

BID PROPOSAL

The undersigned, as Bidder, declares that the only person or parties interested in this Bid proposal ("Bid") as principals are those named herein, that this Bid is made without collusion with any other person, firms, or corporation, that he has carefully examined the form of contract, Notice to Bidders, Specifications and the Plans therein referred to, and has carefully examined the locations, conditions, and classes of materials of the proposed work, and agrees that he will provide all the necessary labor, machinery, tools, apparatus, and other items incidental to construction, and will do all the work and furnish all the materials called for in the Contract and Specifications in the manner prescribed and according to the requirements of the Engineer as herein set forth.

It is understood that the following quantities of work to be done at unit prices are approximate only and are intended principally to serve as a guide in evaluating bids. Payments for such items will be made on the basis of the actual quantity incorporated in the Work.

It is further agreed that the quantities of work to be done at unit prices and material to be furnished may be increased or diminished as may be considered necessary, in the opinion of the Engineer, to complete the Work fully as planned and contemplated, and that all quantities of work, whether increased or decreased, are to be performed at the unit prices set forth below except as provided for in the Specifications.

It is further agreed that lump sum prices may be increased to cover additional work ordered by the Engineer, but not shown on the Plans or required by the Specifications, in accordance with the provisions of the General Conditions. Similarly, they may be decreased to cover deletion of work so ordered.

It is understood and agreed that the work is to be completed in full within the time shown in the Instruction to Bidders.

Accompanying this Bid is a Cashier's Check or Bid Bond in the amount of

5% GAB
DOLLARS (\$ _____), which is a minimum of five (5%) percent of the total amount of the Base Bid.

The bid security accompanying this Bid shall be returned to the Bidder, unless, in case of the acceptance of the Bid the Bidder shall fail to execute a Contract and file a Performance and Payment Bond within ten (10) days after its acceptance, in which case the Bid security shall become the property of the OWNER and shall be considered as payment for damages due to delay and other inconveniences suffered by the OWNER on account of such failure of the Bidder. It is understood that the OWNER reserves the right to reject any and all Bids received.

Item No.	Spec	Bid Item Description	Estimated Quantities	Unit	Unit Price	Unit Amount
CONDER PARK IMPROVEMENTS						
GENERAL CONDITION ITEMS						
1.01	TX-500	Mobilization	1	LS	25000.00	25000.00
1.02	K-216	City of Killeen Project Sign	1	LS	1000.00	1000.00
1.03	K-301	Barricades, Signs and Pedestrian Traffic Handling	7	MO	2500.00	17500.00
1.04	13200	Prepare and Implement SWPPP	1	LS	9000.00	9000.00
1.05	13100	Miscellaneous Construction Items	1	LS	54,800.00	54,800.00
GENERAL CONDITION ITEMS SUBTOTAL=						107300.00
REMOVAL ITEMS						
1.06	TX-496	Remove Miscellaneous Concrete	111	SY	27.00	2997.00
1.07	TX-496	Remove HMAc Pavement	65	SY	18.00	1170.00
1.08	TX-496	Remove Flagstone Walkway Pavement	50	SY	33.00	1650.00
1.09	TX-496	Remove Concrete Curb and Gutter	110	LF	9.00	990.00
1.10	TX-496	Remove Concrete Drainage Flume	300	SY	27.00	8100.00
1.11	TX-496	Remove Wood and Steel Pedestrian Bridge	1	EA	2500.00	2500.00
1.12	TX-496	Remove and Relocate Light Pole	1	EA	6700.00	6700.00
REMOVAL ITEMS SUBTOTAL =						24107.00
STORM DRAINAGE ITEMS						
1.13	13000	8'X60' Prefabricated Clear Span Pedestrian Bridge	1	EA	85000.00	85000.00
1.14	13009	Abutments for Pedestrian Bridge (1 pair)	1	LS	21000.00	21000.00
1.15	13000	Installation of Pedestrian Bridge (Conc. Deck, Crane Rental, etc.)	1	LS	17400.00	17400.00
1.16	TX-400	Earthwork Backfill at Pedestrian Bridge	160	CY	44.00	7040.00
1.17	K-805	Pedestrian Bridge Concrete Transition Apron	18	SY	129.00	2322.00
1.18	13002	8' Wide Decomposed Granite Trail Connection	108	SY	23.00	2484.00
1.19	TX-471	8'X12' Sidewalk Crossing of Flume w/ Handrail	1	EA	8800.00	8800.00
1.20	K-804	Standard 24" Concrete Curb and Gutter	78	LF	31.00	2418.00
1.21	K-502	Unclassified Excavation of Creek Banks	505	CY	27.00	13635.00
1.22	13001	Grading and Turf Reinforcing Mat	2903	SY	21.00	60963.00
1.23	TX-432	Protection Stone Riprap (15" Thick) (Grouted) with Filter Fabric	702	SY	122.00	85644.00
1.24	K-805	Concrete Pavement Repair and Mono Curb w/ Sawtooth Openings with Runoff Pad & Dissipators	42	SY	143.00	6006.00
1.25	K-805	12' Wide Concrete Lined Channel	619	SY	90.00	55710.00
1.26	K-805	Miscellaneous Concrete	64	SY	116.00	7424.00
STORM DRAINAGE ITEMS SUBTOTAL =						375846.00
MISCELLANEOUS ITEMS						
1.27	K-306	Install, Maintain, and Remove Silt Fence	2735	LF	3.00	8205.00

1.28	K-307	Install 4" Topsoil	1000	SY	1.10	1100.00
1.29	K-307	Broadcast Seeding	1000	SY	1.00	1000.00
1.30	13305	Tree Protection	1	LS	900.00	900.00
1.31	K-307	Vegetative Watering	1	LS	3000.00	3000.00
	MISCELLANEOUS ITEMS SUBTOTAL =		14205.00			
	CONDER PARK TOTAL COST =		521458.00			
	AA LANE PARK IMPROVEMENTS					
	GENERAL CONDITION ITEMS					
2.01	TX-500	Mobilization	1	LS	3000.00	3000.00
2.02	K-216	City of Killeen Project Sign	1	LS	1000.00	1000.00
2.03	K-301	Barricades, Signs, and Pedestrian Traffic Handling	7	MO	350.00	2450.00
2.04	13200	Prepare and Implement SWPPP	1	LS	5000.00	5000.00
2.05	13100	Miscellaneous Construction Items	1	LS	5,350.00	5,350.00
	GENERAL CONDITION ITEMS SUBTOTAL =		16800.00			
	REMOVAL ITEMS					
2.06	K-303	Remove 12" Oak Tree	1	EA	500.00	500.00
2.07	TX-496	Remove Concrete Curb and Gutter	58	LF	9.00	522.00
	REMOVAL ITEMS SUBTOTAL =		1022.00			
	STORM DRAINAGE ITEMS					
2.08	TX-460	Extend Storm Pipe (48" CMP)	8	LF	225.00	1800.00
2.09	K-803	4:1 S.E.T. with Concrete Rip Rap	1	EA	4800.00	4800.00
2.10	K-803	Concrete Rip Rap with Curb Openings at Existing S.E.T. (Water Street)	33	SY	176.00	5808.00
2.11	502	Unclassified Excavation	120	CY	19.00	2280.00
2.12	503	Unclassified Fill and Grading at 48" Culvert	400	CY	25.00	10000.00
2.13	503	Select Fill in Eroded Areas to Repair	360	CY	50.00	18000.00
2.14	13001	Grading and Turf Reinforcing Mat	360	SY	21.00	7560.00
2.15	TX-432	Protection Stone Rip Rap (15" Thick) (Grouted) with Filter Fabric	25	SY	125.00	3125.00
2.16	809	Curb Opening with Concrete Apron	3	EA	600.00	1800.00
	STORM DRAINAGE ITEMS SUBTOTAL =		55173.00			
	MISCELLANEOUS ITEMS					
2.17	K-306	Install, Maintain, and Remove Silt Fence	60	LF	3.00	180.00
2.18	K-307	Install 4" Topsoil	130	SY	5.00	650.00
2.19	K-307	Broadcast Seeding	130	SY	1.00	130.00
2.20	13305	Tree Protection	1	LS	900.00	900.00
2.21	K-307	Vegetative Watering	1	LS	800.00	800.00
	MISCELLANEOUS ITEMS SUBTOTAL =		2660.00			
	AA LANE PARK TOTAL COST =		75655.00			
	GRAND TOTAL BASE BID =		597113.00			

In the event of award of a contract to the undersigned, the undersigned will appear before the authorized representative of the Owner and furnish Performance and Payment bonds for the full amount of the Contract, with the sureties offered by: Philadelphia Indemnity
_____ and _____

To secure proper compliance with the terms and provisions of the Contract to insure and guarantee the work until final completion and acceptance and to guarantee payment of all claims for labor performed and material furnished in fulfillment of the Contract.

The work proposed to be done shall be accepted when fully completed and finished in accordance with Conder Park and AA Lane Park Drainage Improvements Project Plan Sheets and Specifications, to the satisfaction of the Engineer.

The undersigned certifies that the Bid prices contained in this Bid have been carefully checked and are submitted as correct and final.

Receipt is hereby acknowledged of the following addenda to the Contract Documents:

Addendum No. 1 dated 10-19-22 Received 10-19-22
Addendum No. 2 dated _____ Received _____
Addendum No. 3 dated _____ Received _____

This is a Bid of: Choice Builders, LLC ^{LLC} Corporation, organized and existing under the laws of the State of TX, or; a Partnership consisting of _____, or; and Individual, doing business as _____

Seal, if a Corporation

By: C. O'Daniel

Owner

TITLE

3809 S. General Bruce Dr, Ste 103, Temple, TX 76502
MAILING ADDRESS

Same as above
STREET ADDRESS

Temple, TX
CITY AND STATE

254-534-2423
TELEPHONE NUMBER

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned,
Choice Builders, LLC as Principal,
and firmly bound unto The City of Killeen
as owner in the sum of \$ (5% GAB) Five Percent of the Greatest Amount Bid as the proper measure of liquidated damages
for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our
heirs, executors, administrators, successors and assigns.

Signed this 24th day of October, 2022.

The condition of the above obligation is such that whereas the Principal has submitted to The City
of Killeen a certain bid, attached hereto and hereby made a part hereof to enter into a contract in writing,
for the **CONDER PARK AND AA LANE PARK DRAINAGE IMPROVEMENTS PROJECT.**
Now, Therefore,

- (a) If said Bid shall be rejected, or in the alternate,
- (b) If said Bid shall be accepted and the Principal shall be accepted and the Principal shall execute
and deliver a contract in the Form of contract attached hereto (Properly completed in accordance with said
Bid) and shall furnish a bond for his faithful performance of said contract, and for the payment of all
persons performing labor or furnishing materials in connection therewith, and shall in all other respects
perform the agreement created by the acceptance of said Bid,

Then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly
understood and agreed that the liability of the Surety for any breach of condition hereunder shall be in the
face amount of this bond and forfeited as a proper measure of liquidated damages.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety
and its bond shall be in no way impaired or affected by any extension of time within which the Owner
may accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals,
and such of them as are corporations have caused their corporate seals to be hereto affixed and these
presents to be signed by their proper officers, the day and year set forth above.

Choice Builders, LLC (L.S.)

Principal



Charlie O'Daniel, President

Philadelphia Indemnity Insurance Company

Surety

By: 

Rosemarie Lopez, Attorney In Fact

SEAL



PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint **Tom Mulanax, Michael Whorton, David Whorton, Rachel Martinez, Rosemarie Lopez, Jeremy Farque and/or Noe Moreno of Whorton Insurance Services**, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed **\$50,000,000**.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

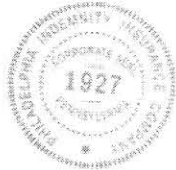
RESOLVED:

That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER
RESOLVED:

That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF MARCH, 2021.

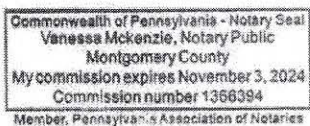


(Seal)

John Glomb, President & CEO
Philadelphia Indemnity Insurance Company

On this 5th day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public:



residing at:

Bala Cynwyd, PA

My commission expires:

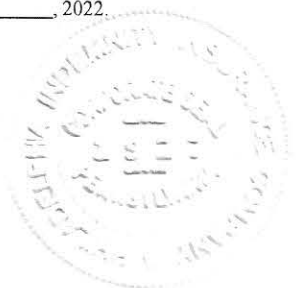
November 3, 2024

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5th day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 24th day of October, 2022.



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY



STATEMENT OF QUALIFICATIONS

TABLE 1 – GENERAL INFORMATION				
A. COMPANY DATA				
Organization Doing Business:	Choice Builders, LLC			
Business Address:	3809 S. General Bruce Dr, Suite 103 Temple, Texas 76502			
Telephone Number:	254-534-2423			
Fax Number:	NA			
Form of Business:	Corporation LLC	Partnership	Individual	Joint Venture
IF A CORPORATION				
Date of Incorporation:	8-7-2014			
State Incorporated:	Texas			
President's Name:	Charles O'Daniel			
Vice President's Name:	NA			
IF A PARTNERSHIP				
Date of Organization:				
Type	General	Limited		
IF AN INDIVIDUAL				
Name:				
Business Address:				
IF A JOINT VENTURE				
Name of Manager:				
Name of Firm:				
Name of Individual Companies:				
B. BUSINESS INFORMATION				
Current Number of Full Time Employees:	8	Past Year's Revenues:	\$2,349,269	
Average Number of Projects Annually:	4	Average Construction Cost of Project:	\$600,000	
C. DIVISION OF WORK BETWEEN CONTRACTOR AND SUBCONTRACTORS				
1. List work that will be provided by Offeror (Prime Contractor) using its own resources.				
100% including demolition, concrete, culverts, bridge install, TRM				
2. List work that will be provided by Subcontractors on this project.				
None				

TABLE 2 – CONSTRUCTION EXPERIENCE			
1. Years of experience on boring/jacking drainage culverts on railroad projects:			
As a General Contractor:	0	Number of Total Projects:	0
2. Number of boring/jacking drainage culverts on railroad projects completed in the past five (5) years?			0
3. Has this or a predecessor company ever defaulted on a project or failed to complete work award to it?			No
4. Has this or a predecessor company ever been released from a bid or proposal in the past ten (10) years?			No
5. Has this or a predecessor company ever been disqualified as a bidder or offeror on any project within the last five (5) years?			No
6. Is offering company currently involved in any litigation or contemplating any litigation?			No
7. Has this or a predecessor company ever refused to construct or refused to provide materials defined in Contract Documents on a project?			No
8. Are there any liens currently filed against the offeror by either subcontractor or material suppliers on previous projects?			No

TABLE 3 – PROPOSED KEY PERSONNEL	
PROJECT MANAGER	
Name of Project Manager	Charles O'Daniel
Years of Experience as PM	20
Number of Similar Projects as PM with this company	20+
Number of Similar Projects with other companies (PM)	20+
Current Assignments	1
% of time dedicated to this project	50
Reference Project	
Project Name: Crossroads Park	Reference Name: David Patrick
Title: Engineer	Organization: KPA Engineers
Telephone Number: 254-773-3731	Email: dpatrick@kpaengineers.com
PROJECT SUPERINTENDENT	
Name of Superintendent	Larry Krueger
Years of Experience as Superintendent	15
Number of Similar Projects as Super with this company	10
Number of Similar Project with other companies (Super)	20+
Current Assignments	0
% of time dedicated to this project	100
Reference Project	
Project Name: Crossroads Park (same as above)	Reference Name:
Title:	Organization:
Telephone Number:	Email:

TABLE 4 – SIMILAR PROJECTS COMPLETED WITHIN LAST 5 YEARS				
REFERENCE PROJECT 1				
Project Description				
Work included grading, culverts, sidewalk, pedestrian bridge, curbs, rock riprap, etc.				
Owner	Project Name	Contract Amount	Date Completed	% Change Orders
City of Temple	Crossroads Park	\$8,059,948	Feb 2021	12
Owner's Reference Information				
Name	Title	Organization	Telephone	E-Mail
Kevin Beavers	Director of Parks	COT Parks Dept	254-298-5690	kbeavers@templetx.gov
Engineer's Reference Information				
Name	Title	Company	Telephone	E-Mail
David Patrick	P.E.	KPA Engineers	254-773-3731	dpatrick@kpaengineers.com
REFERENCE PROJECT 2				
Project Description				
Work included channel grading, concrete lined channel, culverts, rock riprap, etc.				
Owner	Project Name	Contract Amount	Date Completed	% Change Orders
City of Temple	Conner Park Drainage	\$848,582	Oct 2019	16
Owner's Reference Information				
Name	Title	Organization	Telephone	E-Mail
Don Bond	Director of Public Works	COT Public Works	254-493-8070	dbond@templetx.gov
Engineer's Reference Information				
Name	Title	Company	Telephone	E-Mail
Jennifer Ryken	Engineer	Turley & Associates	254-773-2400	jryken@turley-inc.com
REFERENCE PROJECT 3				
Project Description				
Work included grading, sidewalk, culverts, site electrical, retaining wall, etc.				
Owner	Project Name	Contract Amount	Date Completed	% Change Orders
City of Killeen	Brookhaven-Rancier H&B	\$728,305	Oct 2017	5
Owner's Reference Information				
Name	Title	Organization	Telephone	E-Mail
Don Wetzel	Project Manager	COK Transport. Dept	254-616-3176	dwetzel@killeentexas.gov
Engineer's Reference Information				
Name	Title	Company	Telephone	E-Mail
Ben Wilson	Engineer	Mitchell & Associates	254-634-5541	bwilson@mitchellinc.net

TABLE 5 – SUBCONTRACTORS AND SUPPLIERS		
PROJECT SPECIFIC SUBCONTRACTORS (greater than 10% of work)		
Name	Work to be Provided	% of Contract
NA		
Provide a list of major equipment or material suppliers for use on project.		
Supplier Name	Material or Equipment Supplied	
Pioneer Bridge (dependent on contract negotiation)	pedestrian bridge	

Litigation Summary

Summary of current or past project-necessitated litigation pursued by, or brought against, your firm in the previous five (5) years:

NA

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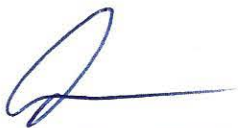
State Texas

County of Bell

Charles O'Daniel, being duly sworn deposes and attests that he/she is
(name)

Owner and is a duly authorized representative of the Offeror
(title)

submitting the foregoing Statement of Qualifications and related information, that he/she has read such documents, that he/she is authorized to submit such information on behalf of the Offeror, and that such documents are true and correct and contain no factual errors or material misrepresentations.

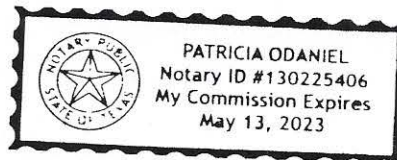


Signature

Signed and sworn to me before this 26th day of October, 2022.

Patricia O'Daniel
Notary Public

My Commission expires: May 13, 2023



CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

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

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

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 vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

NA

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (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 on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each 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). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes

☐ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

NA

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

10-26-22

Date

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.

CERTIFICATE OF CORPORATE RESOLUTION

I, Charles O'Daniel, Secretary, hereby certify as follows:

1. I am the duly elected, qualified and acting Secretary of Choice Builders, LLC,
a LLC corporation, (the "Corporation").
2. The Corporation is duly incorporated, legally existing and in good standing under the laws of the State of Texas, and is duly qualified to transact business and to own, operate and develop its properties in the State of Texas.
3. Attached hereto and made a part hereof is a true and complete copy of the resolution duly and legally adopted on NA by the Board of Directors of the Corporation in accordance with the By-laws of the Corporation and applicable law. Such resolutions have been duly entered in the minutes of such meeting in the minute book of the corporation and have not been rescinded or modified in any respect and are presently in full force and effect.
4. The following persons are duly elected, qualified and acting officers of the corporation and hold respective offices set opposite their names:

Charles O'Daniel : President

: Vice President

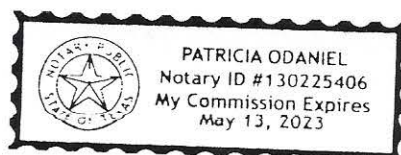
Charles O'Daniel : Secretary

TO CERTIFY WHICH I have executed this certificate this 26th day of October 2022.

Secretary

STATE OF Texas
COUNTY OF Bell

This instrument was acknowledged before me on the 26th day of October, 2022 by Charles O'Daniel, Secretary, of Choice Builders, LLC, a corporation, on behalf of said Corporation.



Patricia O'Daniel
Notary Public, State of Texas
Name: Patricia O'Daniel
My commission expires May 13, 2023

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

FORM CIS

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

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

NA

2 Office Held

3 Name of person described by Sections 176.002(a) and 176.003(a), Local Government Code

4 Description of the nature and extent of employment or business relationship with person named in item 3

5 List gifts if aggregate value of the gifts received from person named in item 3 exceed \$250

Date Gift Received _____ Description of Gift _____ ☐ Did Not Accept Gift

Date Gift Received _____ Description of Gift _____ ☐ Did Not Accept Gift

Date Gift Received _____ Description of Gift _____ ☐ Did Not Accept 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 a family member (as defined by Section 176.001(2), Local Government Code) of a 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 a governing body of a local government entity or a director, superintendent, administrator, president, or other person designated as the executive officer of the local government entity. 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 Class C misdemeanor.

Please 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 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 person described by Sections 176.002(a) and 176.003(a), Local Government Code.** Enter the name of the person described by Section 176.002, Local Government Code with whom the officer has an employment or other business relationship as described by Section 176.003(a), Local Government Code.
- 4. Description of the nature and extent of employment or business relationship with person named in item 3.** Describe the nature and extent of the relationship of the employment or other business relationship with the person in item 3 as described by Section 176.003(a), Local Government Code.
- 5. List gifts if aggregate value of the gifts received from person named in number 3 exceed \$250.** List gifts received 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 person named in number 3 that in the aggregate exceed \$250 in value.
- 6. Affidavit.** Signature of local government officer.

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.

Choice Builders LLC
TEMPLE, 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 Killeen, Texas

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.

Bid No 22-34
Conder Park & AA Park Improvements

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 Charles O'Daniel, and my date of birth is 5-26-1974.

My address is 378 CR 462 (street), Lott (city), TX (state), 76656 (zip code), USA (country).

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

Executed in Falls County, State of TX, on the 26th day of Oct, 2022.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)

Texas Government Code section 809.001 to means, without an ordinary business purpose, 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 with a company because the company: (A) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law; or (B) does business with a company described by Paragraph (A).

25. Acknowledgement – “Prohibition on contracts with companies that discriminate against firearm and ammunition industries”

By signing and submitting this bid the vendor hereby verifies that it does not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the term of the contract against a firearm entity or firearm trade association. Discriminate against a firearm entity or a firearm trade association are defined in Texas Government Code section 2274.001 as (A) with respect to the entity or association, to (i) refuse to engage in the trade of any goods or services; (ii) refrain from continuing an existing business relationship; (iii) terminate an existing business relationship; or (iv) otherwise express a prejudice against the entity or association; and (B) does not include the established policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories.

SIGNATURE:



DATE: 10-26-22

PRINT NAME:

Charles O'Daniel


CONTRACT VERIFICATION

Texas law provides that a governmental entity may not enter into certain contracts for goods and services with a company unless the company provides written verification regarding aspects of the company's business dealings.

- Texas Government Code, Chapter 2271 – the company must verify that it does not boycott Israel and will not boycott Israel during the term of the contract. *Boycott Israel is defined in Government Code Chapter 808.*
- Texas Government Code, Chapter 2274 – the company must verify that it does not boycott energy companies and will not boycott energy companies during the term of the contract. *Boycott energy company is defined in Government Code Chapter 809.*
- Texas Government Code, Chapter 2274 – the company must verify that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the term of the contract against a firearm entity or firearm trade association. Verification is not required from a sole source provider. *Discriminate, firearm entity and firearm trade association are defined in Government Code Chapter 2274.*

Affected by the above statutes are contracts 1) with a company with ten (10) or more full-time employees, and 2) valued at \$100,000 or more to be paid wholly or partly from public funds. A contract with a sole proprietorship is not included.

By signing below, I verify that the company listed below does not boycott Israel, does not boycott energy companies, and does not discriminate against firearms entities or firearm trade associations and will not do so during the term of the contract entered into with the City of Killeen. I further certify that I am authorized by the company listed below to make this verification.



Signature

Charles O'Daniel

Printed Name

11-1-2022

Date

Choice Builders, LLC

Company Name

Owner

Title