

HCDE CERTIFICATE OF INTERESTED PARTIES – FORM 1295

Certificate of Interested Parties (Form 1295) – must be filed electronically on the Texas Ethics Commissions (TEC) online filing application. Print out the form, complete the unsworn declaration statement, sign, date and submit the completed TEC 1295 Form electronically to HCDE Choice Partners on eBid.

HCDE is required to comply with House Bill 1295, that amends the Texas Government Code by adding Section 2252.908, Disclosure of Interested Parties. Section 2252.908 prohibits HCDE from entering into a contract resulting from this Request for Proposal (RFP)/Competitive Sealed Proposal (CSP) with a business entity unless the business entity submits a Disclosure of Interested Parties Form (Form 1295) to HCDE at the time the business entity submits the signed contract. The Texas Ethics Commission has adopted rules that require a business entity to file a Form 1295 electronically with the Texas Ethics Commission. The following **definitions** apply:

- (1) **“Business Entity”** means **an entity recognized by law through which business is conducted**, including a sole proprietorship, partnership, or corporation (including non-profits).
- (2) **“Interested Party”** means **“a person” who:**
 - a) Has a controlling interest in a business entity with whom HCDE contracts; or
 - b) Actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity (Texas Government Code §2252.908(3)).
- (3) **“Controlling Interest”** means:
 - a) An **ownership interest or participating interest** in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds ten percent (10%).
 - b) Membership on the Board of Directors (Board) or other governing body of a business entity by which the Board or other governing body is composed of not more than ten (10) members; or
 - c) Service as an officer of a business entity that has four (4) or fewer officers (Texas Ethics Commission Rule 46.3 (c)).
- (4) **“Intermediary”** means **“a person who actively participated in the facilitation of the contract or negotiating the contract”** including a broker, adviser, attorney, or representative of or an agent for the business entity who:
 - a) Receives compensation from the business entity for the person’s participation;
 - b) Communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
 - c) **Is not** an employee of the business entity (Texas Ethics Commission Rule 46.3(e)).

<u>A “Business Entity” (including nonprofits) must:</u>

- (1) Complete Form 1295 Form electronically on the Texas Ethics Commission website using the online filing application available at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm .
- (2) **All vendors and non-profit members must complete Form 1295** – even if no interested parties exist.
 - In Section 2 insert “Harris County Department of Education/Choice Partners”.
 - In Section 3 vendors will insert “HCDE CSP/RFP # and Title.” Non-Profit members will insert "Participation Agreement."
 - Print a copy of the completed form (make sure that your copy contains the computer-generated certification number in the “Office Use Only” box.
- (3) Have an authorized agent of the business entity **sign the Form 1295**.
- (4) **If you are a vendor, Submit** the completed, signed 1295 Form (including completion of the unsworn declaration) containing the unique certification number called a “certification of filing”, by uploading **the completed Form 1295 under the Response Attachment Tab in e-Bid. If you are non-profit member, submit the 1295 with the completed interlocal agreement.**

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Certificate Number:

Date Filed:

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Date Acknowledged:

Harris County Department of Education / Choice Partners

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Choice Partners RFP or Contract No. < insert number here >

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
SAMPLE ONLY!				
<u>Vendor must complete form</u>				
<u>electronically on Texas Ethics Commission's website:</u>				
<u>https://www.ethics.state.tx.us/whatsnew/elf_info_form_1295.htm</u>				

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)