



# BID SUBMISSION SUPPLEMENT

This supplement includes three (3) separate forms that must be completed by the bidding entity:

1. **Business Questionnaire** (pages 2-3)
2. **Disclosure** (pages 4-8)
3. **Subcontracting Form** (pages 9-15)

Each section must be completed according to the individual instructions within each document.

CPS Energy reserves the right to reject responses with incomplete Bid Submission Supplement sections.



## CPS ENERGY BUSINESS QUESTIONNAIRE

Website address: [www.cpsenergy.com](http://www.cpsenergy.com)

Questions should be directed to (210) 353-2474, or e-mailed to [supplierdevelopment@cpsenergy.com](mailto:supplierdevelopment@cpsenergy.com)

1. Name of business:

Doing business as:

(Other business name, if applicable)

Contact person and title:

2. Business mailing address:

City:

State:

Zip Code:

3. Business telephone number:

Business e-mail address for POs, Bid Solicitations, Request for Quotations:

4. Check appropriate box for Type Classification:

Non-Profit Organization

Chamber of Commerce

Federal/State/City Agency

Municipality

College/University

Other

Historically Black College/University or Minority Institution

Other

Please see reverse or second page for definitions for the following questions:

5. Does your company maintain a business office in the San Antonio Metropolitan Statistical Area? ☐ Yes ☐ No

If yes: Address:

City:

State:

Zip Code:

6. What is the gender of the majority owner (owns at least 51% of company): ☐ Male ☐ Female ☐ N/A

7. Size: ☐ Emerging Small Business ☐ Small Business ☐ Large Business

(If you are having difficulty determining your size status please call SBA at 1-800-U-ASK-SBA or (202) 205-6618 for assistance.)

8. Is your company certified by the SBA? ☐ Yes ☐ No

If certified by any agency, please provide the name of that agency:

9. Number of Employees:

10. Primary NAICS Code:

If the NAICS Code is unknown, please refer to [www.sba.gov/size](http://www.sba.gov/size) or provide a description of your materials and/or services:

11. Please check the following applicable boxes and attach all corresponding certification:

☐ HUB Zone (Historically Underutilized Business Zone)\*\* ☐ Veteran-Owned ☐ Service-Disabled Veteran

**\*\*Must Provide SBA Certification Certificate**

12. Identify majority owner's ethnicity (owns at least 51% of company): ☐ African American ☐ Asian American

☐ Caucasian American

☐ Hispanic American

☐ Native American

☐ Prefer Not to Disclose

☐ Other: Specify

**Under 15 U.S.C. 645(d), any person who misrepresents a firm's status shall (1) be punished by a fine, imprisonment, or both; (2) be subject to administrative remedies; and (3) be ineligible for participation in programs conducted under the authority of the Small Business Act.**

Printed name and Title:

Signature:

Date:

THIS FORM IS APPLICABLE FOR A ONE (1) YEAR PERIOD. IT IS YOUR RESPONSIBILITY TO NOTIFY US IF YOUR SIZE OR OWNERSHIP STATUS CHANGES DURING THIS ONE (1) YEAR PERIOD. YOU CAN SUBMIT ANY STATUS CHANGES TO [SUPPLIERDEVELOPMENT@CPSENERGY.COM](mailto:SUPPLIERDEVELOPMENT@CPSENERGY.COM). PLEASE LIST ON THIS FORM, OR AN ATTACHED SHEET, ALL OTHER BUSINESS NAMES AND LOCATIONS THAT ARE AFFILIATED WITH YOUR FIRM, E.G., BRANCH LOCATIONS, ETC.

# CPS ENERGY BUSINESS QUESTIONNAIRE

## LOCAL BUSINESS PROGRAM DEFINITIONS

**LOCAL BUSINESS:** Businesses that maintain a business office in the San Antonio Metropolitan Statistical Area, as identified in the 2012 Economic Census, U.S. Department of Commerce Economics and Statistics Administration U.S. Census Bureau. The San Antonio Metropolitan Statistical Area includes the following counties: Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson.

**EMERGING SMALL BUSINESS ENTERPRISE (ESBE):** An SBE eligible business structure for the purpose of making a profit, which is independently owned and operated by individuals legally residing in, or that are citizens of, the United States or its territories, whose annual revenues and number of employees are no greater than 25% of the small business size standards for its industry, as established by the U.S. Small Business Administration.

## SMALL BUSINESS PROGRAMS AS STATED ON FEDERAL ACQUISITION REGULATION (FAR) PART 19

**DISADVANTAGED BUSINESS:** Business which is unconditionally owned and controlled by one or more socially and economically disadvantaged individuals who are of good character and citizens of the United States, and which demonstrates potential for success.

### 1. WHO IS SOCIALLY DISADVANTAGED?

- a) *General.* Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias within American society because of their identities as members of groups and without regard to their individual qualities. The social disadvantage must stem from circumstances beyond their control.
- b) *Members of designated groups.* 1) There is a rebuttable presumption that the following individuals are socially disadvantaged: Black Americans, Hispanic Americans, Native Americans (American Indians, Eskimos, Aleuts or Native Hawaiians), Asian Pacific Americans (persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China (including Hong Kong), Taiwan, Laos, Cambodia (Kampuchea), the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, or Northern Mariana Islands) and Subcontinent Asian Americans (with origins from India, Sri Lanka, Pakistan, the Maldives Island, Bhutan, Nepal and Bangladesh) are presumed to be disadvantaged by ethnicity.
- c) *Those who meet all the requirements of 13 C.F.R. Part 124.*

### 2. WHO IS ECONOMICALLY DISADVANTAGED?

- a) *General.* Economically disadvantaged individuals are socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially disadvantaged.
- b) *Those who meet all the requirements of 13 C.F.R. Part 124.*

**WOMAN-OWNED SMALL BUSINESS:** A small business—

- a) Which is at least 51% owned by one or more women; or, in the case of any publicly owned business, at least 51% of the stock of which is owned by one or more women; and
- b) The management and daily business operations are controlled by one or more women.

**HUBZONE SMALL BUSINESS:** A small business that appears on the List of Qualified HUBZone Small Business and maintained by the SBA.

\*HUBZone means a Historically Underutilized Business Zone, which is an area located within one or more qualified census tracts, qualified non-metropolitan counties, or lands within the external boundaries of an Indian reservation.

**VETERAN-OWNED SMALL BUSINESS:** A small business—

- a) Not less than 51% of which is owned by one or more veterans (as defined at 38 U.S.C. 101 (2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans, and
- b) The management and daily business operations of which are controlled by one or more veterans.

**SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS:** A small business—

- a) Not less than 51% of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51% of the stock of which is owned by one or more service-disabled veterans, and
- b) The management and daily business operations of which are controlled by one or more service-disabled veterans, or in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.
- c) Served veteran means a veteran, as defined in 38 U.S.C. 101 (2), with a disability that is service-connected, as defined in 38 U.S.C. 101 (16).

**THE NORTHAMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS)** is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

(Please visit the U.S. SBA web site [www.sba.gov/regulations/](http://www.sba.gov/regulations/) for more information.)



## DISCLOSURE

In order to fulfill reporting requirements to the CPS Energy Board of Trustees, Company must check one box for each of the following questions:

**(NOTE: THE FOLLOWING QUESTIONS ARE RELATED TO THE PROPOSED CONTRACT AND/OR SCOPE OF ACTIVITIES WITH CPS ENERGY. FOR QUESTIONS 1-2, PLEASE REFER TO THE LIST IN THE DISCLOSURE'S APPENDIX)**

1. Is a current or former member of the CPS Energy Board of Trustees employed by, or otherwise on the payroll, of Company? A list of current and relevant former Trustees is included in the appendix.

Yes                      No

**\*\*If yes, please provide the name of the Trustee/former Trustee, their position at your organization, how long they are/were employed and will they be working on any activities with CPS Energy.**

2. Is a current or former member of the CPS Energy Citizens Advisory Committee employed by, or otherwise on the payroll, of Company? A list of current and relevant former Citizen Advisory Committee members is included in the appendix.

Yes                      No

**\*\*If yes, please provide the name of the member/former member, their position at your organization, how long they are/were employed and will they be working on any activities with CPS Energy.**

3. Is your organization a foreign (non-U.S.) governmental or state-owned entity? This includes any subsidiaries, contractors or subcontractors that may be involved with CPS Energy.

Yes                      No

**\*\*If yes, please provide the name of the governmental or state entity which owns your organization and/or subsidiaries, contractors or subcontractors. Also, what percentage ownership does the governmental or state entity retain?**



4. Is your organization a foreign political party under the Foreign Corrupt Practices Act (the “FCPA”)? This includes any subsidiaries, contractors or subcontractors that may be involved with CPS Energy.

Yes                      No

\*\*If yes, please provide the name of the foreign political party for your organization and/or subsidiaries, contractors or subcontractors.

5. Are any of your employees, partners, company officers, registered agents, or members of your board of directors considered foreign officials<sup>1</sup>, candidates for foreign political office, or party officials for a foreign political party under the FCPA? This includes any subsidiaries, contractors or subcontractors that may be involved with CPS Energy.

Yes                      No

\*\*If yes, please provide the name of the individual(s) that is/are considered a foreign official, candidate for foreign political office or party official for a foreign political party (including subsidiaries, contractors or subcontractors). Also, please provide their position at your organization, how long they are employed and their current political or governmental affiliation.

6. In performance of your services under this contract, do you have any facilities/operations which are located/conducted outside of the United States or its territories? This includes any subsidiaries, contractors or subcontractors that may be involved with CPS Energy.

Yes                      No

\*\*If yes, please provide the location and type of facilities/operations which are located outside of the United States or its territories, including subsidiaries, contractors or subcontractors.

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<sup>1</sup> Foreign officials are defined by the FCPA to include any officer or employee of a foreign government or any department, agency, or instrumentality thereof, or of a public international organization, or any person acting in an official capacity for or on behalf of such government or department, agency of instrumentality, or for or on behalf of any such public international organization.



7. In accordance with the Lone Star Infrastructure Protection Act (LSIPA), and in the performance of services under your contract, does your organization have any facilities/operations (wholly owned or partially owned) which are located in the following countries: China, Iran, North Korea, Russia or Venezuela; please provide a detailed account of the activities.

Yes                      No

**\*\*If yes, please provide a detailed information regarding the type of activities and location of the activities, including subsidiaries, contractors or subcontractors to include details regarding foreign ownership (wholly owned or partially owned).**

8. In performance of your services under this contract, does your organization conduct any business with governmental officials outside of the United States or its territories? This includes any subsidiaries, contractors or subcontractors that may be involved with CPS Energy.

Yes                      No

**\*\*If yes, please provide information regarding the government officials (governmental agency, names, location, etc.) and the specific activities they conduct with your organization, including subsidiaries, contractors or subcontractors.**

In accordance with CPS Energy procurement policies and procedures, CPS Energy shall enter into agreements based on “best value,” which is the consideration of pricing together with several other factors, including, but not limited to, financial stability and economic development.

**No Current or Prior Conflict of Interest.** Company represents that it has/had no current or prior material business, professional, personal, or other interest, including, but not limited to, the representation of other clients, that would be inconsistent or incompatible with Company’s obligations to CPS Energy under any resulting agreement.

**Notice of Conflict.** If any actual or potential conflict of interest arises under this Agreement or if the Company is aware of any current or former CPS Energy employee that will work under this Agreement on their behalf, Company shall immediately inform CPS Energy in writing of such conflict or situation.

**Termination for Material Conflict.** Notwithstanding the representations made above, if CPS Energy becomes aware of any conflict of interest, through Company’s disclosure or otherwise, CPS Energy may terminate any resulting agreement without further liability to Company.



**Verification / Declaration.** I declare under penalty of perjury under the laws of the State of Texas that the foregoing declaration is true, correct and accurate and that I am the Respondent's Official Representative.

**Change of Status.** Company shall be responsible for the timely notification to CPS Energy of any change in the representations made above.

**Verification / Declaration**

I declare under penalty of perjury under the laws of the State of Texas that the foregoing declaration is true, correct and accurate and that I am the Respondent's Official Representative.

Company Name:

Company Headquarters Location:

Signature:

Printed Name:

Title:

Executed Date:



## Appendix

<b>CPS Energy Board of Trustees</b>	<b>Year</b>
Janie Gonzalez	2023-2024-2025
Dr. Willis Mackey	2023-2024-2025
Mayor Ron Nirenberg	2023-2024-2025
John Steen	2023-2024-2025
Dr. Francine Sanders Romero	2023-2024-2025
<b>CPS Energy Community Input Committee</b>	<b>Year</b>
Diana Aguirre-Martinez	2023-2024-2025
Vanessa Alvarado	2023-2024-2025
Steve Bonnette	2023-2024-2025
Dr. Adelita Cantu	2023-2024-2025
Andra Clapsaddle	2023-2024-2025
Tom Corser	2023-2024-2025
Frank Dunn	2025
Richard Farias	2023-2024-2025
Christopher Fullerton	2025
Frank Gonzalez	2023-2024-2025
John Kelly	2023-2024-2025
Peter Onofre	2025
Maria Nelson	2025
Lawson Picasso	2023-2024-2025
Aaron Stein	2024-2025
Dr. Julian Villarreal	2025
Sara Villarreal	2025
Bob Zapata	2023-2024-2025



## CPS ENERGY

### SUBCONTRACTING DOCUMENTS

It is the policy of CPS Energy to ensure that local and small business enterprises have the maximum practicable opportunity to participate as contractors and suppliers.

Respondents are required to furnish the subcontracting goals for this procurement. Failure to provide a response to this document may prohibit contract award at different management levels, up to our Board of Trustees.

Respondents may contact the CPS Energy Supplier Development team at (210) 353-2474 or via email at [supplierdevelopment@cpsenergy.com](mailto:supplierdevelopment@cpsenergy.com) for assistance in determining when subcontracting opportunities may or may not exist and completing any of the attached documents.

Respondent's (Company) Name:

Please select one of the following options and complete the applicable requirements:

1. **Respondent is submitting a Subcontracting Plan below.**
2. **Respondent is a small business, so no Subcontracting Plan is required.** To qualify as a small business, Respondent must enclose a completed CPS Energy Business Questionnaire certifying that it meets the stated requirements.
3. **Respondent will not be submitting a Subcontracting Plan, as this contract will not offer subcontracting possibilities.** Respondent shall state the specific reasons why this contract will not offer subcontracting possibilities and that all work will be performed by awarded contractor.

**THE FOLLOWING SUBCONTRACTING PLAN (SECTIONS 1-6) DOES NOT NEED TO BE COMPLETED IF THE CONTRACTOR HAS DETERMINED NO SUBCONTRACTING OPPORTUNITIES EXIST OR IF A SUBCONTRACTING PLAN IS NOT REQUIRED.**

## **SUBCONTRACTING PLAN**

### **1. Subcontracting Commitment**

- a. Company will provide a competitive opportunity for suppliers who are local and/or small business enterprises, to qualify for and earn a share of the business current or long-term purchase volume, commensurate with the merits of their offerings and their proven qualifications or demonstrated performance as suppliers.
- b. Company has and will continue to utilize local and/or small business enterprises to the greatest extent practicable consistent with efficient performance of all contracts or subcontracts.

### **2. Measures to Promote Equal Opportunities**

- a. In order to ensure that local and small business enterprises will have an equitable opportunity to compete for subcontracts, Company shall:
  - i. Maintain a program designed to locate capable local and small business enterprises for current and future subcontracting opportunities.
  - ii. Review company policies and procedures to assure and encourage equitable opportunity to local and small business enterprises in letting subcontracts.
  - iii. Coordinate inquiries and requests for advice from local and small business enterprises.
  - iv. Assure that participation of all subcontractors are accurately reported in Supply Chain's Supplier Management System: [www.cpsenergy.diversitycompliance.com](http://www.cpsenergy.diversitycompliance.com). For additional information regarding access and reporting in this system, please contact CPS Energy's Supplier Development team at [supplierdevelopment@cpsenergy.com](mailto:supplierdevelopment@cpsenergy.com)

### **3. Identifying Local and Small Business Enterprises for Potential Opportunities**

- a. Company may view the Supplier Classification Report at [www.cpsenergy.com](http://www.cpsenergy.com) to review CPS Energy registered suppliers to identify local and small business enterprises.
- b. Company may request an approved listing of CPS Energy Suppliers by products or capabilities by emailing [supplierdevelopment@cpsenergy.com](mailto:supplierdevelopment@cpsenergy.com).

### **4. Administrator of this Subcontracting Plan**

- a. Company's assigned Administrator responsible for compiling data for the plan and for the regular reviewing, updating and implementation of this Subcontracting Plan throughout the duration of this contract:

Name of Administrator:

Phone Number of Administrator:

Email Address of Administrator:

Respondent (Company) Name:

### **Appendix - Anticipated Subcontractors**

Company shall complete this appendix for each anticipated subcontractor, as applicable.

#### **Subcontractor #1**

Company Name:

Address:

City/ST/Zip:

Phone Number:

Email Address:

Type of material/services to be provided:

Dollars estimated to be subcontracted:

Check all that apply:

Small Business

Local Business

Additional Details:

**Subcontractor #2**

Company Name:

Address:

City/ST/Zip:

Phone Number:

Email Address:

Type of material/services to be provided:

Dollars estimated to be subcontracted:

Check all that apply:

Small Business

Local Business

Additional Details:

**Subcontractor #3**

Company Name:

Address:

City/ST/Zip:

Phone Number:

Email Address:

Type of material/services to be provided:

Dollars estimated to be subcontracted:

Check all that apply:

Small Business

Local Business

Additional Details:

**Subcontractor #4**

Company Name:

Address:

City/ST/Zip:

Phone Number:

Email Address:

Type of material/services to be provided:

Dollars estimated to be subcontracted:

Check all that apply:

Small Business

Local Business

Additional Details:

**Subcontractor #5**

Company Name:

Address:

City/ST/Zip:

Phone Number:

Email Address:

Type of material/services to be provided:

Dollars estimated to be subcontracted:

Check all that apply:

Small Business

Local Business

Additional Details:

(Include any additional subcontractors in a separate attachment with your submittal.)