form to determine the official total bid amount, except as provided in Section 2L.11., "Consideration of Unit Prices." The official total bid amount is the basis for determining the apparent low Bidder. The total bid amounts will be compared and the results made public.

10.2. **Consideration of Bid Format.** When a Bidder submits both an electronic bid and a printed bid that is responsive, the unit bid prices in the printed bid will be used to determine the total bid amount. If the printed bid is incomplete or nonresponsive, the electronic bid will be used in the tabulation of the total bid amount.

If a Bidder submits 2 or more printed bids, all responsive bids will be tabulated. The bid with the lowest tabulation will be used to determine the total bid amount.

10.3. **Rounding of Unit Prices.** The Owner will round off all unit bids involving fractional parts of a cent to the nearest one-tenth cent (\$0.001) in determining the amount of the bid as well as computing the amount due for payment of each item under the Contract. For rounding purposes, entries of five-hundredths of a cent (\$0.0005) or more will be rounded up to the next highest tenth of a cent, while entries less than five-hundredths of a cent will be rounded down to the next lowest tenth of a cent.

10.4. **Interpretation of Unit Prices.** The Owner will make a documented determination of the unit bid price if a unit bid price is illegible or conflicting in the case of replacement alternate items. The Owner's determination will be final.

10.5. **Consideration of Unit Prices.**

10.5.1. **Additive Alternate Items.** The Owner will sum the products of the quantities and the unit prices for the regular items in the proposal form to determine the total bid amount for the base bid. The official total bid amount will be determined by the summation of the base bid plus a pre-determined order of additive alternate items. An estimate of the budgeted amount may be shown on the plans.

The Contract will identify the base bid work and additive alternate work to be performed. The Owner makes no guarantee that the additive alternate work will be required.

10.5.2. **A + B Bidding.** The official total bid amount will be determined by the summation of the Contract amount and the time element. The Owner will use the following formula to make the calculation:

$$A + B1 + B2 + BX + \dots + BT$$

The Contract amount, equal to A in the formula, is determined by the summation of the products of the approximate quantities shown in the bid and the unit bid prices bid. The time element, equal to B1, B2, BX (when phases are included as bid components), and BT (substantial completion of the project when included as a bid component), of the bid is determined by multiplying the number of working days bid to substantially complete the project, or phases, by the daily road-user cost (RUC) provided on the bid documents. When partial days are bid they will be rounded up to the nearest whole day.

The formula above determines the low Bidder and establishes the Contract time.

10.5.3. **"Buy America."** Comply with Buy America in accordance with Section 6L.1.1.. For a Bidder who proposes to use foreign steel or iron materials to be considered the apparent low Bidder, their total bid must be at least 25% lower than the next lowest bid if that bid proposes to use domestic steel or iron materials.

This requirement does not apply to minimal use of steel or iron materials provided that the total cost of all foreign source items used in the project, as delivered to the project site, is less than \$2,500 or one-tenth-of-one-percent (1/10 of 1%) of the Contract amount, whichever is greater

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## 11. **CONSIDERATION OF BID ERRORS.**

The Owner will consider a claim of a bid error by the apparent low Bidder if the following requirements have been met:

- Submit written notification to the Owner within 5 business days after the date the bid is opened.
- Identify the items of work involved and include bidding documentation. The Owner may request clarification of submitted documentation.

The Owner will evaluate the claim of an error by the apparent low Bidder by considering the following:

- The bid error relates to a material item of work.
- The bid error amount is a significant portion of the total bid.
- The bid error occurred despite the exercise of ordinary care.
- The delay of the proposed work will not impact cost and safety to the public.

Acceptance of the bid error claim by the Owner will result in the rejection of the bid of the apparent low bidder and the Owner may consider the second responsive bid. The erring Contractor will not be allowed to bid the project if it is relet. Rejection of bids due to the Contractor's bid error may result in the application of sanctions by the Owner.

**TIE BIDS**

If the official total bid amount for 2 or more Bidders is equal and those bids are the lowest submitted, each tie Bidder will be given an opportunity to withdraw their bid. If 2 or more tie Bidders do not withdraw their bids, the low Bidder will be determined by a coin toss. If all tie Bidders request to withdraw their bids, no withdrawals will be allowed and the low Bidder will be determined by a coin toss. The Letting Official will preside over the proceedings for the coin toss.



**CONFIDENTIAL  
QUESTIONNAIRE**

*Date of Balance Sheet* \_\_\_\_\_ , \_\_\_\_\_

*Name under which you wish to qualify* \_\_\_\_\_

*Mark only one:*

- Individual
- Limited Partnership
- General Partnership
- Corporation
- Limited Liability Company

Post Office Box \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Street Address (required) \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone (required) \_\_\_\_\_ Fax \_\_\_\_\_ E-mail Address (required) \_\_\_\_\_

Area Code \_\_\_\_\_ Number \_\_\_\_\_ Area Code \_\_\_\_\_ Number \_\_\_\_\_

- Display fax # on TxDOT website     Display e-mail address on TxDOT website

• \_\_\_\_\_ •

Texas Taxpayer Identification No.

• \_\_\_\_\_

Federal Employers Identification No.

\_\_\_\_\_

DUNS No. (if available)

Revised October 2017



EMAIL THIS QUESTIONNAIRE ALONG WITH FINANCIAL STATEMENTS TO:  
**CST\_PREQUALIFICATION@TXDOT.GOV**

OR MAIL TO:  
**TEXAS DEPARTMENT OF TRANSPORTATION  
ATTENTION: CST-PREQUALIFICATION  
200 E. RIVERSIDE DRIVE  
AUSTIN, TEXAS 78704**

PLEASE MARK THE ENVELOPE: "FINANCIAL FORMS"

## SPECIAL NOTICE

A Confidential Questionnaire submitted by an individual or business entity must contain all of the assets and all of the liabilities of the individual or business entity.

**Asset and financial information provided is considered confidential under the law and will not be voluntarily disclosed to other person(s).**

A Texas corporation must have a Texas Corporate Charter and furnish the department its charter or file number in the Corporation Block on Page 21 of the Confidential Questionnaire.

A Texas Attorney General's opinion permits a foreign corporation to become a qualified bidder with the department and to be issued bidding documents prior to registering the corporation to do business in this state; however, the corporation must register to do business in Texas prior to the execution of a contract with the department. In this instance, the foreign corporation should ascertain the availability of its name in Texas and submit its questionnaire under that name. If the contractor has not yet registered the corporation, he/she must file a name registration with the Texas Secretary of State, and provide this department with evidence of such filing. This name registration must be renewed continually until the corporation becomes registered. In addition, it will be necessary that we be furnished a copy of the corporation's Corporate Charter as filed in the state of incorporation in order that our records will be complete.

A Texas Limited Liability Company must have Texas Articles of Organization or Certification of Formation and furnish the department its file number in the Limited Liability Company Block on page 21 of the questionnaire.

A Texas Limited Partnership must have a Texas Certificate of Limited Partnership and furnish the department its file number in the Limited Partnership Block on page 21 of the questionnaire.

## WARNING TO BIDDERS

The signer of this Confidential Questionnaire guarantees, as evidenced by the sworn affidavit required herein, the truth and accuracy of all statements and of all responses made in the questionnaire.

In order for a contractor to be considered eligible to bid on Texas Department of Transportation work, he/she must file a satisfactory Confidential Questionnaire using this form, along with the required financial statements, with the Texas Department of Transportation at Austin, Texas. The statement shall be made as of the last day of any month, and must be on file in Austin 10 days prior to the date bids are to be opened, if a contractor is to be eligible to bid. (See Item 2.2 of the Standard Specifications.) In addition, the statement must be approved for at least one letting prior to its anniversary date. The department interprets this 10 day requirement as being 10 calendar days before the last day of the letting. For example, assume that a contractor wishes to submit bids on projects to be opened on the 12th and/or 13th of July. The statement must be filed by the 3rd day of July in order to be eligible to bid on those projects.

A new statement must be filed annually. If a contractor files a satisfactory statement, he/she will be eligible to bid for a period of 12 months from the date of the statement. Also, contractors are automatically granted a 90 day grace period to prepare and submit a new statement.

The contractor should be aware that the 90 day grace period will allow him/her to bid in the three consecutive monthly lettings following the anniversary of the statement, inclusive of any cancelled letting date or supplementary lettings, or for a period not to exceed three months from the anniversary date of the statement. The contractor may bid on locally let projects during grace period, this time as well. The 10 day requirement must still be met if the contractor desires to submit bids in lettings following the grace period.

If discrepancies are found in this Confidential Questionnaire, the questionnaire will be considered unsatisfactory, and the contractor will be ineligible to bid until the discrepancies are satisfactorily explained to this department.

In compiling a Confidential Questionnaire, all items must be completed and "Total Assets" must equal "Total Liabilities and Equity." If there is nothing to report in certain schedules, then make the notation "None" or "N/A." The amount shown for each item must be actual, as taken from the company's books and verified, and must not be "approximate" amounts.

Firms based outside of the United States must furnish financial information converted to U.S. dollars at the exchange rate as of the balance sheet date. In addition, these firms should obtain the required firm registration as outlined above, and Assumed Name Certificate, if applicable.

In line with the Authorization for Verification and Affidavit found on pages 22 and 23 of the Confidential Questionnaire, the department may verify the status of any item contained in the statement. THIS MAY OCCUR AT ANY TIME DURING THE PERIOD YOUR STATEMENT IS IN FORCE. Disclosures made during this verification may result in the revision of your approved bidding capacity, or the requirement of a new statement.

## INSTRUCTIONS

The Confidential Questionnaire is to be submitted along with audited financial statements by firms wishing to become eligible to bid on all classes of **construction and maintenance** projects, as well as "**emergency**" projects.

**Emergency projects** result from situations or conditions which pose an imminent threat to life or property of the traveling public or which substantially disrupt the orderly flow of traffic. These projects may require work which must begin instantaneously. These projects may include removal of hazardous material, clearing debris from the roadway, temporary traffic operations, and

mowing to eliminate safety hazards when such work meets the requisites of an emergency. Refueling vehicles may be requested for evacuations. Emergency situations provide for an alternate procedure for the expedited award of contracts to meet conditions in which essential corrective or preventive action would be unreasonably hampered or delayed by compliance with other laws. Contractors wishing to be considered for emergency contracts must furnish a 24-hour phone number and an email address.

Please answer in complete detail all questions in the Confidential Questionnaire. This applies particularly to dates when contracts are expected to be completed, and dates when notes or bills will become due or must be paid.

The financial statements must be audited by an independent certified public accounting firm meeting the requirements for public practice in Texas. The department may make adjustments to a contractor's net working capital as deemed necessary as a result of analysis of the full prequalification statement.

In the event affiliated firms desire to prequalify with the department, they must prequalify based on statements prepared as of the same date.

For the purposes of the Confidential Questionnaire, two or more firms are affiliated if:

- (i) the firms share common officers, directors, or stockholders;
- (ii) a family member of an officer, director, or stockholder of one firm serves in a similar capacity in another of the firms;
- (iii) an individual who has an interest in, or controls a part of, one firm either directly or indirectly also has an interest in, or controls a part of another of the firms;
- (iv) the firms are so closely connected or associated that one of the firms, either directly or indirectly, controls or has the power to control another firm;
- (v) one firm controls or has the power to control another of the firms; or
- (vi) the firms are closely allied through an established course of dealings, including but not limited to the lending of financial assistance.

A family member is considered to be an individual's parent, parent's spouse, step-parent, step-parent's spouse, sibling, sibling's spouse, spouse, child, child's spouse, spouse's child, spouse's child's spouse, grandchild, grandparent, uncle, uncle's spouse, aunt, aunt's spouse, first cousin, or first cousin's spouse.

**Affiliates may not submit bids on the same project.** Should we receive bids on the same project from two or more firms who are affiliated according to one or more of the above definitions, each of the bids will be declared non-responsive and neither will be considered.

If the entity filing this statement holds equity in another company or business, this should be shown under "Other Assets" and sufficient data must be given to thoroughly verify such assets shown. This shall also apply to joint ventures operating as separate entities.

Please complete Question No. 14, Page 20, in detail, listing not only the officers/owners of the company, but also the superintendents who will be in charge of the work. If more space is required, please insert additional sheets.

If there is not sufficient space in the Confidential Questionnaire, please use attached schedules to support the detailed information requested, and refer to the specific schedule where the details pertaining to the item total may be found. When attaching these schedules, please furnish detailed addresses when they are requested. Inadequate cross referencing will result in processing delays and the possible return of the statement.

The proper Authorization for Verification and Affidavit block on pages 22 and 23 of the Confidential Questionnaire must be executed by the person or persons authorized to do so and must be acknowledged by a Notary Public. The Notary Public must be an individual other than an officer, partner, or LLC manager. The department will presume, unless otherwise advised, that the general partners of a partnership or officers of a firm listed are authorized to enter into contract on behalf of their firm. If they desire that additional persons be authorized to execute instruments on behalf of the firm, they must provide these details on page 21, furnish a Power of Attorney, or a Corporate Resolution which contains this authority.

The Certification of Absence of Suspension, Debarment, Voluntary Exclusion, or Determination of Ineligibility should be completed if your firm is interested in bidding on federal-aid projects. The certification itself is comprised of two pages, page numbers 10 and 11. The second page (11) contains a notarization which is separate from the notarization required on the Authorization for Verification and Affidavit found on pages 22 and 23.

Please notify this office immediately upon making any changes in the organizational structure of your business entity (i.e., conversion from a corporation to a limited partnership or merger with another firm) in order that bidding proposals may be issued to the correct entity, and that any outstanding contracts may be reassigned to the present name and form of your business. If changes taken place which affect the structure of your firm, your prequalification may be rendered invalid.

## **SPECIAL NOTICE REGARDING SANCTIONS**

Should a contractor become sanctioned at a level 2 or greater, he/she may continue to prequalify with the department, but will remain ineligible to bid until the expiration of the sanction period.

## SPECIAL NOTICE REGARDING SUPPLEMENTAL INFORMATION

In order to expedite and facilitate the prompt approval of your prequalification statement, the following information **MUST** accompany your submission.

### **FAILURE TO PROVIDE ALL REQUESTED INFORMATION COULD RESULT IN THE RETURN OF YOUR STATEMENT.**

1. A complete set of audited financial statements:
  - a. Classified Balance Sheet
  - b. Income Statement
  - c. Statement of Cash Flows
  - d. Statement of Changes in Equity
  - e. Notes to the Financial Statements

**Please note that any financial statements submitted to the department for the purposes of qualification must be prepared by an independent certified public accounting firm in current good standing with the Texas State Board of Public Accountancy. This is a requirement if your firm is based or located in Texas. Current licenses for CPA's may be verified online at [www.tsbpa.state.tx.us/php/fpl/frmllookup.php](http://www.tsbpa.state.tx.us/php/fpl/frmllookup.php). CPA firms located outside of Texas and preparing financial statements for firms or individuals located or based within Texas are also subject to this requirement. Please contact the Texas State Board of Public Accountancy at 512-305-7853 for questions concerning licensing requirements.**

2. A Confidential Questionnaire completed in detail. In those schedules where there is nothing to report, the notation "None" or "N/A" should be inserted. Failure to complete the Confidential Questionnaire will result in the return of your prequalification statement. Please ensure that the totals in the questionnaire correspond with those totals in the financial statements.
3. A certified copy of your organizational documents (Corporate Charter, Articles of Incorporation, Articles of Organization, Certificate of Formation, LLC Regulations, Certificate of Limited Partnership or Limited Partnership Agreement) if you are a foreign entity filing your initial prequalification statement and your firm does not have a current Certificate of Authority or registration to do business in Texas as issued by the Texas Secretary of State's Office.
4. Resumes reflecting the construction experience of the principals of the firm and E-Verify Memorandum of Understanding for firms submitting their initial prequalification. These resumes should include the size and scope of the work performed. The Memorandum of Understanding is a one-time requirement, which can be resolved solely with the affirmation on page 9 in subsequent submissions.
5. The firm's Texas Taxpayer Identification Number as issued by the Texas Comptroller of Public Accounts. This information is necessary to process payments on projects awarded your firm.
6. Your firm's e-mail address and fax number. These are requested for the purpose of forwarding project addenda in a timely manner. Should you wish for either of these to not appear on our website, please uncheck the appropriate box. Otherwise, this information will be published.
7. Your firm's DUNS number as issued by Dun & Bradstreet. This number is used by the department for required reporting on Federal Aid projects. If you do not yet have one, you may obtain it at [www.dnb.com](http://www.dnb.com).
8. Other information as requested by the department.

## SPECIAL NOTICE REGARDING THE USE OF ASSUMED NAMES

If the contractor chooses to qualify under an assumed name, and is based in Texas, a certified copy of the Assumed Name Certificate as filed with the County Clerk in the county of residence must be provided with this questionnaire during the initial filing, and upon assumed name renewal. Additionally, if the firm is a corporation, limited partnership, registered limited liability partnership, or a limited liability company (within or outside of Texas), it must also provide proof of filing this assumed name with the Texas Secretary of State. Firms residing outside of Texas using an assumed name must also file an Assumed Name Certificate in the county of their registered or principal office in Texas, and furnish this department a certified copy of this certificate. If no office is maintained in Texas, this filing should be made with the Travis County Clerk's office in Austin, Texas. Excerpts from the Texas Assumed Business or Professional Name Act are shown on page 6.

**Assumed Business or Professional Name Act  
(From Business and Commerce Code - Title 5, Chapter 71)**

**SUBCHAPTER B. REQUIREMENTS APPLICABLE TO CERTAIN UNINCORPORATED PERSONS**

**Sec. 71.051. CERTIFICATE FOR CERTAIN UNINCORPORATED PERSONS.**

A person must file a certificate under this subchapter if the person regularly conducts business or renders a professional service in this state under an assumed name other than as a corporation, limited partnership, limited liability partnership, limited liability company, or foreign filing entity.

**SUBCHAPTER C. REQUIREMENTS APPLICABLE TO INCORPORATED BUSINESS OR PROFESSION AND CERTAIN OTHER ENTITIES**

**Sec. 71.101. CERTIFICATE FOR INCORPORATED BUSINESS OR PROFESSION, LIMITED PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, LIMITED LIABILITY COMPANY, OR FOREIGN FILING ENTITY.**

A corporation, limited partnership, limited liability partnership, limited liability company, or foreign filing entity must file a certificate under this subchapter if the entity: (1) regularly conducts business or renders professional services in this state under an assumed name; or (2) is required by law to use an assumed name in this state to conduct business or render professional services.

**Sec. 71.152. MATERIAL CHANGE IN INFORMATION; NEW CERTIFICATE.**

(a) Not later than the 60th day after an event occurs that causes the information in a certificate to become materially misleading, a registrant must file a new certificate complying with this chapter in the office in which the original or renewal certificate was filed.

(b) An event that causes the information in a certificate to become materially misleading includes: (1) a change in the name, identity, entity, form of business or professional organization, or location of a registrant; (2) for a proprietorship or sole practitioner, a change in ownership; or (3) for a partnership: (A) the admission of a new partner or joint venturer; or (B) the end of a general partner's or joint venturer's association with the partnership.

(c) A new certificate filed under this section is effective for a term not to exceed 10 years from the date the certificate is filed.

**Sec. 71.202. CRIMINAL PENALTY: GENERAL VIOLATION.**

(a) A person commits an offense if the person:

- (1) conducts business or renders a professional service in this state under an assumed name; and
- (2) intentionally violates this Chapter.

(b) An offense under this section is a Class A misdemeanor.

**Company Names  
(From Business and Commerce Code - Title 2, Chapter 17)**

**SUBCHAPTER E. DECEPTIVE TRADE PRACTICES AND CONSUMER PROTECTION**

**Sec. 17.46. DECEPTIVE TRADE PRACTICES UNLAWFUL.**

(a) False, misleading, or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful and are subject to action by the consumer protection division under Sections 17.47, 17.58, 17.60, and 17.61 of this code.

(b) Except as provided in Subsection (d) of this section, the term "false, misleading, or deceptive acts or practices" includes, but is not limited to, the following acts:

- (25) using the term "corporation," "incorporated," or an abbreviation of either of those terms in the name of a business entity that is not incorporated under the laws of this state or another jurisdiction;

**SPECIAL NOTICE REGARDING CERTIFICATION OF ABSENCE OF SUSPENSION,  
DEBARMENT, VOLUNTARY EXCLUSION, OR DETERMINATION OF INELIGIBILITY**

The U.S. Department of Transportation has adopted rules concerning nonprocurement debarment and suspension in accordance with the Office of Management and Budget (OMB) guidelines. Under these rules, the Federal Highway Administration will not be able to concur in the award of a contract for any federal aid project to any contractor that is currently suspended or debarred by any federal agency.

As a result of the above, the department has adopted rules concerning the issuance and submission of proposals that preclude issuing a bidding proposal for a federal aid project to a firm that is currently suspended or debarred by any agency of the federal government. To facilitate the department's compliance with this rule, it will be necessary for all qualified contractors to complete and file a Certification of Absence of Suspension, Debarment, Voluntary Exclusion, or Determination of Ineligibility with the Construction Division of this department. This certification is included on page vii of this document. The certification will be incorporated in each bidder's respective file. To avoid delay in receiving bidding proposals for federal aid projects, bidders are encouraged to complete their certifications.

## WORK CATEGORY INFORMATION SHEET

In an effort to identify the kind(s) of work you perform, please check one or more of the following blocks to indicate the categories of work your firm is involved with:

- |  |  |
|--|--|
| <input type="checkbox"/> Asphalt (ACP, LRA, Seal Coats)<br><input type="checkbox"/> Concrete Paving & Incidentals<br><input type="checkbox"/> Earthwork, Base & Subbase<br><input type="checkbox"/> Emergency Contracts*<br>Emergency Contact Individual**:<br>Name: _____<br>E-mail: _____<br>Phone for 24-hour contact: _____<br>**All fields are mandatory to be considered for emergency work.                                 | <input type="checkbox"/> Traffic Control Devices<br><input type="checkbox"/> Other: _____<br>_____<br>_____<br>_____<br><input type="checkbox"/> Guardrail Repair<br><input type="checkbox"/> Debris Clearing/Removal<br><input type="checkbox"/> Mowing<br><input type="checkbox"/> Litter Pickup & Disposal<br><input type="checkbox"/> Cleaning & Sweeping Highways<br><input type="checkbox"/> Building Construction<br><input type="checkbox"/> Rest/Picnic Area Maintenance<br><input type="checkbox"/> Hazardous Material<br><input type="checkbox"/> Underwater Inspection<br><input type="checkbox"/> Stream Channel Restoration<br><input type="checkbox"/> Pavement Markers |
| <input type="checkbox"/> Fencing<br><input type="checkbox"/> Hauling<br><input type="checkbox"/> Lighting & Signal Maintenance<br><input type="checkbox"/> Landscaping<br><input type="checkbox"/> Major Structures<br><input type="checkbox"/> Material Supplier<br><input type="checkbox"/> Minor Structure/Misc. Concrete<br><input type="checkbox"/> Painting & Striping<br><input type="checkbox"/> Rest Areas (Construction) |  |

\*Note: If indicating your availability for emergency contracts, please insure that the above contact information remains updated with this office at all times. In the event of an emergency, we may be inquiring about your availability as well as a list of equipment available for the emergency.

**Check the Districts by city in which you are willing to work:**

**District Offices**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Paris<br><input type="checkbox"/> Fort Worth<br><input type="checkbox"/> Wichita Falls<br><input type="checkbox"/> Amarillo<br><input type="checkbox"/> Lubbock<br><input type="checkbox"/> Odessa<br><input type="checkbox"/> San Angelo<br><input type="checkbox"/> Abilene<br><input type="checkbox"/> Waco | <input type="checkbox"/> Tyler<br><input type="checkbox"/> Lufkin<br><input type="checkbox"/> Houston<br><input type="checkbox"/> Yoakum<br><input type="checkbox"/> Austin<br><input type="checkbox"/> San Antonio<br><input type="checkbox"/> Corpus Christi<br><input type="checkbox"/> Bryan<br><input type="checkbox"/> Dallas | <input type="checkbox"/> Atlanta<br><input type="checkbox"/> Beaumont<br><input type="checkbox"/> Pharr<br><input type="checkbox"/> Laredo<br><input type="checkbox"/> Brownwood<br><input type="checkbox"/> El Paso<br><input type="checkbox"/> Childress |
| <input type="checkbox"/> ALL  |   |  |

### ELECTRONIC BIDDING SYSTEM

The Integrated Contractor Exchange (iCX) is the new TxDOT Web-based Electronic Bidding System. It is being utilized to handle project notifications, proposal requests, and electronic bidding. It is mandatory to have an account to receive project notifications. If the qualifying entity does not have an account, please provide an individual name and email address to be setup as an Administrator.

Administrator Name: \_\_\_\_\_  
Administrator Email Address: \_\_\_\_\_

### BIDDER'S RECIPROCIITY

For the purpose of applying the Texas Bidder Preference Law under Transportation Code §223.050, please indicate the qualifying firm's principal place of business:

- Texas
- Louisiana
- Oklahoma
- New Mexico
- Arkansas
- Other

Note: Principal Place of Business - The primary location where a contractor's business is performed. The principal place of business is where the business' books and records are kept and is where the head of the firm or upper management is located.

If the qualifying firm's principal place of business lies outside of Texas, please answer the following items for further consideration:

1. Does your firm have a physical office located in the State of Texas that has functioned for the last 12 months?  
 Yes  No
2. If your firm has a physical office in Texas, please provide the complete address and a telephone number to reach it.  
\_\_\_\_\_
3. Has the above physical Texas office been functioning for the last 12 months and does it currently function with daily business matters being conducted?  
 Yes  No
4. Is there an employee of the qualifying firm, whom resides in the state of Texas that is authorized to execute contracts and other documents?  
 Yes  No
5. Does this office have professional staff and labor force that reside in this state?\*
6. Are company vehicles registered in the state of Texas?  
 Yes  No
7. Have the company's business property taxes been and are paid in the state of Texas for equipment or property owned?  
 Yes  No

A parent or holding company cannot claim a Texas preference status under a subsidiary or affiliate.

\*Professional staff and labor force employees are actual employees, not employees of an employee leasing firm.

The State of \_\_\_\_\_

County of \_\_\_\_\_

**CERTIFICATION OF ABSENCE OF SUSPENSION, DEBARMENT,  
VOLUNTARY EXCLUSION, OR DETERMINATION OF INELIGIBILITY**

The undersigned bidder, under penalty of perjury under the laws of the United States or the State of Texas, certifies that, except as noted herein, the bidder's firm and all persons associated therewith in the capacity of owner, partner, stockholder, director, officer, principal investigator, project director, member, manager, auditor, or any position involving the administration of any part of the firm's operations:

1. are not currently suspended, debarred, or voluntarily excluded from or determined to be ineligible for bidding by any Federal agency;
2. have not been suspended, debarred, voluntarily excluded from or determined to be ineligible for bidding by any Federal agency within the past three years;
3. do not have a proposed debarment pending with any Federal agency, and
4. have not been indicted, convicted, or had a civil judgment rendered against it or any person indicated above by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

All exceptions to the above are recorded in the following space:

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The undersigned bidder understands that exceptions will not necessarily preclude the issuance of a bidding proposal or result in the denial of award of the contract for a Federally funded project. It is also understood that exceptions will be carefully reviewed by the department and by the Federal Highway Administration and may result in rejection of the bid proposal and suspension and debarment of the contractor pursuant to Texas Administrative Code, Title 43, Part 1, Chapter 9, Subchapter G, *Highway Improvement Contract Sanctions*, Rules Sections 9.101 through 9.111, and/or CFR, Title 2, Part 180, *Debarment and Suspension (Non-procurement)*.

For any exception noted, the following information explains to whom it applies, the initiating agency, and the dates of action.

The undersigned bidder understands that providing false information may result in criminal prosecution and/or administrative sanctions.

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The undersigned bidder, being fully cognizant of the facts stated in the certifications contained on page vii, certifies the truth and accuracy of those certifications, which are made by signing this document.

\_\_\_\_\_  
Print Firm Name

\_\_\_\_\_  
Signature/Title

Before me, the undersigned authority, a Notary Public, on this day personally appeared \_\_\_\_\_  
who, being by me duly sworn, upon oath says that he/she is qualified and authorized to make affidavit for and on  
behalf of \_\_\_\_\_  
bidder, of \_\_\_\_\_ County, and is fully cognizant of the facts herein set out  
and affirms to the truth and accuracy of the certifications made herein by signing the document above.

Subscribed and sworn to before me by the said \_\_\_\_\_  
Officer's Name  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ to certify which witness my  
hand and seal of office.

\_\_\_\_\_  
Notary Public in and for  
\_\_\_\_\_ County

NOTE: The Notary Public must be an individual other than an officer, partner, or LLC member/manager.

## DETAILS RELATIVE TO ASSETS

Round to the nearest whole dollar amounts. Do not include cents in the figures.

<b>1</b>	<b>Cash</b>	\$ _____
	<b>TOTAL</b>	
	NAME OF BANK AND DETAILED ADDRESS	DEPOSITED IN NAME OF
		AMOUNT

<b>2</b>	<b>Certificates of Deposit</b>	\$ _____
	<b>TOTAL</b>	
	NAME OF BANK AND DETAILED ADDRESS	DEPOSITED IN NAME OF
		AMOUNT

<b>3*</b>	<b>Notes Receivable</b>	\$ _____
	<b>TOTAL</b>	
	RECEIVABLE FROM: NAME AND DETAILED ADDRESS	CURRENT AMOUNT
		AMOUNT

<b>4*</b>	<b>Accounts receivable from completed contracts exclusive of claims not approved for payment</b>	\$ _____		
	<b>TOTAL</b>			
	RECEIVABLE FROM: NAME AND DETAILED ADDRESS	CURRENT AMOUNT	AMOUNT OF CONTRACT	AMOUNT RECEIVABLE

\*For Schedules with an asterisk (\*), list separately each item amounting to 10 percent of the total and combine the remainder.

**DETAILS RELATIVE TO ASSETS**

Round to the nearest whole dollar amounts. Do not include cents in the figures.

<b>5*</b>	<b>Sums earned on incomplete contracts, as shown by engineer's or architect's estimate</b>				\$ _____	
	(a) Amount receivable after deducting retainage		\$ _____		<b>TOTAL</b>	
	(b) Retainage to date due upon completion of contract		\$ _____			
**DESIGNATION OF CONTRACT, NAME AND DETAILED ADDRESS OF ENTITY LETTING CONTRACT		TOTAL AMOUNT OF CONTRACT	TOTAL BILLINGS TO DATE	RETAINAGE DUE DATE    AMOUNT		CURRENT AMOUNT EXCLUSIVE OF RETAINAGE

\*\* If contract is a joint venture, so indicate. If this is a subcontract, give name and detailed address of prime.

<b>6</b>	<b>Accounts Receivable <u>not</u> from Contracts</b>		(a) Officers & Employees		\$ _____	<b>TOTAL</b>
			(b) Other		\$ _____	
			(c) Past Due		\$ _____	
					\$ _____	
RECEIVABLE FROM: NAME AND DETAILED ADDRESS		DESCRIPTION	DUE DATE	AMOUNT		

<b>7</b>	<b>Inventory - Materials in Stock and Not Included in Item 4, Assets In warehouse and on job site (present value)</b>			\$ _____	<b>TOTAL</b>
	DESCRIPTION OF MATERIAL		QUANTITY	FAIR VALUE WAREHOUSE AND JOB SITE	

<b>8</b>	<b>Costs In Excess Of Billings</b>			\$ _____
				<b>TOTAL</b>

\*For Schedules with an asterisk (\*), list separately each item amounting to 10 percent of the total and combine the remainder.

**DETAILS RELATIVE TO ASSETS (Continued)**  
 Round to the nearest whole dollar amounts. Do not include cents in the figures.

<b>9</b>	<b>Deposits with bids or otherwise as guaranties</b>		\$ _____
			<b>TOTAL</b>
	DEPOSITED WITH: NAME AND DETAILED ADDRESS	DESCRIPTION	AMOUNT

<b>10</b>	<b>Prepaid Expenses</b>		\$ _____
			<b>TOTAL</b>
	TO WHOM: NAME AND DETAILED ADDRESS	DESCRIPTION	TOTAL PREPAID

<b>11</b>	<b>Interest Accrued on Loans, Securities, etc.</b>		\$ _____
			<b>TOTAL</b>
	ACCRUAL ITEM	DATE OF PAYMENT	AMOUNT

<b>12</b>	<b>Cash Value of Life Insurance</b>		
	(a) Total pledged	\$ _____	\$ _____
	(b) Total not pledged	\$ _____	<b>TOTAL</b>

<b>13</b>	<b>Stocks and Bonds</b>			
				\$ _____
	(a) Listed (Present market value)		\$ _____	
	(b) Unlisted (Present market value)		\$ _____	<b>TOTAL</b>
	DESCRIPTION	ISSUING COMPANY	PRESENT MARKET VALUE	QUANTITY

**DETAILS RELATIVE TO ASSETS (Continued)**  
 Round to the nearest whole dollar amounts. Do not include cents in the figures.

<b>14</b>	<b>Investments</b>	\$ _____
		<b>TOTAL</b>
	DESCRIPTION	TOTAL AMOUNT

<b>15</b>	<b>Real Estate Appraised or Book Value</b>	\$ _____
		<b>TOTAL</b>

<b>16</b>	<b>Furniture and Fixtures at Book Value</b>	\$ _____
		<b>TOTAL</b>

<b>17*</b>	<b>Equipment</b>		\$ _____
			<b>TOTAL</b>
ITEM	QUANTITY	ITEM DESCRIPTION	BALANCE SHEET VALUE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
		Various -	
		<b>TOTAL</b>	

\* Similar types of equipment may be lumped together. If your firm has more than 30 types of equipment, you may show these 30 types and show the remainder as "Various." The Texas Department of Transportation, by allowing you to show only 30 types of equipment, reserves the right to request a complete, detailed list of all of your equipment.





**DETAILS RELATIVE TO ASSETS (Continued)**  
 Round to the nearest whole dollar amounts. Do not include cents in the figures.

<b>24</b>	<b>Corporate Equity</b>	\$ _____
		<b>TOTAL</b>
		AMOUNT
	Common Stock	
	Preferred Stock	
	Contributed Capital in Excess of Par or Additional Paid-In Capital	
	Treasury Stock	
	Retained Earnings	
	Retained Earnings Deficit	

<b>25</b>	<b>Partnership or LLC Equity</b>	\$ _____
		<b>TOTAL</b>
	DESCRIPTION	AMOUNT

<b>26</b>	<b>Individual Equity Net Worth</b>	\$ _____
		<b>TOTAL</b>

<b>TOTAL LIABILITIES AND EQUITY</b>	\$ _____
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**BIDDER'S EXPERIENCE QUESTIONNAIRE** *(Continued)*

<b>INFORMATION RELATING TO ACCOUNTANT PREPARING AUDIT REPORT</b>	
_____	
Name and Detailed Address of Accounting Firm	
_____	
Name of Individual Accountant Conducting Examination	
_____	
Area Code	Telephone Number

<p align="center"><b>CORPORATION BLOCK</b></p> <p><b>If a corporation:</b>          State of incorporation _____          Date of incorporation _____          Charter/File No. _____</p> <p>President: _____          Vice President(s): _____</p> <p>_____          _____          _____          _____          _____          _____          _____          _____          _____          _____</p> <p>Secretary: _____</p> <p>Treasurer: _____</p>	<p align="center"><b>PARTNERSHIP BLOCK</b></p> <p><b>If a partnership:</b>          State of organization _____          Date of organization _____          Is partnership general, limited or registered limited liability partnership? _____          File No. (if Limited Partnership) _____</p> <p>General Partners/Officers:          _____          _____          _____          _____          _____          _____          _____          _____          _____          _____</p> <p>Limited Partners (if applicable):          _____          _____          _____          _____</p>
<p align="center"><b>LIMITED LIABILITY COMPANY BLOCK</b></p> <p><b>If an LLC:</b>          State of organization _____          Date of organization _____          File No. _____          Officers or managers (with titles, if any):          _____          _____          _____          _____          _____          _____</p>	<p>Individuals authorized to sign for the partnership:          _____          _____          _____          _____          _____          _____          _____          _____          _____          _____</p>

**Except for limited partners, the individuals listed in the blocks above are presumed to have full signature authority for your firm unless otherwise advised. Should you wish to grant signature authority to additional individuals, please attach a certified copy of the corporate resolution, corporate minutes, partnership agreement, power of attorney or other legal documentation which grants this authority.**

**INDIVIDUAL  
AUTHORIZATION FOR VERIFICATION AND AFFIDAVIT**

STATE OF \_\_\_\_\_ }  
 COUNTY OF \_\_\_\_\_ }

The undersigned hereby declares that the foregoing is a true statement of the financial condition of the individual herein first named, as of the date herein first given; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitter a contract; and that the accountant who prepared the balance sheet accompanying this report as well as any depository, vendor or any other agency herein named is hereby authorized to supply such party with any information, while this statement is in force, necessary to verify said statement.

\_\_\_\_\_, being duly sworn, deposes and says that the foregoing financial statement, taken from his/her books, is a true and accurate statement of his/her financial condition as of the date thereof, and that the answers to the interrogatories contained therein are true; that the statements and answers to the interrogatories of the foregoing equipment questionnaire are correct and true as of the date of this affidavit; and, that the statements and answers to the interrogatories of the foregoing experience questionnaire are correct and true as of the date of this affidavit.

Further, under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this application is not ineligible to receive the specified grant, loan, or payment and acknowledges that any contract may be terminated and payment may be withheld if this certification is inaccurate.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
 \_\_\_\_\_  
 Notary Public

Firm Name \_\_\_\_\_  
 Signature \_\_\_\_\_

**PARTNERSHIP  
AUTHORIZATION FOR VERIFICATION AND AFFIDAVIT**

STATE OF \_\_\_\_\_ }  
 COUNTY OF \_\_\_\_\_ }

The undersigned hereby declares that the foregoing is a true statement of the financial condition of the partnership herein first named, as of the date herein first given; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitter a contract; and that the accountant who prepared the balance sheet accompanying this report as well as any depository, vendor or any other agency herein named is hereby authorized to supply such party with any information, while this statement is in force, necessary to verify said statement.

\_\_\_\_\_, being duly sworn, deposes and says that he/she is a partner of the firm of \_\_\_\_\_; that the foregoing financial statement, taken from the books of said firm, is a true and accurate statement of the financial condition of said firm as of the date thereof and that the answers to the interrogatories contained therein are true and that the statements and answers to the interrogatories of the foregoing equipment questionnaire are correct and true as of the date of this affidavit; and, that the statements and answers to the interrogatories of the foregoing experience questionnaire are correct and true as of the date of this affidavit.

Further, under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this application is not ineligible to receive the specified grant, loan, or payment and acknowledges that any contract may be terminated and payment may be withheld if this certification is inaccurate.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
 \_\_\_\_\_  
 Notary Public

Firm Name \_\_\_\_\_  
 Signature \_\_\_\_\_

(General partner of firm must sign)

Notary Public must not be a partner.  
 Signature should be consistent with the individual's name appearing under the respective block on Page 21 of this document.

**CORPORATION  
AUTHORIZATION FOR VERIFICATION AND AFFIDAVIT**

STATE OF \_\_\_\_\_ }  
 COUNTY OF \_\_\_\_\_ }

The undersigned hereby declares that the foregoing is a true statement of the financial condition of the corporation herein first named, as of the date herein first given; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitter a contract; and that the accountant who prepared the balance sheet accompanying this report as well as any depository, vendor or any other agency herein named is hereby authorized to supply such party with any information, while this statement is in force, necessary to verify said statement.

\_\_\_\_\_, being duly sworn, deposes and says that he/she is the \_\_\_\_\_ of \_\_\_\_\_, the corporation described in and which executed the foregoing statement; that he/she is familiar with the books of the said corporation showing its financial condition; that the foregoing financial statement taken from the books of said corporation, is a true and accurate statement of the financial condition of said corporation as of the date thereof and that the answers to the interrogatories of the foregoing equipment questionnaire are correct and true as of the date of this affidavit; and, that the statements and answers to the interrogatories of the foregoing experience questionnaire are correct and true as of the date of this affidavit.

Further, under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this application is not ineligible to receive the specified grant, loan, or payment and acknowledges that any contract may be terminated and payment may be withheld if this certification is inaccurate.

Sworn to before me this \_\_\_\_\_ (Officer must sign here)  
 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
 \_\_\_\_\_  
 Notary Public

NOTE: The Notary Public must be an individual other than an officer, director or stockholder.  
 Signature should be consistent with the individual's name appearing under the respective block on Page 21 of this document.

**LIMITED LIABILITY COMPANY AUTHORIZATION FOR  
VERIFICATION AND AFFIDAVIT**

STATE OF \_\_\_\_\_ }  
 COUNTY OF \_\_\_\_\_ }

The undersigned hereby declares that the foregoing is a true statement of the financial condition of the limited liability company herein first named, as of the date herein first given; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitter a contract; and that the accountant who prepared the balance sheet accompanying this report as well as any depository, vendor or any other agency herein named is hereby authorized to supply such party with any information, while this statement is in force, necessary to verify said statement.

\_\_\_\_\_, being duly sworn, deposes and says that he/she is a member/manager, or officer of \_\_\_\_\_, the limited liability company described in and which executed the foregoing statement; that he/she is familiar with the books of the said company showing its financial condition; that the foregoing financial statement taken from the books of said company, is a true and accurate statement of the financial condition of said company as of the date thereof and that the answers to the interrogatories of the foregoing equipment questionnaire are correct and true as of the date of this affidavit; and, that the statements and answers to the interrogatories of the foregoing experience questionnaire are correct and true as of the date of this affidavit.

Further, under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this application is not ineligible to receive the specified grant, loan, or payment and acknowledges that any contract may be terminated and payment may be withheld if this certification is inaccurate.

Sworn to before me this \_\_\_\_\_ (Member, manager, or officer must sign here)  
 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
 \_\_\_\_\_  
 Notary Public

NOTE: The Notary Public must be an individual other than a member, manager or officer.  
 Signature should be consistent with the individual's name appearing under the respective block on Page 21 of this document.

**The Texas Department of Transportation maintains the information collected through this form. With few exceptions, you are entitled on request to be informed about the information that we collect about you. Under §§552.021 and 552.023 of the Texas Government Code, you also are entitled to receive and review the information. Under §559.004 of the Government Code, you are also entitled to have us correct information about you that is incorrect.**