

# TXShare

**Your Public Sector Solutions Center**

**REQUEST FOR PROPOSALS**

**For**

**Biosolid Recycling and Related Treatment Plant Services**

**RFP # 2024-099**

Sealed proposals will be accepted until 2:00 PM CT, **October 16, 2024**, and then publicly opened and read aloud thereafter.

M28, LLC dba PONDMEDICS, LLC

Legal Name of Proposing Firm

Jarrold Conner

Contact Person for This Proposal

Chief Operating Officer

Title

972-334-0104 x. 404

Contact Person Telephone Number

jarrod@pondmedics.com

Contact Person E-Mail Address

1251 N. Legacy Drive, Prosper, TX 75078

Street Address of Principal Place of Business

City/State

Zip

PO Box 97, Gunter, TX 75058

Mailing Address of Principal Place of Business

City/State

Zip

Jarrold Conner

Point of Contact for Contract Negotiations

Chief Operating Officer

Title

972-334-0104 x 404

Point of Contact Telephone Number

jarrod@pondmedics.com

Point of Contact Person E-Mail Address

Acknowledgment of Addenda (initial): #1 \_\_\_\_\_ #2 \_\_\_\_\_ #3 \_\_\_\_\_ #4 \_\_\_\_\_ #5 \_\_\_\_\_

**NOTE: Any confidential/proprietary information must be clearly labeled as “confidential/proprietary”. All proposals are subject to the Texas Public Information Act.**

**COVER SHEET**

# Statement of Understanding

Dear NCTCOG,

PondMedics understands the work to be done and the desired deliverables for North Central Texas Council of Governments participating members. Specifically, we intend to offer our services for Service Category #6 - Stormwater/Freshwater Pond Services. Our intent is to provide excellent partnership and service to the NCTCOG member through our extensive experience and desire to assist through service and education.

Sincerely,

The PondMedics Team

# Experience.

## YOUR PROJECT LEADERSHIP TEAM



### **Emily Lewis, P.E.**

*Civil Engineer and Hydrologist (TBPE License Number 93789)*

Since 1998, Emily Lewis has been practicing civil engineering with a specialty in surface water hydraulics and hydrology. Graduating with a Masters Degree in Civil Engineering from Texas Tech University, she moved into the suburban land development industry with a specialty in designing and engineering surface storm water systems to enhance surface water quality through the cities and their neighborhoods as well as designing storm water systems that would safely move water downstream and prevent flooding.

Prior to founding PondMedics, Inc. in 2004, Emily worked for a national and regional civil engineering firm - Kimley Horn Associates and Dowdy Anderson Associates. During her time at those firms, Emily was responsible for modeling, designing and engineering natural and urban surface water systems.

Her accumulated experience in civil engineering, hydrographic survey and limnology is a key component to the success we have in our unique engineered surface water solutions we provide our clients each day.

Emily's favorite saying is "Quality in a service is not what you put into it. It's what the client gets out of it."



## Trent Lewis, FPC

*Hydrographer, FAA Licensed sUAS Pilot and Certified Fisheries Biologist (Cert #3210)*

Trent's love for people and the outdoors allowed him opportunities to experience many organizations that directly influence his work today. From running commercial landscaping operations, to experience at research and commercial nurseries, Trent's unique and diverse background is the reason PondMedics projects are completed with creativity, ingenuity and tenacity every day. After graduating from Texas Tech University in 2000 with a B.S. in Agricultural Economics and speciality in Fisheries Management, Trent spent several years in corporate America training for the task of opening a civil engineering firm specializing in surface water resources in 2004 known as PondMedics, Inc. Trent is a Certified Fisheries Professional (FPC) through the American Fisheries Society (AFS), a licensed aquatic applicator through the Texas Department of Agriculture and a licensed sUAS (drone) pilot through the Federal Aviation Administration (FAA).

Today, Trent can be found leading all divisions within PondMedics and implementing the vision for the direction of PondMedics. His passion for his clients and the unique work PondMedics provides keeps him engaged in daily activities of the firm. It is this unique ownership touch and availability to PondMedics' clients that results in long-term client relationships and trust.

Trent's vision for the future of surface water management in North America has placed him in positions of leadership and influence such as,

2009 - Present --- Upper Trinity Conservation Trust (UTCT) Chairman and President

2013 - Present --- Texas Aquatic Plant Management Society (TAPMS) Director and 2017 President

2014 - Present --- Society of Lake Management Professionals Co-Founder and Director

Trent's favorite saying is "The bitterness of poor quality remains long after the sweetness of low price is forgotten."





## **WESTON JORDAN**

*Aquatic Plant Management*

*Fisheries Technician, FP-A*

Oklahoma State University, B.S. Fisheries & Aquatic Ecology

Weston has always had a passion for fish and aquatic sciences; so much that he pursued a bachelor's degree in this field. He applies best management practices that he has learned during his degree program everyday at PondMedics for the last few years. Weston belongs to the American Fisheries Society; he holds an associate fisheries professional certification while working towards the full professional certification.





## THOMAS LOCKE

*Fountain & Aeration Manager; Director of Fountain Freedom  
Aquatic Electromechanical Specialist*

University of North Texas, B.A. Education & History  
M.A. International Trade & Economics  
Aquamaster Fountain Technical Training Certified



Tom has been involved with electromechanical install and repair for over four years. Since starting with PondMedics, Tom has mastered fountain and aeration installation, maintenance, troubleshooting, repair, and removal. Tom takes any opportunity to continue to advance his knowledge and skills, making him a great asset to our team.

Previously Tom has travelled the world, held positions in a variety of fields, and has returned back to North Central Texas to serve our clients. He absolutely loves coming up with creative solutions to address electromechanical issues that plague our clients; giving them peace of mind that their fountain or aerator struggles are over.

If you have any questions  
or just need some advice  
- Tom is the one to call!





# dredgeSMART.<sup>TM</sup>

*the dredging equation, solved.*

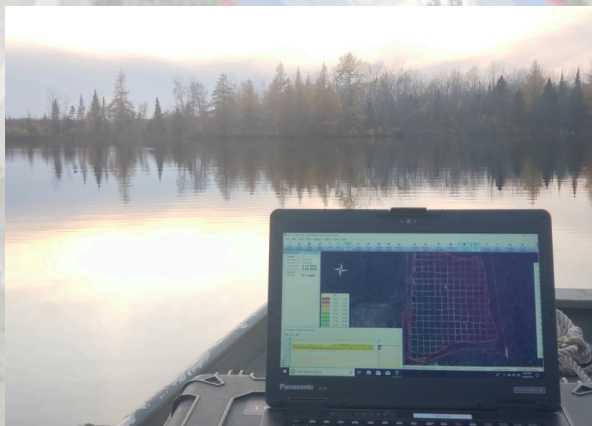
## JEFFREY BIGGS

*Lead Hydrographer; dredgeSMART.<sup>TM</sup>  
Urban Aquatic Specialist*

Texas A&M Basic & Advance Survey Certified  
FFA sUAS Certified Pilot  
Aquamaster Fountain Technical Training Certified

Jeff specializes in survey methodologies and mapping technologies. He has over 20 years of experience in this field from previous employment all over the world. The diversity of areas that he has completed this work makes him the best professional for this role as he is able to use judgement, experience, and quick thinking to accomplish any project he encounters.

Since joining the PondMedics team Jeff has pursued different trainings and certifications to better serve our clients. He has a passion for staying up-to-date on the top survey techniques and software to be able to produce the most accurate and scientifically sound data and subsequent best management practices.





## **PondMedics – Pond and Lake Management References List**

### **Saddle Creek HOA – Prosper**

- Lori Jones: Community Manager  
951-219-1038, [ljones@nmitx.com](mailto:ljones@nmitx.com)

### **Willow Ridge HOA – Prosper**

- Rachel Drake: Community Manager  
214-494-6002, [rdrake@insightam.com](mailto:rdrake@insightam.com)
- Bob Holbrook: HOA Board Member  
972-672-1431, [bobho@me.com](mailto:bobho@me.com)

### **Shiloh Ranch HOA – McKinney**

- Angie Beene: Community Manager  
972-960-2800, [a.beene@sbbmanagement.com](mailto:a.beene@sbbmanagement.com)
- Michelle Wilder: HOA Board President  
214-475-4752, [michellewilder3@gmail.com](mailto:michellewilder3@gmail.com)

### **Meadow Hill Estates HOA – Frisco**

- Colby Gschwend: Community Manager  
469-287-7412, [colby@4sightpm.com](mailto:colby@4sightpm.com)
- Kim Martin: HOA Board Member  
214-437-1927, [kimtexasmartin@gmail.com](mailto:kimtexasmartin@gmail.com)

### **Collinsbrook Farms HOA – Frisco**

- Monday Makin: Community Manager  
972-612-2303, [monday@vcmtexas.com](mailto:monday@vcmtexas.com)

### **Homestead HOA – Sunnyvale**

- Rachel Smith: Community Manager  
214-494-6002, [rsmith@sinsightam.com](mailto:rsmith@sinsightam.com)
- Jerry Johnson: HOA Board Member  
214-704-3329, [jerrydjohnson01@gmail.com](mailto:jerrydjohnson01@gmail.com)



### **Lantana HOA – Argyle**

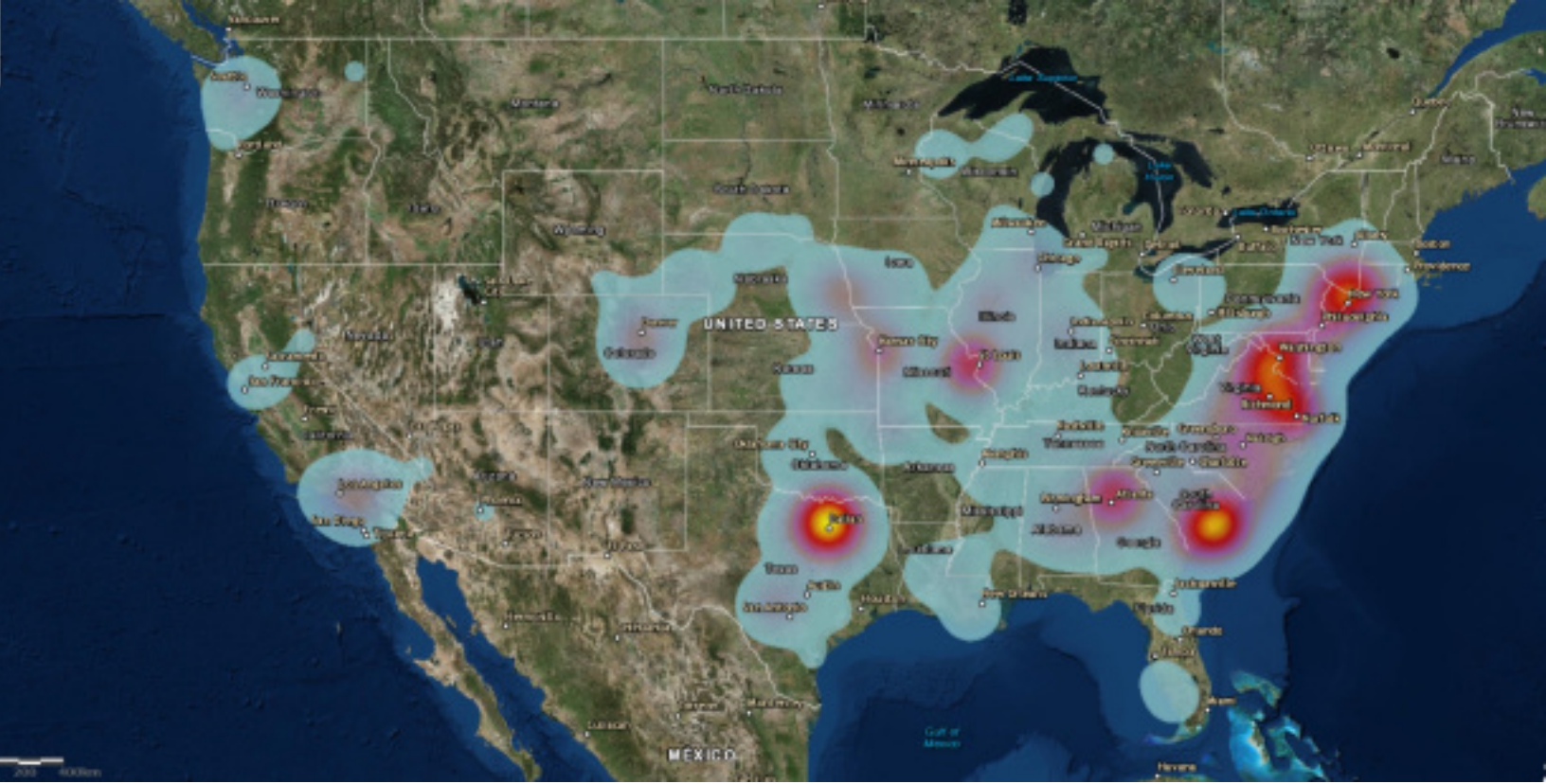
- Rachael Robinson: Community Manager  
940-728-1660, [rrobinson@insightam.com](mailto:rrobinson@insightam.com)

### **Willow Bend Lakes HOA – Plano**

- Jamie Jakubowski: Community Manager  
972-943-2864, [jjakubowski@cmamanagement.com](mailto:jjakubowski@cmamanagement.com)

### **Twin Lakes Estates HOA – Lewisville**

- Nathan Swaim: HOA Board President  
210-861-9396, [nathan@csglabs.com](mailto:nathan@csglabs.com)



# 21 years and 4,000+ projects

## OUR CLIENTS INCLUDE:

- Engineering firms
- Environmental consultants
- Government agencies
- Homeowners/property associations
- Property management companies
- Commercial and retail property owners and managers
- Private land owners
- Dredging and construction contractors
- Municipalities
- Water treatment plants
- Golf courses
- Marinas
- Power plants
- Manufacturing and chemical plants

# Technical Proposal

PondMedics is capable of performing all of the services from referenced in Section 5.1.15 including tasks to remedy the following:

- Out-of-control algae
- Failing shorelines
- Muddy waters
- Unchecked vegetation
- Removal of pond sludge
- Weed infestation
- Problem fountains
- Related issues in stormwater and freshwater ponds, lagoons, and lakes

Additionally, PondMedics is able to perform tasks to remedy the following:

- Low dissolved oxygen levels
- Leaky ponds
- Overgrown detention
- Obstructed drainage pathways
- Sloughing banks and ponds
- Overgrown cattails
- Beaver infestation

# Standard Pricing

DESCRIPTION	PRICE	QTY	SUBTOTAL
Proactive Pond/Lake Management (per acre)	\$8,500	1	\$8,500
TOTAL			\$8,500

Services to include:

- Regularly-schedule site visits made during defined months to assess current pond conditions, apply scheduled treatments, and/or perform submergent vegetation detection.
- Proactive, scheduled algaecide application will be performed to control algae such as planktonic, filamentous, bluegreens and chara.
- Proactive, scheduled aquatic herbicide application will be performed to control submergent macrophytes (all plants not including algae) such as bushy pondweed, coontail, hydrilla and American floating pondweed.
- Monthly report sent regarding the current condition and activities performed throughout that month. This reporting will be sufficient for the record keeping requirements of the Texas Department of Agriculture (TDA) as well as TCEQ.
- Techniques such as a grapple hook, rake, sonar sampling and/or visual observation, PondMedics biologists and/or technicians will determine the current growth rate, if any, of vegetation, if any, is occurring on the bottom of the pond.
- Bacteria sequesters nutrients in the water column and substrate. The goal is to apply bacteria early and often to "starve" aquatic weeds of vital nutrients, therefore inhibiting their growth. This is not a cure-all product though.

# Standard Pricing

DESCRIPTION	PRICE	QTY	SUBTOTAL
Level 2 Fountain-as-a-Service (Monthly service agreement)	\$525	1	\$525
TOTAL			\$525

## DO I OWN THE FOUNTAIN WHEN I SIGN UP FOR FOUNTAIN FREEDOM?

Luckily, you don't have to own anything! This is the biggest perk to the program - all the maintenance, service and headaches are on us!

## HOW LONG ARE MY MONTHLY PRICES GUARANTEED?

Monthly Fountain Freedom pricing will not change for the contract term!

## HOW DOES BILLING WORK?

We automatically perform an ACH draft or automatically charge the credit card you provide us upon signup the 1st day of each month.

## ARE THERE ANY ADDITIONAL FEES BESIDES THE MONTHLY RECURRING CHARGES?

No. There are no hidden fees or charges - the monthly fee is all-inclusive.

## WHO PAYS THE ELECTRICAL BILL FOR RUNNING THE FOUNTAINS?

You, the customer, still pay your own electrical bill just like you have before because we connect into the existing electrical service on site. It is important to note that there are often savings on power consumption with our program and that is part of the overall value of having newer equipment.

## WHAT IS THE GUARANTEE IF THE FOUNTAIN IS DOWN MORE THAN 5 DAYS IN A MONTH?

If the fountain is not operational for more than 5 days the next month of service is FREE!

## HOW DO YOU KNOW WHEN THE FOUNTAIN IS NOT WORKING?

The fountains we use in our program are "connected" fountains, so when the fountain is not operational, our team is notified and the clock begins!

## DOES MY FOUNTAIN PROGRAM INCLUDE LIGHTS?

All fountains in our program include LED lights that can be set for white or many different colors with a handheld remote control.

## WHAT HOURS OF OPERATION IS MY FOUNTAIN PROGRAMMED TO RUN? AND THE LIGHTS?

Fountains run from 6 am to 11 pm. The lights are programmed to turn on at 6 pm and off at 11 pm. By the way, downtime between 11 pm and 6 am doesn't constitute as a "downed fountain."

## WHAT WILL HAPPEN TO MY EXISTING FOUNTAIN WHEN YOU INSTALL THE FOUNTAIN FREEDOM FOUNTAIN?

We can either leave your existing fountain on the shoreline for you to pickup and store or dispose of OR we can dispose of it for you.

## IF I DECIDE TO CANCEL, WILL YOU REINSTALL MY OLD FOUNTAIN?

Unfortunately, we can't re-install your old fountain upon cancellation. But we think you'll like the Fountain Freedom program so much, you won't even think about going back to owning a fountain again!

**ATTACHMENT I: INSTRUCTIONS  
FOR PROPOSALS COMPLIANCE AND SUBMITTAL**

**Compliance with the Solicitation**

Submissions must be in strict compliance with this solicitation. Failure to comply with all provisions of the solicitation may result in disqualification.

**Compliance with the NCTCOG Standard Terms and Conditions**

By signing its submission, Offeror acknowledges that it has read, understands and agrees to comply with the NCTCOG standard terms and conditions.

**Acknowledgment of Insurance Requirements**

By signing its submission, Offeror acknowledges that it has read and understands the insurance requirements for the submission. Offeror also understands that the evidence of required insurance must be submitted within ten (10) working days following notification of its offer being accepted; otherwise, NCTCOG may rescind its acceptance of the Offeror's proposals. The insurance requirements are outlined in Section 2.2 - General Terms and Conditions.

\_\_\_\_\_  
PONDMEDICS, LLC  
Vendor Name

\_\_\_\_\_  
  
Authorized Signature

\_\_\_\_\_  
Jarrod Conner  
Typed Name

\_\_\_\_\_  
10/16/2024  
Date

**ATTACHMENT II: CERTIFICATIONS OF OFFEROR**

I hereby certify that the information contained in this proposal and any attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I certify that no employee, board member, or agent of the North Central Texas Council of Governments has assisted in the preparation of this proposal. I acknowledge that I have read and understand the requirements and provisions of the solicitation and that the organization will comply with the regulations and other applicable local, state, and federal regulations and directives in the implementation of this contract.

I also certify that I have read and understood all sections of this solicitation and will comply with all the terms and conditions as stated; and furthermore that I, Jarrod Conner (typed or printed name) certify that I am the Chief Operating Officer (title) of the corporation, partnership, or sole proprietorship, or other eligible entity named as offeror and respondent herein and that I am legally authorized to sign this offer and to submit it to the North Central Texas Council of Governments, on behalf of said offeror by authority of its governing body.

PONDMEDICS, LLC

Vendor Name

  
Authorized Signature

Jarrod Conner

Typed Name

10/16/2024

Date

**ATTACHMENT III: CERTIFICATION**  
**REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

This certification is required by the Federal Regulations Implementing Executive Order 12549, Debarment and Suspension, 45 CFR Part 93, Government-wide Debarment and Suspension, for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Parts 85, 668, 682), Department of Health and Human Services (45 CFR Part 76).

The undersigned certifies, to the best of his or her knowledge and belief, that both it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency;
2. Have not within a three-year period preceding this contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction, violation of federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false Proposals, or receiving stolen property;
3. Are not presently indicated for or otherwise criminally or civilly charged by a government entity with commission of any of the offense enumerated in Paragraph (2) of this certification; and,
4. Have not within a three-year period preceding this contract had one or more public transactions terminated for cause or default.

Where the prospective recipient of federal assistance funds is unable to certify to any of the qualifications in this certification, such prospective recipient shall attach an explanation to this certification form.

PONDMEDICS, LLC  
Vendor Name

[Signature]  
Authorized Signature

Jarrold Conner  
Typed Name

10/16/2024  
Date

#### **ATTACHMENT IV: RESTRICTIONS ON LOBBYING**

Section 319 of Public Law 101-121 prohibits recipients of federal contracts, grants, and loans exceeding \$100,000 at any tier under a federal contract from using appropriated funds for lobbying the Executive or Legislative Branches of the federal government in connection with a specific contract, grant, or loan. Section 319 also requires each person who requests or receives a federal contract or grant in excess of \$100,000 to disclose lobbying.

No appropriated funds may be expended by the recipient of a federal contract, loan, or cooperative agreement to pay any person for influencing or attempting to influence an officer or employee of any federal executive department or agency as well as any independent regulatory commission or government corporation, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered federal actions: the awarding of any federal contract, the making of any federal grant, the making of any federal loan the entering into of any cooperative agreement and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

As a recipient of a federal grant exceeding \$100,000, NCTCOG requires its subcontractors of that grant to file a certification, set forth in Appendix B.1, that neither the agency nor its employees have made, or will make, any payment prohibited by the preceding paragraph.

Subcontractors are also required to file with NCTCOG a disclosure form, set forth in Appendix B.2, if the subcontractor or its employees have made or have agreed to make any payment using nonappropriated funds (to include profits from any federal action), which would be prohibited if paid for with appropriated funds.

(Continued on next page)

**LOBBYING CERTIFICATION  
FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge or belief, that:

1. No federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an officer or employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal loan, the entering into of any cooperative Contract, and the extension, continuation, renewal, amendment, or modification or any federal contract, grant, loan, or cooperative contract; and
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, and or cooperative contract, the undersigned shall complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying”, in accordance with the instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers and that all sub-recipients shall certify accordingly.

PONDMEDICS, LLC  
\_\_\_\_\_  
Vendor Name

\_\_\_\_\_  
Authorized Signature

Jarrold Conner  
\_\_\_\_\_  
Typed Name

10/16/2024  
\_\_\_\_\_  
Date

**ATTACHMENT V: DRUG-FREE WORKPLACE CERTIFICATION**

The PONDMEDICS, LLC (company name) will provide a Drug Free Work Place in compliance with the Drug Free Work Place Act of 1988. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on the premises of the PONDMEDICS, LLC (company name) or any of its facilities. Any employee who violates this prohibition will be subject to disciplinary action up to and including termination. All employees, as a condition of employment, will comply with this policy.

**CERTIFICATION REGARDING DRUG-FREE WORKPLACE**

This certification is required by the Federal Regulations Implementing Sections 5151-5160 of the Drug-Free Workplace Act, 41 U.S.C. 701, for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Parts 85, 668 and 682), Department of Health and Human Services (45 CFR Part 76).

The undersigned subcontractor certifies it will provide a drug-free workplace by:

Publishing a policy Proposal notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the consequences of any such action by an employee;

Establishing an ongoing drug-free awareness program to inform employees of the dangers of drug abuse in the workplace, the subcontractor's policy of maintaining a drug-free workplace, the availability of counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed on employees for drug violations in the workplace;

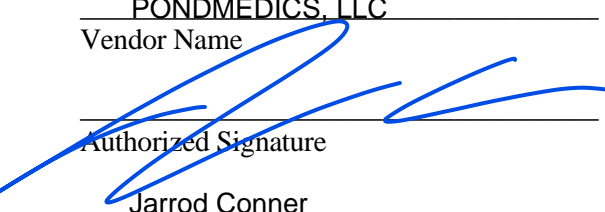
Providing each employee with a copy of the subcontractor's policy Proposal;

Notifying the employees in the subcontractor's policy Proposal that as a condition of employment under this subcontract, employees shall abide by the terms of the policy Proposal and notifying the subcontractor in writing within five days after any conviction for a violation by the employee of a criminal drug abuse statute in the workplace;

Notifying the Board within ten (10) days of the subcontractor's receipt of a notice of a conviction of any employee; and,

Taking appropriate personnel action against an employee convicted of violating a criminal drug statute or requires such employee to participate in a drug abuse assistance or rehabilitation program.

PONDMEDICS, LLC  
Vendor Name

  
Authorized Signature

Jarrod Conner  
Typed Name

10/16/2024  
Date

**ATTACHMENT VI: DISCLOSURE OF CONFLICT OF INTEREST**  
**CERTIFICATION REGARDING DISCLOSURE OF CONFLICT OF INTEREST**

The undersigned certifies that, to the best of his or her knowledge or belief, that:

“No employee of the contractor, no member of the contractor’s governing board or body, and no person who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of this contract shall participate in any decision relating to this contract which affects his/her personal pecuniary interest.

Executives and employees of contractor shall be particularly aware of the varying degrees of influence that can be exerted by personal friends and associates and, in administering the contract, shall exercise due diligence to avoid situations which give rise to an assertion that favorable treatment is being granted to friends and associates. When it is in the public interest for the contractor to conduct business with a friend or associate of an executive or employee of the contractor, an elected official in the area or a member of the North Central Texas Council of Governments, a permanent record of the transaction shall be retained.

Any executive or employee of the contractor, an elected official in the area or a member of the NCTCOG, shall not solicit or accept money or any other consideration from a third person, for the performance of an act reimbursed in whole or part by contractor or Department. Supplies, tools, materials, equipment or services purchased with contract funds shall be used solely for purposes allowed under this contract. No member of the NCTCOG shall cast a vote on the provision of services by that member (or any organization which that member represents) or vote on any matter which would provide a direct or indirect financial benefit to the member or any business or organization which the member directly represents”.

No officer, employee or paid consultant of the contractor is a member of the NCTCOG.

No officer, manager or paid consultant of the contractor is married to a member of the NCTCOG.

No member of NCTCOG directly owns, controls or has interest in the contractor.

The contractor has disclosed any interest, fact, or circumstance that does or may present a potential conflict of interest.

No member of the NCTCOG receives compensation from the contractor for lobbying activities as defined in Chapter 305 of the Texas Government Code.

Should the contractor fail to abide by the foregoing covenants and affirmations regarding conflict of interest, the contractor shall not be entitled to the recovery of any costs or expenses incurred in relation to the contract and shall immediately refund to the North Central Texas Council of Governments any fees or expenses that may have been paid under this contract and shall further be liable for any other costs incurred or damages sustained by the NCTCOG as it relates to this contract.

PONDMEDICS, LLC

Vendor Name

Authorized Signature

Jarrod Conner

Typed Name

10/16/2024

Date

**ATTACHMENT VII: CERTIFICATION OF FAIR BUSINESS PRACTICES**

That the submitter has not been found guilty of unfair business practices in a judicial or state agency administrative proceeding during the preceding year. The submitter further affirms that no officer of the submitter has served as an officer of any company found guilty of unfair business practices in a judicial or state agency administrative during the preceding year.

PONDMEDICS, LLC

Vendor Name

Authorized Signature

Jarrod Conner

Typed Name

10/16/2024

Date

**ATTACHMENT VIII: CERTIFICATION OF GOOD STANDING  
TEXAS CORPORATE FRANCHISE TAX CERTIFICATION**

Pursuant to Article 2.45, Texas Business Corporation Act, state agencies may not contract with for profit corporations that are delinquent in making state franchise tax payments. The following certification that the corporation entering into this offer is current in its franchise taxes must be signed by the individual authorized on Form 2031, Corporate Board of Directors Resolution, to sign the contract for the corporation.

The undersigned authorized representative of the corporation making the offer herein certified that the following indicated Proposal is true and correct and that the undersigned understands that making a false Proposal is a material breach of contract and is grounds for contract cancellation.

Indicate the certification that applies to your corporation:

\_\_\_\_\_ The Corporation is a for-profit corporation and certifies that it is not delinquent in its franchise tax payments to the State of Texas.

\_\_\_\_\_ The Corporation is a non-profit corporation or is otherwise not subject to payment of franchise taxes to the State of Texas.

Type of Business (if not corporation):      ☐      Sole Proprietor  
   ☐      Partnership  
   ☒      Other

Pursuant to Article 2.45, Texas Business Corporation Act, the North Central Texas Council of Governments reserves the right to request information regarding state franchise tax payments.

PONDMEDICS, LLC  
Vendor Name

\_\_\_\_\_  
Authorized Signature

Jarrod Conner  
Typed Name

10/16/2024  
Date

**ATTACHMENT IX: HISTORICALLY UNDERUTILIZED BUSINESSES,  
MINORITY OR WOMEN-OWNED OR DISADVANTAGED BUSINESS ENTERPRISES**

Historically Underutilized Businesses (HUBs), minority or women-owned or disadvantaged businesses enterprises (M/W/DBE) are encouraged to participate in the solicitation process.

NCTCOG recognizes the certifications of most agencies. HUB vendors must submit a copy of their certification for consideration during the evaluation of their proposal. Please attach the copy to this form. This applies only to the Offeror and not a subcontractor.

Texas vendors who are not currently certified are encouraged to contact either the Texas United Certification Program, State of Texas HUB Program, or the North Central Texas Regional Certification Agency, among others. Contact:

State of Texas HUB Program  
Texas Comptroller of Public Accounts  
Lyndon B. Johnson State Office Building  
111 East 17th Street  
Austin, Texas 78774  
(512) 463-6958  
<http://www.window.state.tx.us/procurement/prog/hub/>

North Central Texas Regional Certification Agency  
624 Six Flags Drive, Suite 100  
Arlington, TX 76011  
(817) 640-0606  
<http://www.nctrca.org/certification.html>

Texas United Certification Program  
USDOT website at  
<https://www.transportation.gov/DBE>

**You must include a copy of your certification document as part of this solicitation to receive points in the evaluation.**

**Vendor to Sign Below to Attest to Validity of Certification:**

\_\_\_\_\_  
Vendor Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Date

*\* Not Applicable*

# ATTACHMENT X: NCTCOG FEDERAL AND STATE OF TEXAS REQUIRED PROCUREMENT PROVISIONS

**The following provisions are mandated by Federal and/or State of Texas law. Failure to certify to the following will result in disqualification of consideration for contract. Entities or agencies that are not able to comply with the following will be ineligible for consideration of contract award.**

## PROHIBITED TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT CERTIFICATION

This Contract is subject to the Public Law 115-232, Section 889, and 2 Code of Federal Regulations (CFR) Part 200, including §200.216 and §200.471, for prohibition on certain telecommunications and video surveillance or equipment.

Public Law 115-232, Section 889, identifies that restricted telecommunications and video surveillance equipment or services (e.g., phones, internet, video surveillance, cloud servers) include the following:

- A) Telecommunications equipment that is produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliates of such entities).
- B) Video surveillance and telecommunications equipment produced by Hytera Communications Corporations, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliates of such entities).
- C) Telecommunications or video surveillance services used by such entities or using such equipment.
- D) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, Director of the National Intelligence, or the Director of the Federal Bureau of Investigation reasonably believes to be an entity owned or controlled by the government of a covered foreign country. The entity identified below, through its authorized representative, hereby certifies that no funds under this Contract will be obligated or expended to procure or obtain telecommunication or video surveillance services or equipment or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as a critical technology as part of any system prohibited by 2 CFR §200.216 and §200.471, or applicable provisions in Public Law 115-232 Section 889.

☒ **The Contractor or Subrecipient hereby certifies that it does comply with the requirements of 2 CFR §200.216 and §200.471, or applicable regulations in Public Law 115-232 Section 889.**

PONDMEDICS, LLC

Vendor Name

Authorized Signature

Jarrold Conner

Typed Name

10/16/2024

Date

**-OR-**

☐ **The Contractor or Subrecipient hereby certifies that it cannot comply with the requirements of 2 CFR §200.216 and §200.471, or applicable regulations in Public Law 115-232 Section 889.**

Vendor Name

Authorized Signature

Typed Name

Date

(Continued on next page)

**DISCRIMINATION AGAINST FIREARMS ENTITIES OR FIREARMS TRADE ASSOCIATIONS**

This contract is subject to the Texas Local Government Code chapter 2274, Subtitle F, Title 10, prohibiting contracts with companies who discriminate against firearm and ammunition industries. TLGC chapter 2274, Subtitle F, Title 10, identifies that “discrimination against a firearm entity or firearm trade association” includes the following:

- A) means, with respect to the entity or association, to:
  - I. refuse to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association; and
  - II. refrain from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; or
  - III. terminate an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association.
- B) An exception to this provision excludes the following:
  - I. contracts with a sole-source provider; or
  - II. the government entity does not receive bids from companies who can provide written verification.

The entity identified below, through its authorized representative, hereby certifies that they have no practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and that they will not discriminate during the term of the contract against a firearm entity or firearm trade association as prohibited by Chapter 2274, Subtitle F, Title 10 of the Texas Local Government Code.

☒ **The Contractor or Subrecipient hereby certifies that it does comply with the requirements of Chapter 2274, Subtitle F, Title 10.**

PONDMEDICS, LLC

Vendor Name

Authorized Signature

Jarrold Conner

Typed Name

10/16/2024

Date

**-OR-**

☐ **The Contractor or Subrecipient hereby certifies that it cannot comply with the requirements of Chapter 2274, Subtitle F, Title 10.**

Vendor Name

Authorized Signature

Typed Name

Date

(Continued on next page)

## BOYCOTTING OF CERTAIN ENERGY COMPANIES

This contract is subject to the Texas Local Government Code chapter 809, Subtitle A, Title 8, prohibiting contracts with companies who boycott certain energy companies.

TLGC chapter Code chapter 809, Subtitle A, Title 8, identifies that “boycott energy company” 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:

- I. 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; and
- II. does business with a company described by paragraph (I).

The entity identified below, through its authorized representative, hereby certifies that they do not boycott energy companies, and that they will not boycott energy companies during the term of the contract as prohibited by Chapter 809, Subtitle A, Title 8 of the Texas Local Government Code.

☒ The Contractor or Subrecipient hereby certifies that it does comply with the requirements of Chapter 809, Subtitle A, Title 8.

PONDMEDICS, LLC

Vendor Name

Authorized Signature

Jarrod Conner

Typed Name

10/16/2024

Date

**-OR-**

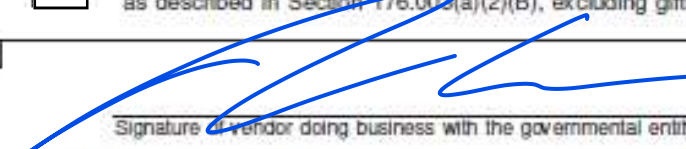
☐ The Contractor or Subrecipient hereby certifies that it cannot comply with the requirements of Chapter 809, Subtitle A, Title 8.

Vendor Name

Authorized Signature

Typed Name

Date

<b>CONFLICT OF INTEREST QUESTIONNAIRE</b> <b>For vendor doing business with local governmental entity</b>		<b>FORM CIQ</b>
<p><b>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</b></p> <p>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).</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 vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.</p> <p>A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>	<b>OFFICE USE ONLY</b>	
<p><b>1 Name of vendor who has a business relationship with local governmental entity.</b></p> <p style="text-align: center;">PONDMEDICS, LLC</p>	<p>Date Received</p>	
<p><b>2</b> <input type="checkbox"/> 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.)</p>		
<p><b>3 Name of local government officer about whom the information is being disclosed.</b></p> <p style="text-align: center;">N/A</p> <p style="text-align: center;">_____ Name of Officer</p>		
<p><b>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.</b></p> <p style="margin-top: 20px;">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?</p> <p style="text-align: center;"> <input type="checkbox"/> Yes      <input type="checkbox"/> No         </p> <p style="margin-top: 10px;">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?</p> <p style="text-align: center;"> <input type="checkbox"/> Yes      <input type="checkbox"/> No         </p>		
<p><b>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.</b></p>		
<p><b>6</b> <input type="checkbox"/> 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).</p>		
<p><b>7</b></p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 60%;"> <p style="text-align: center;">             _____            Signature of Vendor doing business with the governmental entity         </p> </div> <div style="width: 35%; text-align: right;"> <p>10/16/2024            _____            Date</p> </div> </div>		

**EXHIBIT 1**  
**CATEGORIES SELECTED, DISCOUNTS FOR PRICING & CURRENT PUBLISHED PRICE LIST**

- **Please place a checkmark next to each Category that you are offering in your proposal:**

\_\_\_\_\_ Service Category #1: Sludge Hauling Services  
\_\_\_\_\_ Service Category #2: Land Application Services  
\_\_\_\_\_ Service Category #3: Composting Services  
\_\_\_\_\_ Service Category #4: Lagoon Mapping, Surveying and Cleaning Services  
\_\_\_\_\_ Service Category #5: Heat Drying and Pelletizing Services  
☒ Service Category #6: Stormwater/Freshwater Pond Services  
\_\_\_\_\_ Service Category #7: Digester and Tank Cleaning Services  
\_\_\_\_\_ Service Category #8: Other Related Services Not Listed

- **Proposed Contractual Discounts on Pricing for Categories Offered**

For each of the categories you selected above, provide your proposed **discount** off your list price on the attached *Bid Price Worksheet*. You may offer tiers of discounts based on the different bid items or the sale quantity.

- **Current Published Price List for Items Offered**

For each of the bid items you wish to offer, please provide the current published list price. Please attach this information to your proposal on a separate sheet or via a weblink. Please match the Category item number from the Bid Price Worksheet to the matching item on your current published price list.

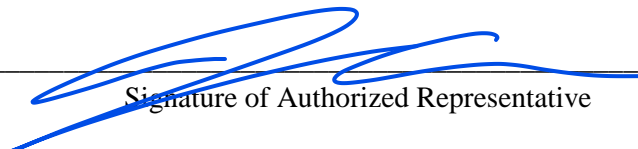
**NOTE: The current price list will NOT be a part of your contractual obligation and may be modified at your discretion during the term of any contract that is awarded to you. You are however requested to provide us with an updated version of the current price list whenever it is updated. Only the percentage discount is contractually obligated.**

## BID PRICE WORKSHEET FOR RFP #2024-099

Item	Description	<u>% Discount</u> Off Your Regular List Price
1	Service Category 1: Sludge Hauling Services	
2	Service Category #2: Land Application Services	
3	Service Category #3: Composting Services	
4	Service Category #4: Lagoon Mapping, Surveying and Cleaning Services	
5	Service Category #5: Heat Drying and Pelletizing Services	
6	Service Category #6: Stormwater/Freshwater Pond Services	3%
7	Service Category #7: Digester and Tank Cleaning Services	
8	Service Category #8: Other Related Services Not Listed	

PONDMEDICS, LLC

\_\_\_\_\_  
Name of Proposing Firm

  
 \_\_\_\_\_  
 Signature of Authorized Representative

Jarrod Conner - Chief Operating Officer  
 \_\_\_\_\_  
 Printed/Typed Name and Title of Authorized Representative

10/16/2024

\_\_\_\_\_  
Date

**EXHIBIT 2**  
**SAMPLE MARKET BASKET FORM**

For the items on the MARKET BASKET WORKSHEET, please enter your current unit price for the items you are offering in your proposal. If you do not provide one or more of the items on the MARKET BASKET WORKSHEET, please note as such on the worksheet. This form is for evaluation purposes only and will not be part of any awarded contract.

*\* NOTE: These are hypothetical examples and do NOT represent an actual job to be performed. \**

## Exhibit 2 - Market Basket Worksheet for RFP #2024-099

### Service Category 1: Sludge Hauling Services

Item	Description	Unit of Measure	Current List Price	% Discount	Net Price After Discount
1	Dewater, haul, and dispose of water treatment plant sludge generated from the use of aluminum chlorohydrate at a water treatment plant in downtown Fort Worth, Texas. The quantity of liquid sludge to be dewatered is approximately 800,000-1,000,000 gallons. Contractor shall dispose of the sludge by any method approved under current TCEQ regulation.				

### Service Category #7: Digester and Tank Cleaning Services

Item	Description	Unit of Measure	Current List Price	% Discount	Net Price After Discount
2	Removal of all material from digester, dewatering of removed material using equipment provided by contractor and transporting all dewatered material to an appropriate landfill and disposal. Estimated quantity is 400 tons.				




~~X~~ Not Applicable

**EXHIBIT 3**  
**SERVICE DESIGNATION AREAS**

Texas Service Area Designation or Identification			
<b>Proposing Firm Name:</b>			
<b>Notes:</b>	<b>Indicate in the appropriate box whether you are proposing to service the entire state of Texas</b>		
	Will service the entire state of Texas	Will not service the entire state of Texas	
		X	
	<b>If you are not proposing to service the entire state of Texas, designate on the form below the regions that you are proposing to provide goods and/or services to. By designating a region or regions, you are certifying that you are willing and able to provide the proposed goods and services.</b>		
<b>Item</b>	<b>Region</b>	<b>Metropolitan Statistical Areas</b>	<b>Designated Service Area</b>
1.	North Central Texas	16 counties in the Dallas-Fort Worth Metropolitan area	X
2.	High Plains	Amarillo Lubbock	
3.	Northwest	Abilene Wichita Falls	
4.	Upper East	Longview Texarkana, TX-AR Metro Area Tyler	
5.	Southeast	Beaumont-Port Arthur	
6.	Gulf Coast	Houston-The Woodlands-Sugar Land	
7.	Central Texas	College Station-Bryan Killeen-Temple Waco	
8.	Capital Texas	Austin-Round Rock	
9.	Alamo	San Antonio-New Braunfels Victoria	
10.	South Texas	Brownsville-Harlingen Corpus Christi Laredo McAllen-Edinburg-Mission	
11.	West Texas	Midland Odessa San Angelo	
12.	Upper Rio Grande	El Paso	

(Exhibit 3 continued on next page)

(Exhibit 3 continued)

Nationwide Service Area Designation or Identification Form							
<b>Proposing Firm Name:</b>							
<b>Notes:</b>	<p><b>Indicate in the appropriate box whether you are proposing to provide service to all Fifty (50) States.</b></p> <table border="1"> <tr> <td>Will service all fifty (50) states</td> <td>Will not service fifty (50) states</td> </tr> <tr> <td></td> <td></td> </tr> </table>			Will service all fifty (50) states	Will not service fifty (50) states		
Will service all fifty (50) states	Will not service fifty (50) states						
							
	<p><b>If you are not proposing to service to all fifty (50) states, then designate on the form below the states that you will provide service to. By designating a state or states, you are certifying that you are willing and able to provide the proposed goods and services in those states.</b></p> <p><b>If you are only proposing to service a specific region, metropolitan statistical area (MSA), or City in a State, then indicate as such in the appropriate column box.</b></p>						
Item	State	Region/MSA/City (write "ALL" if proposing to service entire state)	Designated as a Service Area				
1.	Alabama						
2.	Alaska						
3.	Arizona						
4.	Arkansas						
5.	California						
6.	Colorado						
7.	Connecticut						
8.	Delaware						
9.	Florida						
10.	Georgia						
11.	Hawaii						
12.	Idaho						
13.	Illinois						
14.	Indiana						
15.	Iowa						
16.	Kansas						
17.	Kentucky						
18.	Louisiana						
19.	Maine						
20.	Maryland						

21.	Massachusetts		
22.	Michigan		
23.	Minnesota		
24.	Mississippi		
25.	Missouri		
26.	Montana		
27.	Nebraska		
28.	Nevada		
29.	New Hampshire		
30.	New Jersey		
31.	New Mexico		
32.	New York		
33.	North Carolina		
34.	North Dakota		
35.	Ohio		
36.	Oregon		
37.	Oklahoma		
38.	Pennsylvania		
39.	Rhode Island		
40.	South Carolina		
41.	South Dakota		
42.	Tennessee		
43.	Texas		
44.	Utah		
45.	Vermont		
46.	Virginia		
47.	Washington		
48.	West Virginia		
49.	Wisconsin		
50.	Wyoming		

End of Exhibit 3