

**PROPOSAL  
THIRD PARTY PLAN REVIEW  
SERVICES  
RFP 18-04A  
CITY OF KELLER, TEXAS**

**SUBMITTED BY:**

**CODE SOLUTIONS INC.**

P O Box 1824  
Keller, Texas 76244  
Phone: 817-379-1129  
code.solutions@verizon.net

## History of Code Solutions:

Code Solutions was established in 1996 to provide Texas Accessibility plan review and inspection services. Code Solutions in 2005 expanded its services to provide third party plan review and inspections for commercial projects in Fort Worth Texas. Code Solutions has also provided plan review and inspection services for The City of Keller, the City of Highland Village, the City of Grapevine, and the City of The Colony.

Our office is located at:

313 Cindy Street South  
Keller, Texas 76248

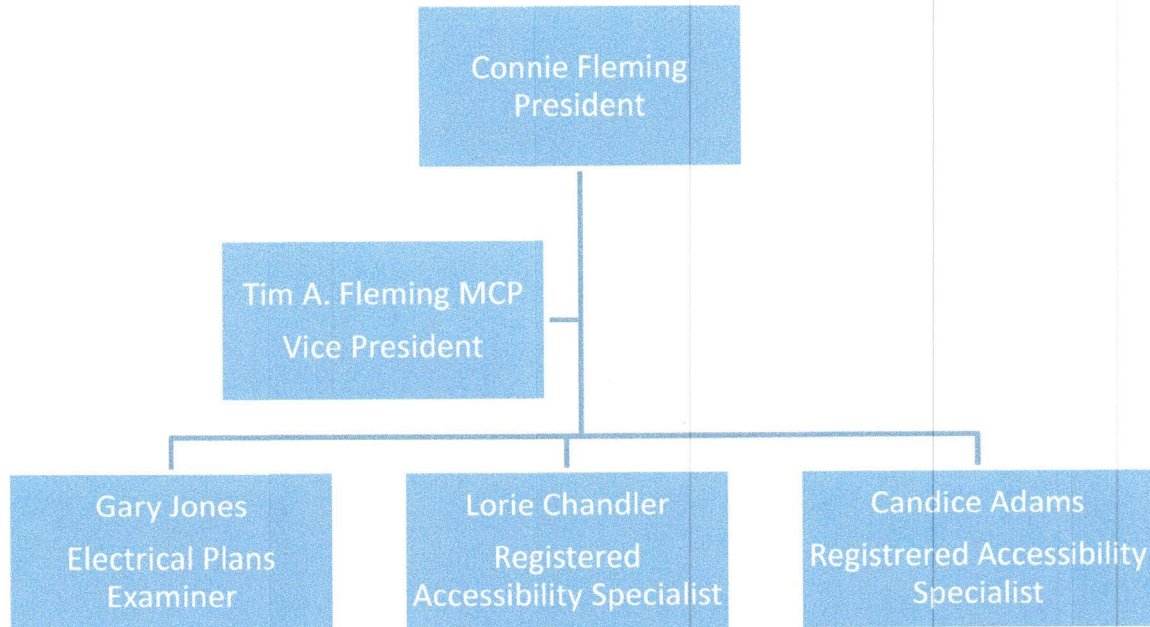
## Scope of Proposal

The scope of this proposal is to address the following functions:

- Residential Plan Review - as needed plan review of one- and two-family residential and townhomes, in accordance with the International Residential Code (IRC) 2015 with amendments, and the City of Keller's Unified Development Code (UDC).
- Commercial Plan Review - as needed plan reviews of commercial construction and multi-family dwellings in accordance with the International Building Code (IBC) 2015 with amendments.
- Accessibility Plan Review - for multi-family and smaller commercial projects that are not registered with the Texas Architectural Barriers Program
- Other code related consulting services, as may be required

The above plan review services are in response to City of Keller RFP 18-04A and do not include the review of; fence permits, retaining wall permits, sprinkler / irrigation permits, tree removal permits, sign permits, fire code review, grading and drainage review, sidewalk and approach requirements, utility connections, pipeline locations, gas & oil well requirements, environmental (grease trap), TCEQ backflow protection, exterior lighting, deed restrictions and private development agreements. These and other issues may be discussed during the process of reviewing construction plans and permit submittals, however these areas and their subsequent reviews by City of Keller staff or other authorities having jurisdiction are outside the scope of work of Code Solutions Inc., its employees and contractors.

## Organization Chart



## Qualifications

Staff responsible for serving the City of Keller are:

Connie Fleming RAS  
President  
Code Solutions Inc.

Primary role will be Accessibility Reviews and Organizational Support  
21 years' experience,  
Certifications include:

- International Code Council Certified Accessibility Inspector / Plans Examiner,
- Texas Registered Accessibility Specialist Inspector / Plans Examiner RAS 140

Resume Attached

Tim A. Fleming CBO, MCP  
Vice President  
Code Solutions Inc.  
Designated Responsible Person in Charge for the purposes of this agreement.

Code Experience Began 1982

Proprietary Information



### Certifications Include

- Master Code Professional
- Certified Building Official,
- Certified Plans Examiner, (*Legacy Certification Residential & Commercial*)
- Certified Building Inspector, (*Legacy Certification Residential & Commercial*)
- Certified Commercial Mechanical Plans Examiner
- Certified Mechanical Inspector, (*Residential & Commercial*)
- Certified Electrical Inspector, (*Residential & Commercial*)
- Certified Commercial Plumbing Plans Examiner
- Certified Plumbing Inspector (*Legacy Certification Residential & Commercial*),
- Certified Commercial Energy Code Inspector
- Certified Commercial Energy Code Plans Examiner,
- Certified Residential Energy Code Inspector/Plans Examiner,
- Certified Accessibility Specialist,
- Texas Licensed Plumbing Inspector, I - 2011,
- Texas Licensed Journeyman Electrician, 40734
- Texas Registered Accessibility Specialist, RAS 144

### Gary W. Jones, Electrical Plans Examiner

Mr. Jones is retired Chief Electrical Inspector for the City of Ft. Worth, Texas with over 30 years of service. Currently an adjunct instructor for both the International Association of Electrical Inspectors (IAEI) and Texas A&M Engineering Extension Service teaching the OSHA Electrical Standards. Gary has served the IAEI Texas Chapter as President, IAEI Southern Section as an Office and on their Codes and Standards Committee. He is presently a senior member of the Texas Electrical Examination Advisory Committee and past Chairman for the Ft. Worth Fire Prevention and Construction Board of Appeals. Gary's career includes working as a licensed journeyman electrician on residential, commercial, and industrial projects. He is a Licensed Master Electrician, and past owner of an electrical contracting and service company. Gary has instructed for the International Brotherhood of Electrical Workers, Independent Electrical Contractor's Apprenticeship Program, and for the Building Professional Institute. He has certifications from the International Code Council as an Electrical Inspector and Commercial Energy Inspector.

Outside consultants may be utilized when needed. Only qualified individuals with the applicable ICC Certifications and required state license will be contracted to perform plan reviews for projects within the City of Keller.



## Plan Review Process

**Adopted Codes** - Plan review services include reviewing construction documents for compliance with the following codes as adopted by the City of Keller:

- International Building Code
- ICC / A 117.1 Accessible and Usable Buildings and Facilities Standard
- International Energy Conservation Code
- International Residential Code
- International Mechanical Code
- International Fuel Gas Code
- International Plumbing Code
- National Electrical Code

### Permit Coordination

City of Keller shall request the desired plan review service in a form agreeable to both the City and Code Solutions. Such request is to be made by email.

The primary method of delivery of permit documents for review shall be digital. Pickup and delivery of hard copies is available for an additional fee (*see attached fee schedule*). Code Solutions uses the project management application Basecamp where plans and permit information can be shared on line, timelines can be tracked and information archived. Code Solutions will work with the City of Keller's existing permit system upon request.

Keller Building Valuation and Permit Fee Policy will be enforced. In instances where the construction value of a project is undetermined or disputed Code Solutions will defer to the judgment of the Keller Building Official.

The completed plan review report shall be delivered directly to the Keller Building Official via Basecamp or email. Keller Building Official will then compile plan review comments from all necessary City of Keller departments and forward to the applicant.

Applicants shall be allowed to directly communicate with Code Solutions staff. An emphasis on free flow of information must be maintained to adequately serve the Keller development community. Code Solutions will apprise City of Keller Building Official of any disputed requirements and will submit to the resolutions determined by the Keller Building Official. The Keller Building Official shall advise Code Solutions of resolutions of disputes prior to approval of plans.

Plan revisions shall be submitted to the City of Keller by the applicant. Revisions will then be routed to Code Solutions electronically via basecamp.

Once all compliance issues have been addressed, plans will be digitally stamped and plan review comments attached. The approved pdf set of construction plans will be

posted on basecamp for Keller staff to download and forward to the permit applicant. The applicant must then print the drawings and provide them on site for the inspectors use.

It shall be the obligation of the City of Keller staff to coordinate the approvals of all other agencies and jurisdictions prior to issuance of the building permit.

### **Accessibility Review**

Code Solutions staff will verify the proposed building project has been registered with the State of Texas, Elimination of Architectural Barriers Program as required by state law. *ELIMINATION OF ARCHITECTURAL BARRIERS Government Code, Chapter Sec. 469.102. (d)*

For multi-family and smaller projects that are not registered with the Texas Architectural Barriers Program a separate plan review will be performed to confirm compliance with the accessibility provisions contained in the International Codes as adopted by the City of Keller.

### **Site Plan Conformance Commercial Construction**

City of Keller shall provide Code Solutions staff with the "Approved Site Plan" for each permit application, when available. Code Solutions will then confirm the building is placed in conformance with the City of Keller Approved Site Plan.

Often Commercial projects will not have an "Approved Site Plan" at the time of building permit application. When the approved site plan is not provided to Code Solutions Inc. city staff will confirm building placement with site plan.

Where the nature of the work does not require a formal approved site plan, as in tenant alterations, City of Keller staff will determine compliance with zoning use and area regulations.

### **Site Plan Conformance Residential Construction**

As requested Code solutions will confirm compliance with the Keller Unified Development Code (Zoning Ordinance) for residential submittals. City of Keller shall provide Code Solutions staff with all necessary information to review residential permit applications for compliance with the Keller Unified Development Code UDC. That information shall include:

- Plat
- Current Zoning Map
- Updated Zoning Ordinance
- PD Zoning Ordinance *where applicable*
- Any other ordinance or staff directive modifying or clarifying Keller Development Codes.



## Compensation

Invoicing for plan review service will be submitted upon completion of plan review based on fee schedule *Exhibit A*. The invoice will be delivered via e-mail to the Building Official. Payment of fees is to be Net 30 Days of the date of invoice. The City will have the opportunity to pay fees electronically.

## Turn Around Time for Plan Reviews

Commercial and Residential Construction

7 Business Days

## Statement of Insurance

The City of Keller Acknowledgement of Insurance Requirements is attached.

## Examples of Work Experience

**Keller Commercial Plan Review Service** - 2013 to present.

**Tanger Outlet Mall** - Retail Development Open Mall at 15801 North Freeway Fort Worth Texas. Provided Building and Accessibility Plan Review Service.

**Andrews Distributing** – New 535,145 office / storage facility for Andrews Distributing at 500 North East Loop 820, Fort Worth Texas. Provided Building and Accessibility Plan Review Service.

**Scheels Sporting Goods The Colony** - Plan review of New 320,000 sq ft two story retail building. This is a mall anchor building with interior attractions including a Ferris Wheel and aquarium. Provided Building and Accessibility Plan Review Service.

**Culberson County ISD Pre K through 12<sup>th</sup> Grade Campus, Van Horn Texas** - New construction of 83,033 sq. ft and 20,749 sq. ft school buildings for Culberson County ISD. Provided Building Code Plan Review Service.

## Summation

Thank you for reviewing this proposal. Code Solutions has assembled a detail-oriented staff that has an established a history of good judgment. It is our hope to work with the staff and the citizens of Keller for many more years, if you need additional information, please do not hesitate to call.

Tim A. Fleming, MCP, CBO  
Code Solutions, Inc.

Proprietary Information

## Exhibit A

### Fee Schedule

Fees for plan review services will be calculated as a percentage of the City of Keller Building Permit Fee. Plan review fee percentages will not change during the term of this agreement.

The Keller Building Valuation and Permit Fee Policy will be enforced. Each year, as part of the city budget, building valuation rates are established. These rates are used to determine permit fees. In all instances Code Solutions will defer to the judgment of the Keller Building Official where the construction value of a project is undetermined or disputed.

#### IRC Residential Plan Review

For residential projects the plan review fee will be **30%** of the permit fee. The minimum plan review fee will be \$120.00.

#### Commercial Plan Review

For commercial and multi-family projects the plan review fee will be **30%** of the permit fee. The minimum plan review fee will be \$120.00

#### Revisions and Other Code Related Assistance

- After the permit has been issued, should revised plans be necessary, an additional plan review fee shall be assessed at a rate of 150.00 per hour. A one-hour minimum fee per revision will be required.
- Additional services, meeting attendance, as required \$150.00/ hr.
- Pick-up and delivery of hard copies \$20 / trip

#### Sample Fee Calculations

Single Family (*Value from table 112.65 /sf see Keller Fee Policy*)

2500 sq. ft single family residence.

$2500 \times 112.65 = 281,625.00$  value of construction

Permit Fee based on Keller Fee Schedule 2,012.95

Plan review fee Code Solutions  $2,012.95 \times 0.30 = 603.88$

Single Family Alteration



26,000 value of construction

Permit Fee based on Keller Fee Schedule 401.35

Plan review fee Code Solutions  $401.35 \times 0.30 = 120.40$

**Minimum Fee 120.00**

#### Commercial New Construction

10,000 sq. ft Retail Shell Building Type II-B Construction

Value of Construction based on Keller Fee Policy 695,520

Permit Fee based on 695,520 construction value 4,162.79

Plan Review Fee Code Solutions  $4,162.79 \times 0.30 = 1,248.84$

#### Commercial Alteration

Value of construction declared to be 25,000

Permit Fee based on Keller Fee Schedule 391.25

Plan Review Fee Code Solutions  $391.25 \times 0.3 = 117.38$

**Minimum Fee 120.00**

#### Summary

Project Type	Value of Const	Permit Fee	Code Solutions Rate	Code Solutions Fee
Single Family	$2500 \times 112.62 = 2815.50$	2,012.95	30%	603.88
Single Family Alt	26,000	401.35	30%	120.41
Commercial	695,520	4,162.79	30%	1,248.84
Commercial Alt	25,000	391.25	30%	Min fee 120.00

## Attachment I - References

City of Fort Worth  
1000 Throckmorton St.  
Fort Worth, Texas 76102  
Allison Gray  
Building Official  
817-392-8030  
allison.gray@fortworthtexas.org

City of Grapevine  
200 S. Main Street  
Grapevine Texas, 76051  
Scott Williams  
Director Community Development  
817-410-3158  
Scottw@grapevinetexas.gov

City of Highland Village  
1000 Highland Village Rd.  
Highland Village, Texas 75077  
Billy Spencer  
Building Official  
972-899-5093  
bspencer@highlandvillage.org

Robert W. Kelley Architects  
209 S. Main St  
Fort Worth, Texas 76104  
Robert W. Kelly AIA  
817-332-5014  
Bob@rwk-architecture.com



## Attachment II - Resumes of Owners

### Resume

**Tim A. Fleming**

313 Cindy Street South  
Keller, Texas 76248, 817-379-1129

### Professional Experience:

Code Solutions Inc., Master Code Professional / Vice President  
October 2004 to present. Perform code plan review and inspections for various Cities and companies in Texas, and throughout the US. Primary customers are City of Fort Worth, Jack in the Box Inc., Lowes, Robert W. Kelly Architects.

City of Fort Worth, Assistant Building Official  
December 1999 to October 2004. Provide direction of Plan Review Division. Projects of note include Radio Shack, Pier One, Tarrant County Courts Building

Assistant Building Official, City of Grapevine,  
August 1996 to Dec 1999. Provided direction and technical support for 5 inspectors and reviewed plans. Projects; GV Mills Mall, Bass Pro Shops and Embassy Suites Hotel.

Building Official, City of Highland Village,  
August 1993 to August 1996

Building Inspector, City of Plano,  
August 1988 to August 1993 Projects of note; EDS, J C Penney Corporate HQ, and Frito Lay Corporate HQ

**Professional Certifications and Licensing:** ICC Certifications; Master Code Professional, Certified Building Official, Building Plans Examiner, Commercial Mechanical Plans Examiner, Commercial Plumbing Plans Examiner, Building Inspector, Commercial Mechanical Inspector, Residential Mechanical Inspector, Plumbing Inspector, Commercial Electrical Inspector, Residential Electrical Inspector, Accessibility Usability Inspector / Plans Examiner, Commercial & Residential Energy Inspector, Commercial Energy Plans Examiner, State License - Texas Plumbing Inspector # I 2011, Registered Accessibility Specialist RAS # 144, Journeyman Electrician JE40734

**Education:** Graduate of L. D. Bell High School, Hurst, Texas 1979, Attended Texas A&M University, University of Texas at Arlington; 100 + semester hours of course work in mechanical engineering.

**Personal Information:** Family: Married with two children, Personal interests: Church, Motorcycles, Fishing, Home Projects; Volunteer Activities: Mission trips Puebla Mexico, Living Water Int., Guatemala & Mexico

**Resume**  
**Connie Z. Fleming**  
313 Cindy Street South  
Keller, Texas 76248, 817-379-1129

**Professional Experience:**

Code Solutions Inc. President,  
January 1996 to present.

Principle duties include:

- Perform Inspections for compliance with the Texas Accessibility Standards
- Perform plan reviews for compliance with the Texas Accessibility Standards
- Perform accessibility inspections for compliance with ICC/ANSI A117.1 on projects in other states (Louisiana, Oklahoma, South Carolina & California)

Teague Nall & Perkins - Office Manager  
1994 -1996

Principal Duties

- Prepare specifications for engineering projects
- Prepare proposals and other correspondence

City of Colleyville - Planning and Zoning Secretary and Engineering Secretary  
1984- 1994

Principal Duties

- Assist development community with platting and Zoning cases.
- Serve as secretary to the Planning and Zoning Board
- Provide office coordination to first engineering department

**Education:**

Graduate of L. D. Bell High School, Hurst, Texas 1979, Attended University of Texas at Arlington and Tarrant County College majoring in Physical Education.

Over the years I have attended many seminars on various subjects including Texas Accessibility Standards, Plan Review, and Interpersonal Skills.

**Professional Certifications and Licensing:** International Code Council Certification Accessibility Plans Examiner and Inspection, State of Texas Registered Accessibility Specialist RAS # 140 by the Texas Department of Licensing and Regulation.



## REQUIRED FORMS

**CITY OF KELLER**  
**ACKNOWLEDGEMENT OF INSURANCE REQUIREMENTS**

I acknowledge that by submitting a bid for this project, I am aware of the insurance requirements outlined in these specifications (Number 43-47). If I am awarded the bid, I will comply with all insurance requirements within 10 working days of the bid award, including providing proof that I have insurance which may include, but not be limited to, true and accurate copies of the policies. If I fail to forward all insurance requirements within the 10 working days of the award of the bid, I understand my bid bond will be forfeited.



Signature

Tim A. Fleming

Printed name

Name of Company: Code Solutions Inc

Address of Company: 313 Cindy St S

City, State & Zip: Keller, Texas 76248

Telephone Number: (817 ) 379-1129

Date: April 25, 2018

**\*\*THIS PAGE MUST BE COMPLETED OR BID WILL BE REJECTED\*\***

# 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

Certificate Number:  
2018-347127

Date Filed:  
05/01/2018

Date Acknowledged:

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

Code Solutions Inc  
Keller, TX United States

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

City of Keller

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.

RFP18-04A  
Plan Review Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



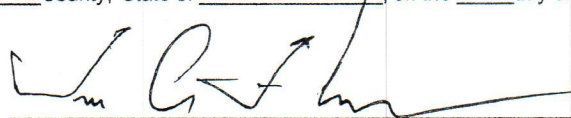
### 6 UNSWORN DECLARATION

My name is Tim A. Fleming, and my date of birth is 4/27/1961.

My address is 313 Cindy St S, Keller Tx 76248 USA.  
(street) (city) (state) (zip code) (country)

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

Executed in Tarrant County, State of Texas, on the 2 day of May, 2018.  
(month) (year)



Signature of authorized agent of contracting business entity  
(Declarant)



**TEXAS ORDINARY CERTIFICATE OF ACKNOWLEDGMENT**  
**CIVIL PRACTICE & REMEDIES CODE § 121.007**

The State of Texas

County of Tarrant

Before me,

Celia Kaplan, Notary Public  
Name and Character of Notarizing Officer,  
e.g., "John Smith, Notary Public"

on this day personally appeared

Tim A. Fleming  
Name of Signer

☐ known to me

☐ proved to me on the oath of

\_\_\_\_\_  
Name of Credible Witness

☒ proved to me through \_\_\_\_\_

TX Drivers license  
Description of Identity Card or Document

to be the person whose name is subscribed to  
the foregoing instrument and acknowledged  
to me that he/she executed the same for the  
purposes and consideration therein expressed.

Given under my hand and seal of office this

2nd day of May, 2018  
Day Month Year

[Signature]  
Signature of Notarizing Officer



Place Notary Seal and/or Stamp Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document  
or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: certificate of interested parties

Document Date: N/A Number of Pages: 1

Signer(s) Other Than Named Above: N/A

<b>CONFLICT OF INTEREST QUESTIONNAIRE</b> <b>For vendor or other person doing business with local governmental entity</b>		<b>FORM CIQ</b>
<p>This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.</p> <p>This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).</p> <p>By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.</p> <p>A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.</p>	<b>OFFICE USE ONLY</b>  <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	
<p><b>1</b> Name of person who has a business relationship with local governmental entity.</p> <p style="font-size: 1.2em; margin-left: 20px;">Tim A. Fleming</p>		
<p><b>2</b> <input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire.</p> <p style="font-size: 0.8em;">(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)</p>		
<p><b>3</b> Name of local government officer with whom filer has employment or business relationship.</p> <p style="text-align: center; font-size: 1.2em; margin-left: 100px;">NA</p> <p style="text-align: center; font-size: 0.8em; margin-left: 100px;">Name of Officer</p> <p style="font-size: 0.8em;">This section (item 3 including subparts A, B, C &amp; D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.</p> <p>A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?</p> <p style="margin-left: 40px;"> <input type="checkbox"/> Yes      <input type="checkbox"/> No         </p> <p>B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?</p> <p style="margin-left: 40px;"> <input type="checkbox"/> Yes      <input type="checkbox"/> No         </p> <p>C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?</p> <p style="margin-left: 40px;"> <input type="checkbox"/> Yes      <input type="checkbox"/> No         </p> <p>D. Describe each employment or business relationship with the local government officer named in this section.</p>		
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 45%;"> <p><b>4</b></p> <div style="border-bottom: 1px solid black; height: 40px; width: 100%;"></div> <p style="font-size: 0.8em;">Signature of person doing business with the governmental entity</p> </div> <div style="width: 45%; text-align: right;"> <p style="font-size: 1.5em; margin-top: 10px;">5-2-10</p> <p style="font-size: 0.8em;">Date</p> </div> </div>		

Adopted 06/29/2007

**\*\*THIS PAGE MUST BE COMPLETED OR BID MAY BE REJECTED\*\***



**CONFLICT OF INTEREST QUESTIONNAIRE**  
**For vendor doing business with local governmental entity**

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

**Local Government Code § 176.001(1-a):** "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

**Local Government Code § 176.003(a)(2)(A) and (B):**

- (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;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date 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.

**Local Government Code § 176.006(a) and (a-1)**

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.

**TEXAS ORDINARY CERTIFICATE OF ACKNOWLEDGMENT**  
**CIVIL PRACTICE & REMEDIES CODE § 121.007**

The State of Texas

County of Tarrant

Before me,

Celia Kaplan, Notary Public  
Name and Character of Notarizing Officer,  
e.g., "John Smith, Notary Public"

on this day personally appeared

Tim A. Fleming  
Name of Signer

☐ known to me

☐ proved to me on the oath of

\_\_\_\_\_  
Name of Credible Witness

☒ proved to me through \_\_\_\_\_

TX drivers license  
Description of Identity Card or Document

to be the person whose name is subscribed to  
the foregoing instrument and acknowledged  
to me that he/she executed the same for the  
purposes and consideration therein expressed.

Given under my hand and seal of office this

2nd day of May, 2018  
Day Month Year

Celia Kaplan  
Signature of Notarizing Officer



Place Notary Seal and/or Stamp Above

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document  
or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: Conflict of interest Questionnaire

Document Date: N/A Number of Pages: 1

Signer(s) Other Than Named Above: NA



House Bill 89 VERIFICATION

I, Tim A. Fleming (Name), the undersigned representative of  
Code Solutions Inc (Company or Business name), hereafter referred to  
as Company, being an adult over the age of eighteen (18) years of age, after being duly sworn  
by the undersigned notary, do hereby depose and verify under oath that the Company  
named-above, under the provisions of Subtitle F, Title 10, Government Code Chapter 2270:

1. Does not boycott Israel currently; and
2. Will not boycott Israel during the term of the contract the above-named  
Company, business or individual with City of Keller, Texas.

Pursuant to Section 2270.001, Texas Government Code:

1. "Boycott Israel" means refusing to deal with, terminating business activities with, or  
otherwise taking any action that is intended to penalize, inflict economic harm on, or limit  
commercial relations specifically with Israel, or with a person or entity doing business in  
Israel or in an Israeli-controlled territory, but does not include an action made for  
ordinary business purposes; and
2. "Company" means a for-profit sole proprietorship, organization, association,  
corporation, partnership, joint venture, limited partnership, limited liability partnership,  
or any limited liability company, including a wholly owned subsidiary, majority-owned  
subsidiary, parent company or affiliate of those entities or business associations that exist  
to make a profit.

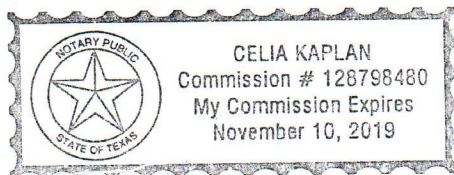
4-24-2018

Date

[Signature] 5/2/18  
Signature of Company Representative

On this 2<sup>nd</sup> day of May, 2018, personally appeared  
Tim A. Fleming, the above-named person, who after by me  
being duly sworn, did swear and confirm that the above is true and correct.

NOTARY SEAL




[Signature]  
NOTARY SIGNATURE

**\*\*THIS PAGE MUST BE COMPLETED OR BID MAY BE REJECTED\*\***

Should other governmental entities decide to participate in this contract, please indicate whether you, as Proposer/Contractor, agree that all terms, conditions, specifications, and pricing would apply.

☐ Yes

☒ No

 Initial

**\*\*It is highly desirable for the winning Contractor to participate in Cooperative Purchasing; however, it is not required and a non-response to the Cooperative Purchasing Section will indicate the Proposer does not wish to participate with other governmental entities.**

**39. CONTRACT CLAUSE**

All Proposers understand and agree that the Proposer's response to this RFP invitation will become a legally binding contract upon acceptance in writing by the City. This contract may be superceded or amended only if replaced with a more extensive contract that is agreed to by both parties.

**40. CONTRACT ADMINISTRATION**

Under this contract, the City of Keller will appoint the City Manager or his/her designee as contract administrator with the designated responsibility to ensure compliance with performance of contract requirements. Such responsibilities will include, but will not be limited to, the inspection and acceptance of all services to be provided under this contract. If a service is found to be unsuitable or as required by this contract, the Contractor will be required to remedy the service at Contractor's expense. Contractor will furnish written plan of action as to how and when correction of discrepancies will be accomplished in order to eliminate complaints. Contractor shall not handle any complaints or request from citizens. Any citizens' concerns should be directed to the City Manager, his designee, or the appropriate City Department.

**41. FAILURE TO ENFORCE**

Failure by the City of Keller at any time to enforce the provisions of the contract shall not be construed as a waiver of any such provisions. Such failure to enforce shall not affect the validity of the contract or any part thereof or the right of the City of Keller to enforce any provision at any time in accordance with its terms.

**42. INDEPENDENT CONTRACTOR**

The contractor who is awarded the contract shall be considered an independent contractor for all purposes. The Contractor shall maintain complete control over all of its employees and subcontractors. The Contractor shall perform all work in an orderly and workmanlike manner, enforce strict discipline and order among its employees and assure strict discipline and order by its subcontractors. The Contractor shall employ only fully experienced and properly qualified persons to perform the work.