

ATTACHMENT C

EXECUTION OF OFFER

JOC Services in the Bastrop County, Texas Area - 1208976/KM

THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED, AND RETURNED WITH RESPONDENT'S PROPOSAL. FAILURE TO COMPLETE, SIGN AND RETURN THIS EXECUTION OF OFFER WITH THE PROPOSAL WILL RESULT IN REJECTION OF THE PROPOSAL.

SIGNING A FALSE STATEMENT MAY VOID THE SUBMITTED PROPOSAL OR ANY AGREEMENTS OR OTHER CONTRACTUAL ARRANGEMENTS, WHICH MAY RESULT FROM THE SUBMISSION OF RESPONDENT'S PROPOSALS, AND RESPONDENT MAY BE REMOVED FROM ALL PROPOSER LISTS. A FALSE CERTIFICATION SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT AND, AT OWNER'S OPTION, MAY RESULT IN TERMINATION OF ANY RESULTING CONTRACT OR PURCHASE ORDER.

- 1.1 By signature hereon, Respondent acknowledges and agrees that (1) this Request For Proposals is a solicitation for Proposals and is not a contract or an offer to contract; (2) the submission of a Proposal by Respondent in response to this Request For Proposals will not create a contract between Owner and Respondent; (3) Owner has made no representation or warranty, written or oral, that one or more contracts with Owner will be awarded under this Request For Proposals; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a Proposal in response to this Request For Proposals.
- 1.2 By signature hereon, Respondent offers and agrees to furnish to Owner the products and/or services more particularly described in its Proposal, and to comply with all terms, conditions and requirements set forth in the Request For Proposals documents and contained herein.
- 1.3 By signature hereon, Respondent affirms that Respondent has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Proposal.
- 1.4 By signature hereon, a corporate Respondent certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporate Respondent is exempt from the payment of such taxes, or that the corporate Respondent is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable.
- 1.5 By signature hereon, Respondent hereby certifies that neither Respondent nor the firm, corporation, partnership or Owner represented by Respondent, or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state, codified in Section 15.01, et. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the Proposal made to any competitor or any other person engaged in such line of business.
- 1.6 By signature hereon, Respondent represents and warrants that:

- 1.6.1 Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the Request For Proposals;
 - 1.6.2 Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the Request For Proposals;
 - 1.6.3 Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances;
 - 1.6.4 Respondent understands (i) the requirements and specifications set forth in this Request For Proposals and (ii) the terms and conditions set forth in the Master Agreement under which Respondent will be required to operate;
 - 1.6.5 Respondent, if selected by Owner, will maintain insurance as required by the Master Agreement;
 - 1.6.6 All statements, information and representations prepared and submitted in response to this Request for Proposals are current, complete, true and accurate. Respondent acknowledges that Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by Owner as a successful Respondent, Respondent will notify Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provided information.
- 1.7 By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the Request For Proposals is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements, which may result from the submission of Respondent's Proposals.
- 1.8 By signature hereon, Respondent certifies that if a Texas address is shown as the address of Respondent, Respondent qualifies as a Texas Resident Respondent as defined in Rule 1 TAC 111.2.
- 1.9 By signature hereon, Respondent certifies as follows:
- 1.9.1 "Under Section 231.006, Texas Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate."
 - 1.9.2 "Under Section 2155.004, Texas Government Code, the vendor or applicant certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate."
- 1.10 By signature hereon, Respondent certifies that no relationship, whether by relative, business associate, capital funding agreement or by any other such kinship, exists between Respondent and an employee of any University of Texas component, or Respondent has not been an

employee of any University of Texas component within the immediate twelve (12) months prior to your Request For Proposals response. All such disclosures will be subject to administrative review and approval prior to Owner entering into any contract with Respondent.

- 1.11 By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this Request for Proposals (reference Section 2155.004 Texas Government Code).
- 1.12 Respondent represents and warrants that all articles and services quoted in response to this Request for Proposals meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Law (Public Law 91-596) and its regulations in effect or proposed as of the date of this solicitation.
- 1.13 By signature hereon, Respondent signifies his compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.
- 1.14 By signature hereon, Respondent agrees to defend, indemnify, and hold harmless the State of Texas, all of its officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or omissions of Respondent or any agent, employee, subcontractor, or supplier of Respondent in the execution or performance of any agreements or other contractual arrangements which may result from the submission of Respondent's Proposals.
- 1.15 By signature hereon, Respondent agrees that any payments that may become due under any agreements or other contractual arrangements, which may result from the submission of Respondent's Proposals, will be applied towards any debt including, but not limited to, delinquent taxes and child support that is owed to the State of Texas.
- 1.16 By signature hereon, Respondent certifies that no member of the Board of Regents of The University of Texas System, or the Executive Officers of the University of Texas System or its component institutions, has a financial interest, directly or indirectly, in the transaction that is the subject of the contract.
- 1.17 Respondent must complete, sign and return this Execution of Offer as part of their submittal response. Respondent's company official(s) who are authorized to commit to such a submittal must sign submittals. Failure to sign and return this form will subject the submittal to disqualification.

(Respondent's Name)

(Title)

(Authorized Signature)

(Date)