

EXHIBIT 1

CITY OF BRADY, TEXAS

BID SHEET

THIS IS A BID SHEET ONLY AND DOES NOT REPRESENT AN ORDER FOR A PURCHASE BY THE CITY OF BRADY

1. Refer to "Instructions to Bidders" before completing Bid
2. Price - quote your best price, F.O.B. Destination, on each item
3. Delivery Date - if delivery date is not shown in Column 3, or indicated date cannot be met, bidder shall state best delivery time

ITEM NUMBER	DESCRIPTION/PART NUMBER	DELIVERY DATE	QUANTITY	UNIT PRICE	TOTAL PRICE
TOTAL BID					

In submitting this bid, I certify the following:

1. That the prices in this bid have been arrived independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder, or with any competitor.
2. That I am an Equal Opportunity Employer.

Business Name: _____

Authorized Signature: _____

Print Name: _____

Date: _____

EXHIBIT 2

CITY OF BRADY

PURCHASING OFFICE INSTRUCTIONS TO BIDDERS

Preparation of Bids

Any explanation desired by a bidder regarding the meaning or interpretation of the invitation, drawings, specifications, etc., must be requested in writing to Purchasing with sufficient time allowed for a reply to reach bidders before the submission of their bids. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective bidder concerning an invitation will be furnished to all prospective bidders as an amendment to the invitation, if such information is necessary to bidders in submitting bids on the invitation or if the lack of such information would be prejudicial to uninformed bidders.

1. Specifications

Bidders are expected to examine the specifications, drawings, standard provisions and all instructions. Failure to do so will be at the bidder's risk. Bidders may provide a product exceeding specifications, as an alternate bid, if they so desire.

2. Information Required

Each bidder shall furnish the information required by the invitation. The bidder shall sign the Bid Invitation, Bid Sheet, and, when appropriate, Specifications. Erasures or other changes must be initialed by the person signing the offer. Bids signed by an agent are to be accompanied by evidence of his authority unless such evidence has been previously furnished to the City purchasing office.

- A. The bidder should quote its lowest and best price, F.O.B. destination on each item. If delivery and shipping quantities affect unit bid price, multiple bids may be made so as to indicate "price break" quantities in order for the City to determine maximum economic benefits. Pricing should include packaging and transportation unless otherwise specified. Pricing shall be entered on the Bid Sheet in ink or typewritten. Totals shall be entered in the "Total Price" column of the Bid Sheet. In case of discrepancy between unit price and extended price, the unit price will be presumed to be correct.
- B. Bids should be firm. If the bidder, however, believes it necessary to base its price on price adjustment, such a bid may be considered, but only as an alternate bid.
- C. Transportation Charges. If the quoted price does not include transportation charges, such charges must be itemized separately; provided, however, that the City shall have the right to designate what method of transportation shall be used to ship the goods.
- D. Taxes. The City does not pay Federal Excise Taxes and/or Texas and local retail sales and use taxes. Tax exemption certificates can be provided upon request.
- E. Time, if stated as a number of days, will include Saturdays, Sundays, and holidays. Time of delivery is part of the bid and very important. The required delivery date indicated is at point of destination. If the indicated date cannot be met or date is not indicated, bidder shall state its best delivery time.
- F. If the bid invitation indicates "approved equal" products are acceptable, the seller may offer an "equal" product as an alternate bid. Final "approved equal" determination remains with the City.

- G. Bids submitted on other than City forms or with different terms or provisions may not be considered as responsive bids.

3. **Submission of Bids**

- A. Sealed bids should be returned in an envelope marked on the outside with the bidder's name and address and **bid number**.

Mailing Address to:
City of Brady
P.O. 351
Brady, Texas 76825

Physical Address to:
City of Brady
201 E. Main Street
Brady, Texas 76825

BID NO.:
BID DATE:

- B. Sealed bids may be delivered in person to the City Secretary
- C. Bids must be returned in sufficient time so as to be received and time stamped at the above location on or before the published bid date and time shown on the bid invitation. Bids received after the published time and date cannot be considered.

4. **Modification or Withdrawal of Bids**

Bids may be modified or withdrawn by written or telegraphic notice received by the City purchasing office prior to the exact hour and date specified for receipt of bids. A bid may also be withdrawn in person by a bidder or his authorized representative, provided his identity is made known and he signs a receipt for the bid, but only if the withdrawal is made prior to the exact hour and date set for the receipt of bids.

5. **Evaluation Factors**

- A. **Most Advantageous Bid.** The City will award purchase orders and contracts to the lowest and responsible bidder, which represents the most advantageous bid to the City, price and other factors considered. In determining the "most advantageous" bid or proposal, price, quantifiable factors, and other factors are considered. This would include specifications, delivery requirements, the initial purchase price, life expectancy, cost of maintenance and operation, operating efficiency, training requirements, disposal value, and other factors contributing to the overall acquisition cost of an item. Consideration may be given, but not necessarily limited to conformity to the specifications, product warranty, a bidder's proposed service, ability to supply and provide service, delivery to required schedules, and past performance in other contracts with the City including timely delivery.
- B. **Partial Awards.** Bidders may furnish pricing for all or any portion of the bid invitation. Unless the bidder specifies otherwise in his bid, the City may award the contract for any time or group of items shown on the bid invitation.
- C. **Reservations.** The City expressly reserves the right to:

- 1) Waive as an informality, minor deviations from specifications at a lower price than the low bid meeting all aspects of the specifications and consider it, if it is determined that total cost is lower and the overall function is improved or not impaired;
- 2) Waive any defect, irregularity or informality in any bid or bidding procedure;
- 3) Reject or cancel any or all bids;
- 4) Reissue a bid invitation;
- 5) Extend the bid opening time and date;
- 6) Procure any item by other means;
- 7) Increase or decrease the quantity specified in the bid invitation, unless the bidder specifies otherwise;
- 8) Consider and accept an alternate bid as provided herein when most advantageous to the City.

6. **Acceptance**

Acceptance of bidder's offer for an open market purchase will be in the form of a purchase order. Acceptance of bidder's offer for supply agreements will be by acceptance letter. Subsequent purchase orders and release orders may be issued as appropriate.

7. **Conflicts of Interest**

Bidders must comply with the conflict of interest provisions of the City Charter and Code of Ordinances. Prior to the submission of a bid, Bidders may be required to file with the City purchasing office a disclosure of interests on a form supplied by the City. Bidders are obligated to provide updated information concerning the disclosure of interests, as warranted, throughout the time the bids are being considered.

8. **Notice to all Bidders**

- A. Bids must be in a sealed envelope addressed to City of Brady, Purchasing Office. The bid invitation number and bid opening date must be shown in the lower left hand corner.
- B. The **Bid Invitation** and all **Bid Sheets** must be signed by bidder.
- C. If no date is shown on Bid Sheet, **bidder must enter his best lead-time**. Lead-time is the time it takes the supplier to deliver after he receives an order from the City.
- D. Bidder must state if his bid is all or none, or if any other conditions apply, otherwise, **City may pick and choose any item or group of items according to the City's best interest**.

Before submitting your bid, please read all bid invitation documents carefully. If there are questions, contact the buyer indicated on the Bid Invitation. Any discrepancies between the bid invitation and the bidder's response generally extend the bid evaluation period and often cause the bid to be declared non-responsive.

Facsimile Bids

The City Charter requires that all bids submitted be sealed and delivered in the manner required by the bid invitation, to be opened in the presence of one or more City employees and those bidders desiring to be present. Therefore, bids submitted directly to the City by facsimile machines will be considered non-responsive.

QUOTE SHEET**NOTE:****THIS IS NOT A PURCHASE
ORDER****CITY OF BRADY**

Department:

Address:

Contact:

Telephone:

Delivery Date:

Email address/Fax Number:

QUOTATIONS MUST REFLECT PRICES FOR NINETY (90) DAYS FROM QUOTE/BID RETURN DATE

Quote/Bid Return Date:		Item Availability:		F.O.B Destination	
Item No.	Quantity	U/M	Description & Part/Model Number (UNIT COST SHOULD INCLUDE FREIGHT)	Unit Cost	Total Cost
GRAND TOTAL					

M/WBE HUB: ____ Yes ____ No

Vendor ID No.:	Bidder's PRINT NAME:
Vendor Name:	
Attention:	Bidder's Signature:
Address:	
Phone:	Bidder's Title:
Email address/Fax Number:	
	Date of signature:

EXHIBIT 4

BID TABULATION SHEET

CITY OF BRADY

(TO BE ATTACHED TO PURCHASE ORDER FORM)

Division:

Account:

Date:

DESCRIPTION OF ITEM TO BE PURCHASED

LOW BID	VENDOR	CONTACT PERSON	PHONE #	TOTAL PRICE QUOTED

PLEASE JUSTIFY BELOW IF LOW BID IS NOT SELECTED

I, the undersigned, attest that I received the above quotes for purchase of the item(s) described above and request authorization to purchase said item(s) from the vendor designated as low bid meeting specification(s).

Department Approval

Purchasing Agent Approval

**CITY OF BRADY
PURCHASE REQUISITION FORM**

REQUISITION NUMBER:				PURCHASE ORDER NUMBER:			
REQUESTED BY:				VENDOR NAME:			
DEPARTMENT:				STREET ADDRESS:			
DATE:				CITY/STATE/ZIP:			
DELIVERY DATE:				TELEPHONE/FAX NUMBER:			
DELIVERY LOCATION:				EMAIL ADDRESS:			

ITEM NO.	QUANTITY	UNIT	ITEM DESCRIPTION	MFG.	PART NUMBER	UNIT PRICE	TOTAL PRICE	ACCOUNT NUMBER
ITEMS OVER \$50,000 MUST BE FORMALLY BID, REQUIRE CITY COUNCIL VOTE OF APPROVAL AND SIGNATURE OF THE CITY MANAGER. THE CITY WILL NOT ACCEPT GOODS DELIVERED WITHOUT A VALID PURCHASE ORDER						GRAND TOTAL		

<div style="display: flex; justify-content: space-between;"> SIGNATURE DATE </div> <div style="text-align: center;">DEPARTMENT APPROVAL</div>	<div style="display: flex; justify-content: space-between;"> SIGNATURE DATE </div> <div style="text-align: center;">FINANCE APPROVAL</div>	<div style="display: flex; justify-content: space-between;"> SIGNATURE DATE </div> <div style="text-align: center;">CITY MANAGER APPROVAL</div>
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EXHIBIT 5

EXHIBIT 6

P U R C H A S E O R D E R

City of Brady, TX

PURCHASE ORDER # **14-01882**

06/22/2016

ISSUED TO: VEND #: 99-1531
Apex Titan, Inc.
2340 E. Trinity Mills Rd.
Suite 250
Carrollton, TX 75006

SHIP TO:
CITY HALL
201 EAST MAIN
BRADY, TX 76825

I HEREBY REQUEST THE ISSUANCE OF THIS PURCHASE ORDER.

I HEREBY CERTIFY THAT THE MERCHANDISE AND/OR SERVICES DESCRIBED BELOW HAVE BEEN SATISFACTORILY RECEIVED AND THAT THIS PURCHASE ORDER IS NOW A TRUE AND JUST DEBT OF THIS CITY. THIS PURCHASE ORDER IS THEREFORE APPROVED FOR CONSIDERATION FOR PAYMENT BY THE GOVERNING BOARD.

<u>Jim Kidd</u>	<u>Steven Miller</u>	<u>06/22/2016</u>
ORDERED BY	APPROVED BY	DATE

UNITS	DESCRIPTION	G/L ACCOUNT	PRICE	AMOUNT
0.00	Project Assessment	20 -5-21-203.00	0.00	10,207.72
0.00	Project Assessment	20 -5-21-203.00	0.00	3,888.28
	* Proposal for City of Brady Former Plant Project Assessment dated June 22, 2016			
	* Environmental consulting services for the City of Brady. Texas Commission on Environmental Quality (TCEQ) mandates cleanup of contaminated areas at the former power plant located at 900 West 1st Street			
	* Contact: Steven Miller @ 325-597-2244 ext. 206			

*** TOTAL *** 14,096.00

*** APPROVED FOR PURCHASE ***

*** APPROVAL BY GOVERNING BOARD ***

I HEREBY CERTIFY THAT THE AMOUNT OF THIS ENCUMBRANCE HAS BEEN ENTERED AGAINST THE DESIGNATED APPROPRIATION. THIS ENCUMBRANCE IS WITHIN THE AUTHORIZED AVAILABLE BALANCE OF SAID APPROPRIATION.

THIS PURCHASE ORDER IS APPROVED FOR PAYMENT IN THE AMOUNT INDICATED ABOVE.

SIGNATURE

10/04/2016

FINANCE DIRECTOR

DATE

SIGNATURE

10/04/2016

CITY MANAGER

DATE

EXHIBIT 7
City of Brady
Payment Authorization

Pay to (Vendor) No:

PURCHASE ORDER #
PARTIAL PAYMENT OF P.O.
CLOSEOUT PAYMENT OF P.O.

☐
☐

Please check appropriate payment

INVOICE		EXPLANATION	ACCOUNT NUMBER	AMOUNT TO BE PAID
NUMBER	G/L Post DATE			
SPECIAL INSTRUCTIONS			TOTAL	
Return check to:				
Forms to be mailed:				

The above has been reviewed, and recommendation for payment is made by the undersigned.

Requested by _____ Date _____

Finance Approval _____ Date _____

Department Head _____ Date _____

City Manager _____ Date _____

FIXED ASSET WORKSHEET

EXHIBIT 8

CIRCLE ONE:

ACQUIRING

TRANSFERRING

DISPOSING

FUND: _____ DEPT.: _____ ASSET ID #: _____

TYPE: (Circle One)

BF Building/Fixture	GE General Equipment (under 13,000 lbs.)	RW Runway
BR Bridge	HE Heavy Equipment (over 13,000 lbs.)	SN Signs
CE Communication Equipment	LD Land	ST Street/Roadway
CP Computer	LI Land Improvements	TK Tanks
DE Decorations	LN Lines	UT Utility Improvement
DP Dumpsters	LT Street Lights	VE Vehicle Equipment
FF Furniture/Fixture	MT Meters	VH Vehicle

PRIMARY LOCATION: _____

DESCRIPTION: _____

PURCHASE ORDER # _____

ORIGINAL COST: _____ DATE ACQUIRED: _____

INVOICE: _____ Purchase (ATTACH INVOICE) _____ Donation
_____ Construction _____ Market Value (Attach Documentation) _____

UNITS ON HAND: _____ MODEL NUMBER: _____

VIN / SERIAL NUMBER: _____

UNIT NO.: _____ LIFE SPAN (in months): _____

VENDOR: _____ FUNDING SOURCE: _____

_____ **INSURANCE OBTAINED** _____ **TITLE WORK COMPLETED**

TRANSFERS _____ DATE OF TRANSFER: _____

DEPARTMENT TRANSFERRED TO: _____ NEW ID# _____

DISPOSAL _____

DATE: _____ METHOD: _____ PURCHASING AGENT _____

_____ **INSURANCE RELEASED** _____ **TITLE WORK COMPLETED**

APPROVED BY: _____ DATE: _____
(Department Head)

RECORDED TO FIXED ASSETS: _____ DATE: _____

EXHIBIT 9

City of Brady

Purchasing Procedures Checklist

Levels of Responsibilities:

City Manager

- Ensure employees receive a copy of the signed Purchasing Policy
- Ensure that employees comply with the Purchasing Policy
- Approval of all purchase requisitions over \$10,000.00 in the Incode system
- Electronic approval for purchase orders generated in the Incode system
- Approval of budget line item transfers

Finance Director

- Ensure funding is monitored and available as needed by Departments
- Approval of all purchase requisitions over \$5,000.00 in the Incode system
- Electronic approval for purchase orders generated in the Incode system
- Approval of budget line item transfers

Department Head

- Ensure staff is in compliance with the Purchasing Policy
- Monitoring and authorization of divisions' purchases
- Monitor budget on a regular basis to ensure funding is available
- Submit budget line item transfers to Finance Director and City Manager for approval

Division Supervisor

- Authorized to purchase goods and services under \$5,000.00
 - Submit Payment Authorization form or utilize approved stamp for invoices and forward to Accounts Payable for final processing
- Purchases over \$5,000.00 must include a Purchase Requisition Form
- Deliveries by vendor to City facilities must be inspected within 2 working days
- Monitor budget on a regular basis to ensure funding is available
- Submit budget line item transfers to Department Head for approval to ensure funding is available in the correct budget line
- Follow-up and expedite purchase orders for delivery

Purchasing Agent

- Enforce that City employees comply with the Purchasing Policy
- Provide necessary training needed by authorized personnel
- Obtain vendor bids as outlined in the Purchasing Policy

- Approval of purchase requisitions over 5,000.00 in the Incode system
- Print copies of purchase orders from the Incode system and fax/email or mail to vendor for processing
- Keep authorized personnel informed of any delays in the purchasing process
- Assist with follow-up and expedite purchase orders for delivery
- Forward all original paperwork to Accounts Payable for recordkeeping and final processing

Accounts Payable

- Processing of invoices less than \$5,000.00 in the Incode system
- Timely processing of payment of all approved purchase order invoices
- Ensure payment of closed purchase orders



EXHIBIT 10

JUSTIFICATION FOR PAYMENT

Division: _____

The attached invoice is over the division's authorized dollar limit of \$5,000.00 for one time purchase.

Please document below why this product/service was acquired without first obtaining a purchase order as required by the City Purchasing Policy.

Signature:

Division/Date

Director/Date

Please return signed form with invoice to the Purchasing Agent for processing.

Thank you for your cooperation

Purchasing Agent review Date

Director of Finance (over \$3,000)

City Manager (over \$5,000)



EXHIBIT 11

JUSTIFICATION FOR BUDGET OVERRIDE

Division: _____

The attached requisition request is over the division's authorized budgeted line item dollar limit.

Please document below why this product/service should be approved for purchase and override the budget limit. Include funding source and when it will be available.

Signature:

Division/Date

Director/Date

Please return signed form with requisition request to the Purchasing Agent for processing.

Thank you for your cooperation

Finance Director approval: _____ Date: _____

EXHIBIT 12

INVENTORY REQUISITION FORM

[illegible]

CODES:

Supplies = 302

Chemicals = 316

Building Repairs = 306

Capital Improvement = 401

General Repairs = 312

Return to Stock = RTS

DEPARTMENT: _____

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

FORM CIS

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

OFFICE USE ONLY

Date Received

1 Name of Local Government Officer

2 Office Held

3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code

4 Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.

5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

(attach additional forms as necessary)

6 AFFIDAVIT

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

Signature of Local Government Officer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day
of _____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side.

- 1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.
- 2. Office Held.** Enter the name of the office held by the local government officer filing this statement.
- 3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, if the vendor: a) has an employment or other business relationship with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code; b) has given to the local government officer or a family member of the officer one or more gifts as described by Section 176.003(a)(2)(B), Local Government Code; or c) has a family relationship with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 4. Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship the vendor has with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code, and each family relationship the vendor has with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.
- 6. Affidavit.** Signature of local government officer.

Local Government Code § 176.001(2-a): "Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code.

Local Government Code § 176.003(a)(2)(A):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.